

**CALIBRATING HOMEGROWN EXTREMISM OVER INTRACTABLE
COMMUNAL LAND USE CONFLICTS IN MOUNT ELGON REGION OF
WESTERN KENYA**

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**A Thesis Submitted in Partial Fulfillment of the Requirements for the Conferment
of the Degree of Doctor of Philosophy in Peace and Conflict Studies of Masinde
Muliro University of Science and Technology**

November, 2023

DECLARATION AND CERTIFICATION

DECLARATION BY THE CANDIDATE

This thesis is my original work prepared with no other than the indicated sources and support and has not been presented elsewhere for a degree or any other award.



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DEDICATION

This thesis is dedicated to a man who valued education and my covert source of inspiration, my father, the late Wickens Oluteyo Obwaka. To my Mum, Juliah Ayako Namutenda- wear this crown with pride. To my family-this is for you. To the people of Mount Elgon, as long as researchers continue traversing the volcano- there is hope for the future you pray for every single day, perhaps “*Facing Mt. Elgon.*”

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A Doctoral Degree never crossed my fantasy imaginations. While growing up, I only had one dream- that of serving and rising to the apex of ranks of the Kenya Defence Forces. I attribute the completion of this piece of work to my family, friends and, colleagues. First, I am greatly indebted to Microjustice4All for giving me an opportunity to traverse the giant volcano in 2018 during their Legal Inclusion Mapping Program of Marginalized Communities in Kenya. It is through the conversations I had at the time that my research problem was conceived. With the help of my research Supervisors, Professors Pontian Godfrey Okoth and Edmond Maloba, we managed to panel beat the informal conversations into a viable research problem that went to compete in arguably Africa's most prestigious Doctoral Research Fellowship- Social Science Research Council's Next Generation Social Science in Africa Research and Completion Fellowships in 2021 and 2022, with the funds provided by the Carnegie Cooperation of New York.

I express my heartfelt appreciation to the over 400 respondents of Mt. Elgon who welcomed me and my team of research assistants to the study area and voluntarily participated in this study. Without their cooperation, achieving this Thesis thread would be an impossibility. Despite undertaking the study in the "temporal age" of disruption preceded by the Global Coronavirus pandemic, a study of this nature meant more to them than to myself- the researcher. I owe the Mt. Elgon Community the implementation of the results of this study among others already conducted in the study.

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In the words of Lao Tzu, "*Go to the people. Live with them. Learn from them. Love them. Start with what they know. Build with what they have. But with the best leaders, when the work is done, the task accomplished, the people will say 'We have done this ourselves.'*" Now is the time to give back and make the research recommendations work, first, for the people of Mount Elgon and communities faced with resource problems across the African Continent. This is for you.

ABSTRACT

Since the end of the cold war, violent interstate conflicts have been historically low. However, in the post-Cold War world order, conflicts within states among a ballooning number of extremist militia groups, non-state armed groups and the state thereby prompting external intervention have been on the upsurge. In the Global South, intra-state contestations over land and natural resource distribution have become rampant. These are projected to rise as a domino effect of population explosion, urbanization, adverse effects of climate change and deteriorating land quality. The African Continent is set to bear the biggest burden of these contestations. Therefore, guided by the Pragmatic Africanacity philosophy, this thesis is a departure from conventional Euro-American drivers of extremism. Therefore, a new phase of violent extremism over land and resource distribution could be on the horizon. Coupled with the already complex challenges presented by conventional extremist organizations, is set to redefine the Global counter violent extremism architecture. In Kenya, land is essential to human survival, development and is a source of livelihood. Pursuit for land shrouded by relative deprivation can contribute to feelings of grievance and injustice. Without cogent moderation by the state, land injustices are a rehearsal to social tensions as they feed into pre-existing conflict dynamics and can escalate into violent conflicts. Existing literature has not been explicit on the intimacy between distribution of land and natural resources as a pathway to homegrown extremism. This study sought to bring forth this relationship. Rooted in a long historical quest for land rights spanning over 100 years, the carnage of the Soy led extremist Sabaot Land Defense Forces epitomized state failure to secure sustainable peace over land distribution in Mt. Elgon Region. In as much as tracks one and two peace approaches managed to secure some semblance of tranquility in the region not much has been documented about their commissions and omissions as catalysts to extremism. The general objective of this study was to calibrate homegrown extremism over intractable communal land use conflicts in Mt. Elgon Region of Western Kenya. The specific objectives of the study were to: Examine the determinants of homegrown extremism over intractable communal land use conflicts in Mt. Elgon Region; Investigate the risk of homegrown extremism over intractable communal land use conflicts in Mt. Elgon Region and assess the contribution of the response approaches to extremism in their quest to manage intractable land use conflicts in Mt. Elgon Region. The study was anchored on Relative Deprivation and the Frustration Aggression theories. The study adopted descriptive and historical research designs. The target population comprised 452 respondents sampled from households, ex-SLDF combatants, community elders and victims of land conflicts. Quantitative data was analyzed descriptively by computing measures of central tendency, frequency counts and percentages. Qualitative data was analyzed thematically and presented through narratives and verbatim quotations. Study findings on specific objective one established that the determinants of homegrown extremism included: socio-demographic variables (strongly supported) political leadership (58%); land tenure insecurity (96%); Perceived marginalization of the Sabaot community (92%); Forced government eviction programs (100%); Disputed boundaries (91%) and land as a source of identity (56%) among others. Study findings on specific objective two pointed to a high risk for attitudinal, contextual, historical, protective, demographic, persuasive, coercive, preventive, public health/psychological were all supported. Study findings on the contribution of response approaches to homegrown extremism revealed inaccessibility to Ministry of lands (87%), Inaccessibility to National Lands Commission (93%), gross violations by police (93%), lack of justice and lack of access to County Governments (98). Overall, study findings concluded that the caliber of extremism in Mt. Elgon Region of Western Kenya is high. This has in the past, present and in future if not conclusively addressed will continue to feed to the equation intractable land use conflicts in the study area. Policy recommendations included the need for: a multi-sectoral human needs based development approach to address the multivariate determinants; adoption of risk assessment tools for timely detection and prevention of the risk of extremism by state security agencies and the need for stakeholders to expedite and conclusively address the land question in the study area in an effort to manage homegrown extremism. Understanding the taxonomy of external versus homegrown determinants of extremism, examination of public health risk factors for extremism and an assessment of the role of devolution in managing center-periphery causes of extremism within counties were recommended for further studies.

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LIST OF ABBREVIATIONS AND ACRONYMS

ADR	Alternative Dispute Resolution
ADF	Ambazonia Defense Forces
AMISOM	African Union Mission to Somalia
CoK	Constitution of Kenya 2010
DCC	Deputy County Commissioner
ELC	Environment and Land Court
ERG	Extremism Risk Guidelines
EU	European Union
FGD	Focus Group Discussion
HRW	Human Rights Watch
HVE	Homegrown Violent Extremism
ICC	International Criminal Court
ISIS	Islamic State in Iraq and Syria
KDF	Kenya Defense Forces
KNCHR	Kenya National Commission on Human Rights
LCB	Lands Control Board
LCBC	Lake Chad Basin Commission
LDT	Land Dispute Tribunal
LRA	Lord's Resistance Army
MCA	Member of County Assembly
MDF	Moorland Defense Force
MLG	Multi-Level Guidelines
MP	Member of Parliament
MRC	Mombasa Republican Council
NATO	North Atlantic Treaty Organization
NIJ	National Institute of Justice
NLC	National Lands Commission

NOMS	National Offender Management Service
PRM	Political Revenge Movement
RD	Relative Deprivation
SLDF	Sabaot Land Defense Forces
SPJ	Structured Professional Judgment
SRG	Structured Risk Guidelines
TJRC	Truth Justice and Reconciliation Commission
TRAP	Terrorist Radicalization Assessment Protocol
UN	United Nations
UNSC/R	United Nations Security Council/Resolution
USA	United States of America
VEOs	Violent Extremist Organizations
VERA	Violent Extremism Risk Assessment

OPERATIONALIZATION OF KEY CONCEPTS

Caliber- This refers to the highness or lowness of likelihood to resort to the use of violent extremism as a means of solving present and past historical deprivation of land rights among communities living in Mt. Elgon Region. High caliber means a high likelihood of use of extremism, medium caliber to mean neither high nor low with a low caliber implying low likelihood.

Calibrate- This entails measuring the levels and likelihood to resort to violent extremism among communities living in Mt. Elgon Region as a result of present and historical deprivation of land rights. The aim of calibration in this study is to establish whether or not the likelihood of violent extremism in Mt. Elgon Region is High, Moderate or Low and therefore institute sound counter-violent extremism programs.

Communal- In this study, the term communal refers to conflict between and within the two factions of the Sabaot community over inequitable distribution of land resources leading to extremist traits in Mt. Elgon Region of Kenya. Specifically, the focus of the study were two communities used interrogate extremism- the Soy who reside on the lower slopes and the dominant group and the Mosop residing on the upper slopes of Mt. Elgon. With the conclusion of the study, this could spill over to the indigene Bukusu and minority Teso communities.

Conflicts- Mutual incompatibility of land ownership rights between and within the Soy and Mosop factions of the Sabaot community likely to lead to extremism in Mt. Elgon Region, Kenya. With the conclusion of the study, this conflicts could spill over to include the indigene Bukusu and minority Teso communities as a result of the changing dynamics of the conflict.

Extremism- Holding (encouraging, condoning, supporting and justifying) mutual intense feelings of hatred, associated with the urge to resort to the use of extreme violence by one Sabaot community over the other in pursuit for land rights as a result of “inequitable” distribution of land in Mt. Elgon Region, Kenya.

Homegrown- This entails internally motivated real or perceived historical deprivation and marginalization by the state- mostly over resources and service delivery that

leads to the conception and growth of extremist agenda within members of a group or a community. Such groups in Kenya include the MRC and the SLDF in the Coastal and Western Regions of Kenya respectively.

Homegrown Extremism- This refers to internally (within the state) bred or state generated mutual intense feelings of hatred by members of one Sabaot community over the other over relative deprivation of land rights often leading to support for and justification of violence as a means of addressing the land issue in Mt. Elgon Region. Homegrown, unlike foreign motivated extremism in the current study, epitomizes state failure or incapacity to solve intractable land use conflicts in Mt. Elgon Region.

Intractable Land Use Conflicts- This refers to a mutual incompatibility of land rights between and among the Sabaot community that has proven to be fluid in nature, often complex and hard to deal with since the establishment of the Chepyuk Settlement Schemes in the 1970s to date. This intractability means that as a result, the affected communities have opted for organized violent means as pathways to accessing their land rights as epitomized by the SLDF and, therefore, disturbing peace in the region. The current study argued that even in times where active conflict is absent, this intractability means that the affected communities continue to live in paranoia-not knowing when the next active conflict will erupt.

Mount Elgon Region- This refers to the massive dormant volcano located in Western Kenya and Eastern Uganda. It also touches sections of Bungoma and Trans-nzoia counties with the impact of the conflict having far reaching implications to Bungoma, Trans-Nzoia and the Eastern side of Uganda. The focus of this study will be the epicenter of the conflict which is Bungoma County- hosting the contested Chepyuk settlement schemes established in 1971 and being predominantly populated by the Soy and Mosop sides of homegrown extremism.

CHAPTER ONE

INTRODUCTION

This chapter provides background to the study, statement of the problem, objectives of the study and the corresponding research questions. It also provides the philosophical, academic and policy justifications upon which the study is anchored on. It provides the scope of the study. The chapter ends with a summary.

1.1 Background to the Study

Globally, following the end of the Cold War, the number and intensity of most types of violent conflict steadily declined. However, in the post-Cold War order, conflicts within states- between non state armed groups and states has been on the upsurge, and increasingly involving some form of external intervention. These conflicts have majorly revolved around the following four arenas: access to power and governance, access to land and natural resource distribution, irresponsive justice and security systems and unequal distribution of state services. In 2016, for instance, more countries were experiencing some form of violent conflict than at any time in the previous 30 years (Allansson, *et al.*, 2017; Gleditsch *et al.*, 2002; Sundberg *et al.*, 2012). Much of these conflicts are entrenched in low-income countries. A few of these violent conflicts, whether in low or middle-income countries produce the preponderance of fatalities, and most conflicts are broadly concentrated in a few regions (Africa, the Middle East, and South Asia). World Bank (2018) report advanced that violent extremist groups also contribute to the increase in conflicts, feeding off local grievances while exploiting transnational financial and crime networks. In addition, the proliferation of non-state armed groups has been on a steady rise since 2000. These groups include rebels, militias, armed trafficking groups, and violent extremist groups, among others, that may

coalesce around a grievance, an identity, an ideology, or a claim to economic or political resource.

The current study advances that since the end of the Cold War, the African continent indeed epitomizes the Global picture with regards to homegrown extremism and intractable land and natural resource based conflicts. The continent has indeed been a stage for some of the most violent extremist conflicts. These include: Cannibal War Lordism during the Liberian Civil War between 1989-2003 to control mineral rich constituencies; Indiscriminate amputations by Rebel United Front (RUF) in Sierra Leone over the diamond rich Eastern part of the country; Extremist attacks between the Hutu and Tutsi in 1994 over a complex whole of deeply entrenched issues ranging from political, economic and social discrimination; Extremist conflicts between pastoralists and sedentary farmers in Darfur in Western Sudan; *Boko Haram* extremist attacks provoked by religious ideological narratives surrounding relative deprivation and extremism in the Sahel Region which is tied to weak governance, inequalities and scarcity of resources among others.

The 1994 genocide took place in a unique context, shaped by economic hardship, political divisions, societal cleavages and a polycrisis dating back to the colonial period (Moodley *et al.*, 2010). The causes of the 1994 genocide in Rwanda are manifold and controversially discussed. While acknowledging the importance of factors, such as colonial legacy, economic decline, structural adjustment policies, internal opposition to the government and the disengagement of the international community, there is a wide body of literature, which highlights the role of growing land scarcity in aggravating inter-ethnic tensions in Rwanda (Homer-Dixon & Percival, 1996; Gasana, 2002; Bigagaza *et al.*, (2002). Before the genocide, more than 90% of the population relied

on small-scale farming, and population growth rates had exceeded 3%. Land scarcity was further amplified by an unequal distribution of land in favor of political elites and their rural relatives. The Rwandan Genocide saw approximately one million deaths in a period 100 days, gross violation of human rights among other atrocities.

In the Darfur region of western Sudan, the targeted killings of black African Muslims belonging to Fur, Masalit and Zaghawa ethnic groups were blamed on an Arab militia known as the *Janjaweed*. Like their victims, the *Janjaweed* were Muslim, but accused of ethnic atrocities, including burning and destroying villages in parts of Darfur and of slaughtering men, women and children (Straus, 2005). The extremist attacks in Darfur can be traced back in 2003 when black Africans from Darfur rebelled against the country's Arab Muslim leadership demanding improved infrastructure in the region, proceeds from oil wealth and a power-sharing government. The Sudanese government retaliated by sending in government forces to quell the rebellion. The government also reportedly organized and supplied the Janjaweed militia to combat the rebels. The main rebel groups involved in the conflict were the Sudan Liberation Army (SLA), and the Justice and Equality Movement (JEM). Both groups demanded equal representation in the government and an end to the economic disparity between black Africans and Arabs in Sudan (Totten, 2011). Sikainga (2009) added that behind the tragic events in Darfur lies a complex history of deeply entrenched social inequalities, an environmental crisis and competition over natural resources, conflicting notions of identity, the militarization of rural societies, and, above all, a chronic problem of bad governance that had plagued Sudan since its independence from British colonial rule in 1956. Perhaps one of the most important legacies of the SPLM on the political discourse in the Sudan is its call for building a "New Sudan." Embedded in this slogan was the idea

of the creation of a secular, plural, and unified Sudan, in which there would be no distinction on the bases of religion, ethnicity, language, gender, and region.

In West Africa, Nigeria's *Boko Haram* has killed tens of thousands and displaced over two million people in the West African region in addition to being ranked among the deadliest terror groups in the world by the Institute of Economics and Peace in 2016. From kidnappings, abduction and a chain of violence mostly aimed at soft targets, *Boko Haram* seeks to establish an Islamic state in Nigeria and is against Westernization and socio-economic and political marginalization as well as the North-South wealth disparity in Nigeria. A swelling population amid economic despair not only creates an environment in which violent extremist groups can thrive but also legitimizes their actions (Agbiboa, 2013). The extremist group has spread its tentacles to parts of Cameroon, Niger and Chad. Track one approaches especially by the military have not been as successful as initially envisaged in addressing the *Boko Haram* menace in Nigeria as socio-economic marginalization persists thereby feeding into feelings of grievance and injustice among the insurgent group as well as the group's sympathizers. Agbiboa (2013) adds that addressing the current *Boko Haram* impasse in Nigeria must include a serious consideration of the pervasive realities of poverty and economic deprivation in the north where *Boko Haram* originated.

In Cameroon, Anglophone separatists are at the vanguard of what has come to be known as the Ambazonia crisis. A Human Rights Watch (2018) report indicated that the country was slipping into a human rights crisis. Lawyers and teachers have been protesting perceived "francinization" of socio-economic and political development. The Ambazonia Defence Forces (ADF), the Red Dragons and the Tigers are some of the violent extremist groups that have sprung up to fight for secession of English-

speaking parts of Cameroon. A phrase often heard among the fighters as they appeal to their supporters, inside and outside the country, for funding is that they need to buy sugar cane (guns) and groundnuts (bullets). Brutal crackdowns by the state security agencies have pushed local populations into joining the separatists. Since the outbreak, over 3,000 people have died and a further thousand Anglophones fled from clashes between state forces and separatist fighters (Ketzmerick, 2023). In 2016, the Institute of Economics and Peace ranked Cameroon among the least peaceful countries in Africa. In 2019, Cameroon was ranked position 138 out of 160 in the Global Peace rankings.

In the local realm, Mombasa Republican Council (MRC), established in 1999 has been associated with elements of al-Shabaab. Under the '*Pwani Si Kenya*' (The Coast is not Kenya) slogan, the group argued that secession would free the people of the coast region from marginalization by successive regimes. The MRC enjoyed massive following among the underclass and covertly by the political class. Since independence, marginalization of the coastal communities had a domino effect on endemic poverty, unemployment, landlessness and inadequate service delivery (Slye & Tutu, 2018). The Truth Justice and Reconciliation Commission (TJRC) report of 2013 established that land-related injustices at the Coast are one of the key reasons for under-development in the area, and have caused the emergence of the MRC. Large areas of trust lands for instance, remained crown lands used as rewards for political patronage to state elites, outsiders and wealthy investors while the indigenous locals continued to live as squatters in their ancestral lands. For instance, a tycoon working with the government has been threatening to evict of 3,000 squatters in Kadzuhoni-Magarini in Kilifi County, land which a majority of residents considered their ancestral homes (Okwemba, 2019). The unmet social-economic needs and rising horizontal inequality

coupled with the al-Shabaab factor across the border feeds into extremism which has been a problem in the Kenyan Coast (Kinyua, 2013). In response, the Kenyan government declared the MRC as an illegal faction with little regard to addressing the structural causes of marginalization leading to the MRC.

Like the Coastal region of Kenya, peaceful co-existence in Mt. Elgon Region is rooted in a deep history of inequitable distribution of land among communities living in the area. Successive governments have all attempted to manage the land conflicts without tangible results as sustainable peace remains elusive in the area. The carnage of the Mt. Elgon blood bath led by the Sabaot Land Defense Forces (SLDF) between 2006 and 2008 epitomized failure of the government to amicably bring to an end the land problem in the region. The SLDF did not only operate as an insurgent extremist group but also as a state as they levied taxes and had their own courts (Simiyu, 2008). Recurrent attacks in 2018 reminiscent of the 2006/2008 events occurred despite the Constitution of Kenya 2010 being precise on the management of land issues. At most, state response approaches employed in both events especially by the police and the military were reactive and indiscriminate in nature. Presently, communities in Mt. Elgon continue to await the never maturing rational end to the historical land injustices bedeviling them. The current study argues that, if not expeditiously managed, a new threat of homegrown extremism over inequitable land and resource distribution is on the horizon. The current study sought to calibrate the extent to which homegrown extremism influences intractable communal land use conflicts in Mt. Elgon Region of Western Kenya. To this end, therefore, formulating and executing sound-evidence-based counter extremism policies must be top priority on the national and international peace, conflict and security management agenda.

1.2 Statement of the Problem

Kenya's history with regard to the land question is characterized by symptoms of a breakdown in land administration, disparities in land ownership, tenure insecurity and pervasive conflict. Presently, land is arguably the most emotive and politicized issue in Kenya. Article 60 of the Constitution of Kenya 2010 on the Principles of Land Policy is explicit on the management of land issues. However, there is a glaring lacuna between *de jure* and *de facto* in law as a plethora of present and historical land injustices persist in various parts of the country. This, the current study argued if not concisely addressed will continue to define the conflict architecture in the country.

In Mt. Elgon, like the vast Kenya's rural population, land is a basic economic source of livelihood (Von Uexkull, 2016). It is also around land that socio-cultural and spiritual relations among community members are defined and organized. Therefore, social control of land is central to governance systems (Marc *et al.*, 2015). Pursuit of land shrouded by relative deprivation is a rehearsal to overt social tensions and social cleavages which cut into ethnic stratifications between the "haves" and the "have nots", sometimes extremist in nature (Were, 2018). These contribute to feelings of grievance, injustice and escalate into violent conflicts or feed into pre-existing conflict dynamics, leading to the formation of homegrown extremism. The state is a crucial player in the land administration arena. Without the deployment of moderating and coercive resources of the state, the degeneration of the society to low intensity social tension and gradually into extremist agenda cannot be ruled out (Were, 2018). The makings of extremism are not unknown to the country's leadership yet with this knowledge context, the state in Kenya has often been reactive; responding only when violence and death have been visited on the hapless population (Were, 2018:619). Besides, land conflicts

tend to be more prolonged, more stubborn to negotiation and thus more likely to reoccur than conflicts in other arenas (Maze, 2014).

The formation of the Soy led extremist Sabaot Land Defence (SLDF) in 2006 with the agenda to “protect” their land rights is deeply rooted in the quest for fair and equitable distribution of land. The foundations of the SLDF outfit epitomized over three decades long state failure to provide sustainable land solutions in Chepyuk Settlement Schemes of Mt Elgon Region (Simiyu, 2007:24). Targeting innocent civilians, SLDF utilized extremist acts of genocidal proportions to instill massive systemic fear to support an insurgent economy. In response, the Mosop formed the Moorland Defense Force (MDF) and a section of the Soy “brokers” formed the Political Revenge Movement (PRM) as counter-insurgencies to the SLDF- these worked alongside state security agencies during. Recurrent low scale extremist attacks occurred in 2017/2018. Cumulatively, the carnage of the Mt. Elgon conflict led to loss of over 700 lives, internally displaced almost 70,000 civilians and victims of gender based violence and extreme torture running into hundreds between 2006 and 2008 (TJRC, 2013).

To date, response to the land problem in Mt. Elgon has embraced both tracks one and two actors. Relevant studies established that in as much as track one response approaches have managed to cushion inter-communal tensions in the region such approaches have been counter-productive as enforced peace means inter-ethnic tensions remain latent (Wafula, 2019; Elfversson, 2015; Ngulutu, 2013; Matanga, 2010 and Kamoet, 2011). In addition, the contribution of track one actors in perpetuating extreme feelings of injustice and grievance through their commissions or omissions have come under scrutiny as sustainable peace in Mt. Elgon remains a distant mirage. This is reminiscent of the mini reign of terror in the study area by suspected members

of outlawed SLDF in December 2017 and early 2018 that prompted four months long dusk to dawn government imposed curfew. Similarly, the Ministry of Lands, the National Lands Commission (NLC) and the judiciary have all had a fair share of attempts in securing sustainable peace in the region albeit with little success.

It is in the foregoing argumentation that this study sought to calibrate homegrown extremism over intractable communal land-use conflicts in Mt Elgon Region of Kenya.

1.3 Research Objectives

The general objective of the study was to calibrate homegrown extremism over intractable communal land-use conflicts in Mt. Elgon Region of Western Kenya. The specific objectives were to:

- i. Examine the determinants of homegrown extremism over intractable communal land-use conflicts in Mt. Elgon Region of Western Kenya
- ii. Investigate the risk of homegrown extremism over intractable communal land-use conflicts in Mt. Elgon Region of Western Kenya
- iii. Assess the contribution of the response approaches to homegrown extremism in their quest to manage intractable communal land-use conflicts in Region of Western Kenya

1.4 Research Questions

The study was guided by the following research questions:

- i. What are the determinants of homegrown extremism over intractable communal land-use conflicts in Mt. Elgon Region of Western Kenya?
- ii. To what extent is Mt. Elgon Region of Western Kenya faced with the risk of homegrown extremism over intractable communal land-use conflicts?

- iii. How do the response approaches contribute to homegrown extremism in the quest to manage intractable land-use conflicts in Mt. Elgon Region of Western Kenya?

1.5 Justification of the Study

This section presents the justifications of the study. These were presented as academic, philosophical and policy justification.

1.5.1 Academic Justification

This study comes at a time when there is a sweeping quest for African intellectual production in an effort towards epistemic justice and African intellectual sovereignty (Ndlovu-Gatsheni, 2021). De Sousa Santos (2018) opines that while the “cognitive empire” feeds on a single conception of knowledge forged by European modernity, epistemologies of the South validate the knowledge produced by the resistance of groups having systematically suffered oppression. The current study sought to add Afrocentric sources of knowledge through a study on homegrown extremism. It sought to provoke scholarly discourses on homegrown extremism that deviates from the conventional Euro-American train of thoughts. It attempted to feed into scholarly debates on the question “What has been the contribution of African intellectuals to postcolonial and decolonial scholarship?” This question arises because there is emphasis on privileging works of Diasporic scholars from the Middle East and South Asia for post-colonialism and Diasporic scholars from South America for decoloniality/decolonization (Ndlovu-Gatsheni, 2021). Therefore, the study contributes to the complex politics of knowledge in Africa through centering often-ignored contributions of African intellectuals to the decolonization of knowledge and politics

through a study on calibrating homegrown extremism over intractable land-use conflicts in Mount Elgon Region of Western Kenya.

Extremism- violent or not, remains a hot topic issue that currently typifies academic, global and national security discourses. This is because as a process, the full metamorphosis results to heinous acts of terrorism. Homegrown feelings of injustices and grievances may be triggered by inequitable land and resource distribution, access to power and governance, inequitable delivery of services by the state and inequitable justice and security systems. In contemporary Kenya, land remains as one of the most contentious and politicized issue. It is around land that a plethora of intra-state conflicts have been born (Boone, 2012). Yet available academic literature is scarce on the intimacy between historical land injustices and conflicts and the carnage of homegrown violent extremist conflicts (Simiyu, 2007; Kamoet, 2011; Langát *et al.*, 2018; Mbito & Onkware, 2018; Juma *et al.*, 2018). In addition, the aforementioned studies among others are not explicit on the link between homegrown violent extremism and injustices arising from land distribution, especially, injustices bedeviling communities as opposed to individuals. Therefore, the current study hoped to provoke academic discourse not only on land injustices but also general systemic societal injustices and the conception of homegrown violent extremism.

Similarly, because of the high profile nature of radicalization into violent extremism hold in security discourses, academic research studies ought to focus on the impact of communal land injustices and any other deprivations towards the development of extremist and radical traits. In addition, information on the effect of response approaches on extremism in an area such as Mt. Elgon remains scarce. For instance, past literature has focused on the effectiveness of military response approaches in

securing some semblance of peace and peacebuilding in the region without due regards to the effect of commission and omission of such state centric strategies in catalyzing extremist tendencies among former combatants, non-combatants, victims, perpetrators and survivors alike (Simiyu, 2007; Ngulutu, 2013). The current study endeavored to fill this gap. Overall, the study was also in tandem with the U7+ Alliance of World Universities call to deepen universities' role in peace and security (Kakuchi, 2023).

1.5.2 Philosophical Justification

The philosophy that guided this study derived from pragmatism and African philosophical perspective. The study triangulated the two philosophies in pursuit of the study objectives to come up with what the study refers as Pragmatic Africanacity philosophy. As a research philosophy, pragmatism accepts concepts to be relevant only if they support action. Pragmatics “recognize that there are many different ways of interpreting the world and undertaking research, that no single point of view can ever give the entire picture and that there may be multiple realities.” Pragmatist management researchers can be compared to architects. In the same way architects use whatever materials and methods needed to build the building they schemed in paper, pragmatists use whatever combination of methods necessary to find answers to research questions. At the same time, it has to be noted that pragmatists do not have to use multiple methods; rather they use method or combination of methods that advances a specific research in the best possible manner. It is based on the principle that the usefulness, workability, and practicality of ideas, policies, and proposals are the criteria of their merit. As a philosophy, it was first given systematic expression by Charles Sanders Peirce and William James and later taken up and transformed by John Dewey.

Pragmatists emphasize the practical function of knowledge as an instrument for adapting to reality and controlling it (Plowright, 2016).

On the other hand, African philosophy can be formally defined as a critical thinking by Africans on their experiences of reality. It concerns itself with the way in which African people of the past and present make sense of their destiny and of the world in which they live. The current study advanced that, Africa is being devastated by development challenges. To offer an effective solution to the problems bedeviling the continent, African philosophy has to be pragmatic. This is particularly important since the African people are pragmatic in nature. African philosophers ought to reflect on the spiritual, material, language, social behavior, the morality among other variables of the people and come out with practical solutions that would lead to the development of the African nations. By doing this they would be making contributions not only to the growth of philosophy but also to the development of the world in general.

Umezina (2014) adds that what makes African Philosophy is “Africanacity”, which are the characteristics that distinguish African philosophy from Western Philosophy or any other philosophies. These characteristics are set in the social context or life settings or locale in which African philosophy is done. Characteristics of African Philosophy can be described as follows: First, African philosophy speaks to African problems and the critically thinking of Africans through their experience of reality; Second, African Philosophy can be categorized as a discourse amongst Africans and Westerners which debunks the myths and fallacies on and about Africa, such as being inferior, sub-human, savage, pre-logical, perceptual, religions with primitive mindsets who are unable to rationalize or are incapable of developing anything let alone philosophy; Third, African Philosophy is trying to prove that there is only one human race who is just as capable

as the other and all men and woman are rational animals and lastly, African philosophy is voicing Africa by deconstructing the knowledge and truths about Africa, it is philosophy that is setting the records straight on its disfigured image and its identity

Hapanyengwi-Chemhuru, (2013) advanced that there is also need to use indigenous African experiences to promote family values given the continued fragmentation of communities due to war and intolerance. The experience of genocide in Rwanda, religious intolerance in the Central African Republic, Xenophobia in South Africa, as well as continued fighting in the Democratic Republic of Congo, South Sudan and Somalia, violent conflicts in Kenya, are all evidence of African communities unable to live peacefully with one another- and a negation of Afrocentric values of *Ubuntu*, Socialism, *Harambee* and *Nyayo* philosophies. Philosophers of education can use nationalist/ideological philosophy to foster solidarity by promoting the awareness of the common identity of the African people. Furthermore, philosophers of education need to engage the philosophies of *Hunhu/Ubuntu*, Negritude, Consciencism, Scientific Socialism, and Humanism, all of which were enunciated by some of the African leaders, and have had an impact on the educational systems in postcolonial Africa, and therefore need to be interrogated if adequate reforms in education are to be effected.

Notable African Philosophers: Henry Odera Orika identified six schools of thought on what African philosophy is or could be, namely, ethno-philosophy, philosophic sagacity, nationalistic ideological philosophy, professional philosophy, hermeneutic philosophy, and artistic or literary Philosophy. Nyerere (1967) a core proponent of *Ujamaa* (“familiarity”), education for self-reliance, education for liberation and life-long education; Nkrumah (1978) who came up with his ideology of decolonization in Consciencism; Wiredu (1980) on philosophy of African culture; Mkabela (2005) on

using the Afrocentric method in researching indigenous African culture. Ndlovu-Gatsheni, (2021) who questions the contribution of African intellectuals to postcolonial and decolonial scholarship because of privileges given to diasporic scholars; Ngugi wa Thiong'o (1986) who introduced the concepts of 'colonization of the mind', Cheikh Anta Diop in 1991 who challenged Eurocentric historiography, Jean M. Allman posited the question of why African studies was dominated by white scholars and revealed how since 1969 a storm has been brewing over marginalization of black scholars at the African Studies Association (ASA) and Nyamnjoh (2019) who advances that African universities have almost without exception significantly Africanized their personnel but not their curricula, pedagogical structures, or epistemologies in a systematic and productive manner despite declarations of intent and attempts at decolonization of university education through promotion of perspectives grounded in African realities and experiences. Mudimbe (1994) argues that "Western tradition of science, as well as the trauma of slave trade and colonization, are part of Africa's present day heritage" (p. 79). With the Kenyan humanist Ngugi wa Thiong'o, Hountondji (1996) railed against "the extraverted nature of all European language in African discourse," which is an intellectual production grown in Africa for consumption by non-Africans. In Hountondji's mind, the location of his research must "in no way exclude Africa. On the contrary, Africa must constitute its center, its point of departure, and, where applicable, be its primary beneficiary".

Drawing from the Pragmatic Africanacity philosophy, the current study advanced a number of arguments that speak to the philosophy. First, the surge in conflicts and extremism in Africa is not in good standing with the values and principles of Africanacity- humanity, equity, social justice, brotherhood and unity. The current study

advanced that it is time that the fight against violent extremism ought to adopt a bottom-up approach. In addition, the current study added that counter violent extremist (CVE) strategies in Kenya have been biased on external Euro-American drivers of extremism thus focusing on the fight against al-Shabaab and al-Qaeda in close collaboration with Western allies while neglecting salient drivers of homegrown extremism that have led to destruction of societal, massive extremist induced loss of lives and destruction of property over the land and natural resource distribution, access to power and governance and inequitable distribution of state services. These as a result have become inhibitors for attainment of local, regional and global development goals such as Kenya's Vision 2030, Africa's agenda 2063 and the Sustainable Development Agenda 2015-2030. Similarly, as demonstrated by empirical literature (Amakanji *et al.*, 2018; Chumba *et al.*, 2016), the current study argued that domestic incapacity to secure youths with job opportunities for instance drives them to joining both external and homegrown extremist organizations. However, much of the state reaction, support and resources have focused on the fight against external violent extremist organizations. It would be naïve not to argue that homegrown extremism poses much more negative socio-economic, political, cultural and environmental threats as compared to the threat posed by external extremist organizations. Based on local empirical evidence, the current study used a few examples to justify the threat posed by homegrown extremism in Kenya.

First, it will be difficult to compare the impact of political extremism vis a vis the impact of external extremism groups. For instance, violent political extremism in Kenya in 2007 led to loss of 1,200 lives, displaced up to 600,000 citizens some of whom today are still internally displaced and reversed economic growth from 7.1%- 1.7% in

addition to driving away foreign direct investments, damaging social cohesion, increasing ethnic intolerance and bigotry among others (Kaingu, 2018). This notwithstanding, 15 years later, the country is still picking up from these effects. Almost similar effects, albeit short term, were recorded in the 2017 general elections. The current study argued, these effects are more than those posed by external extremist organizations and thus the need for the continent to shift focus from external to homegrown extremism. Violent political extremism has been attributed to historical land injustices, economic and political marginalization, endemic corruption, lack of basic services to the people, a compromised criminal justice system among others. As such the current study argued that addressing these vices would be the first among other steps in countering violent extremism in Kenya and beyond.

Similarly, it is worth stating, that all conventional extremist organizations are homegrown (al-Qaeda-Afghanistan, al-Shabaab-Somalia, *Boko Haram*- Nigeria) and have their foundations within state actors thus managing homegrown extremism is the first and foremost step in managing the spread of global extremist agenda by such organizations. Shiriye (2012) alludes that al-Shabaab is Somali based, Aseulime & David (2015) allude that *Boko Haram* is Nigerian based and William (2015) links ISIS to the states of Iraq and Syria. The current study advanced that, all these have become transnational threats as a result of negligence or incapacity of their respective “home” countries to manage their causes of grievance from within.

Since the end of the Cold War, violent interstate conflicts have been historically low. However, in the post-Cold War world order, conflicts within states among a ballooning number of militia groups, violent extremist groups, non-state armed groups and the state thereby prompting external intervention is on the upsurge. State failure to deliver of its

mandate of security, welfare and legitimacy (Schneckener, 2006) means that the Global South and Africa in particular continues to struggle with a plethora of issues: Land and resource distribution; access to power and resources; responsive justice and security and equitable delivery of services often leading to violent confrontations. Much discussion has taken place with regard to the importance of land in African rural societies. The majority of the African population in rural areas is made up of farmers who entirely depend on the land as their means of production. It is impossible for them to ensure food security without land. In addition to having economic value, land has significant political and symbolic value for many societies. Its importance has often led to conflict (Anseeuw & Alden, 2010). The current study argued that the new face of extremism in Africa would no longer be manifested politically and religiously as has traditionally been the norm, but through relative deprivation and marginalization on land and resource distribution, access to service delivery, justice, power and governance. Africa is set to bear the biggest brunt of these contestations.

The current study also advanced that extremism (violent and non-violent) in Kenya and Africa at large has been largely defined from a Euro-American perception of what violent extremism entails and thus losing out on what the concept is violent extremism as it exists in Kenya and in Afrocentric discourses. To this end, approaches used in the management of violent extremism in Kenya have focused on military intervention and counter radicalization programs that mainly focus on religious aspects. Therefore, Kenya and Africa are missing out on the homegrown conceptualization of VE is problematic in itself. The current study sought to make explicit what the parameters of violent extremism ought to be in an effort to inform sound counter violent extremism

approaches within the continent and in Kenya through a study on homegrown extremism in Mt. Elgon Region.

Emphasizing the seriousness of land conflicts in Rwanda, Huggins (2009) presented a pessimistic viewpoint, as expressed by one member of the society, who stated that, “Due to the pressures of land scarcity and the frequency of land disputes, the government is ‘sitting on a volcano.’” In the Global South and the African continent in particular, land and resource distribution ranks as one of the most rampant arenas of contestation leading to often violent conflicts. Bruce (2017); Kimokoti & Were (2018) argued that as a result of demographic pressures, urbanization, tenure insecurity, deteriorating land quality, displacement through wars and adverse effects of climate change, confrontations over land are set to be on the upsurge in the coming years. Africa, already overwhelmed with a bulk of land and resource related conflicts is set to bear the brunt of this projected rise (Bruce, 2017). These, coupled with the challenges already posed by conventional terrorist organizations could present a new complex whole in the counter violent extremism architecture. Violent conflict over land is typically fuelled by grievances related to land scarcity, insecurity of tenure as well as historical land injustices (Mogaka, 2017). These pose a higher risk where they interact with exclusion along identity lines and when ethnic groups conflicting over land call on exclusionary narratives to justify their claims (Aslam, 2017). For instance, it is well known that during the Rwandan genocide in 1994, political leaders instigated the killings in rural areas by saying, if one participated in the killings, they would be remunerated by the land. The current study endeavoured to interrogate the land injustices as a pathway to homegrown extremism.

1.5.3 Policy Justification

More often than not, because of perennial land issues that characterize Kenya's socio-economic and political fabric, a number of task forces and commissions have been formulated to look into land issues. There is no doubt that good policy recommendations have been the result of such forums. However, the implementation of recommendations arising out of these reports has been problematic. For instance, the Truth Justice and Reconciliation Commission (TJRC) Kenya report published in 2013 and the Ndung'u Land Commission reports of 2005 that were explicit on land issues have been fairly implemented. The TJRC report is yet to be commissioned and communities awaiting implementation of its recommendations continue to suffer from land deprivation and historical injustices. The current study sought to inform government policy when it comes to expediting matters that particularly concern historical land injustices among other issues. Such issues are likely to hasten the risk of extremism and lead to protractible intra-state conflict in situations where they could have otherwise been avoided.

The study will also be significant in informing government policy on land conflict resolution and management in addition to aiding state agencies in exploring land and other intrastate causes of conflict as pathways to homegrown extremism thereby informing sound counter-violent extremism (CVE) strategies. In addition, the current study noted that Kenya's CVE policy is largely defined from a Euro-American perspective, especially the United States of America and the United Kingdom- against the al-Shabaab, ISIS and initially the Al-Qaeda who are threats to Western interests in Africa (Prevention of Terrorist Act of 2012). This, to an extent, implies that nation states in Africa have paid little or no attention to pervasive issues such as land

distribution, access to power and governance and inequitable distribution of state services as salient issues that shape and define extremist agenda in Africa. For instance, one of the narratives that *Boko Haram* rides on in Nigeria is inequitable distribution of resources. Today, they have grown to be one of the deadliest terror groups in the world-ranked the deadliest in 2015 (Taylor, 2019). The current study, therefore, sought to inform policy on land and resource distribution as an aspect that can shape violent extremist agenda.

Lastly, existing CVE policies in Kenya seem to be directed towards external as opposed to homegrown extremism (Prevention of Terrorism Act, 2012; Kenya National Strategy to Counter Violent Extremism, 2016; Security Laws Amendment Act, 2014). As such, the current sought to inform policy in the management of homegrown extremism.

1.6 Scope of the Study

Geographically, the study was conducted in Mt. Elgon Region of Western Kenya. Specifically, Cheptais and Kopsiro locations were selected for the study with Kopsiro representing the highland Sabaot settlement areas with Cheptais representing the lowland Sabaot settlement areas. The choice of the study area was informed by the carnage of Mt. Elgon extremist conflict led by the Soy led SLDF which in the later stages saw the formation of the Mosop led Moorland Defense Forces (MDF) each with mutually incompatible and extremely opposing goals in the intractable conflict. In addition, guided by the Pragmatic Africanacity philosophy, communal land use conflicts in Mt. Elgon Region sufficed as a purely homegrown issue that would adequately address the overall research problem. Similarly, the study specifically interrogated three core areas which are: the determinants of homegrown extremism, the risk factors for homegrown extremism and the contribution of response approaches to

homegrown extremism in the study area. In terms of periodization, the study covered the period since the initiation of Chepyuk settlement schemes in 1971- which was the epicenter of violent inter-communal attacks between 2006 and 2008. This study, therefore, covered the period between the initiation of Chepyuk settlement schemes in 1971 to date. The actual study was conducted between October 2021 and April 2022 in a period covering six months.

1.7 Chapter Summary

This chapter has provided a background of the study in relation to extremism and intractable land use conflict. Background information was provided from a global perspective to regional, national and local perspectives. The chapter provided a lacuna through the statement of the problem in addition to a general objective and three specific objectives the study sought to interrogate. The study was guided by three research questions. Academic, philosophical and policy justifications were also provided to establish the centrality of the current study. Lastly, the scope of the study indicating the geographical, periodization and the focus of the study were also highlighted. The next chapter presents an empirical review of literature on homegrown extremism and historical land injustices.

CHAPTER TWO

LITERATURE REVIEW

This chapter presented relevant literature on the study problem of extremism and historical land injustices with the view of identifying research gaps. Literature review is based on the objectives of the study. Lastly, the chapter also presented a conceptual framework showing the relationship among research variables and the chapter summary.

2.1 The Concept Extremism

There is no universally accepted definition of extremism. Even among institutions like the United Nations (UN), European Union (EU) and North Atlantic Treaty Organization (NATO), the definition varies. To this end, therefore, before state and non-state actors explore ways of collectively countering extremism, it is crucial to clarify what extremism means. Violent extremism is generally considered a broader term than terrorism, but the two are sometimes used interchangeably (Mckenzie, 2017).

Subedi & Jenkins (2016) argue that as a concept, extremism is context dependent and thus subject to interpretation. In recent years, terrorist groups such as the Islamic State in Iraq and Syria/Levant, *Boko Haram*, al-Shabaab, and al Qaeda have formed the global understanding of what constitutes violent extremism, and these understandings have influenced domestic and international responses, policy intervention and prevention efforts. Mckenzie (2017) adds that in the minds of many, the term conjures images of extremely radical ideology, unhinged violence, and exceptionally repressive societies. Yet even with the recent uptick in *jihadist*-inspired activity and the proliferation of efforts to mitigate violent extremism perpetrated by *jihadists*, the term violent extremism is not synonymous with one ideology, religion, or political goal.

According to the U.S. Department of Homeland Security, violent extremist threats “come from a range of groups and individuals, including domestic terrorists and homegrown violent extremists in the United States, as well as international terrorist groups.” The current study focused on homegrown violent extremism. Unlike the term terrorism, which is defined in U.S. law, the U.S. government does not have one agreed-upon definition for violent extremism, just as other governments and international organizations do not (Institute of Strategic Studies, 2015). However, individual government agencies have offered their own definitions: The U.S. Federal Bureau of Investigation defines violent extremism as encouraging, condoning, justifying, or supporting the commission of a violent act to achieve political, ideological, religious, social, or economic goals; The U.S. Agency for International Development (2017) defines violent extremism as advocating, engaging in, preparing, or otherwise supporting ideologically motivated or justified violence to further social, economic, or political objectives; Public Safety Canada (2017) defines violent extremism as “the process of taking radical views and putting them into violent action.... When persons promote or engage in violence as a means of furthering their radical political, ideological, or religious views.”

The current study defined extremism as holding (encouraging, condoning, justifying and supporting) mutual intense feelings of hatred, associated with the urge to resort to the use of extreme violence by one Sabaoth community over the other or between individual members of the Sabaoth communities in pursuit of land rights as a result of “inequitable” distribution of land in Mt. Elgon Region, Kenya. The study defined extremism based on the issue at hand which is pursuit for land rights at intra-state level. It also advanced the need to contextualize the conceptualization of extremism- both

violent and non-violent, since what may be violent extremism in a Euro-American perspective may not suffice in Afro-centric discourses. Unlike previous definitions, mostly hinged on the Euro-American definitions, this definition is based on extremism that does not target the international community but one that is based on intra-state issues which the current study believed is the face of new extremism. The next sections reviewed literature on extremism and injustice from a global, regional to a local perspective with a focus on specific known extremist organizations.

1.2 Homegrown Extremism and Conflicts in a Global Perspective

In as much as the Global picture of homegrown extremism has been dominated by studies motivated by Euro-American conceptualization of extremism which have put much emphasis on extremist groups such as al-Qaeda, al-Shabaab, ISIS and *Boko Haram* in Nigeria, the current study deviated from this train of thought and argued for pathways and development of extremist tendencies in an Afrocentric perspective. The current study advanced that indeed the African continent is rich in Afrocentric case studies of homegrown extremism that have for a long time continued to be baptized in Euro-American conceptualizations such as genocide, civil wars and, insurgencies among others. It therefore, utilizes the Rwandan “genocide”, Darfur “genocide” and “civil wars” in Sierra Leone to paint the picture of Global of homegrown extremism and resource conflicts.

1.2.1 Land and Inter-Communal Extremism in Rwanda

This section examined the relationship between land scarcity and conflict in the build-up to the Rwandan Genocide. Bigagaza *et al.*, (2002) study on “*Land scarcity, distribution and conflict in Rwanda*” advanced that historically, land pressure has been

a severe problem in Rwanda, where over 90% of the population practices agriculture. As a result, land pressure has resulted in declining overall agricultural production, but increasing production for individuals and groups with favorable land and resource access. Cultivation is encroaching into wetlands, national parks and forest reserve areas to satisfy unmet demands for land by some, predominately underprivileged, groups. Large numbers of internally displaced persons have worsened stress in some ecologically sensitive areas, such as in forests, resulting in localized degradation of forest resources. The current study points out that the problem of scarcity is likely to be compounded by population explosion, negative effects of climate change, deteriorating land quality leading to conflicts over scarce resources in the continent.

Bigagaza *et al.*, (2002) study added that, since 1980 powerful economic, political and social grievances in Rwanda relate to land scarcity. Over population as well as inequitable distribution of land worsened land scarcity for the rural poor. Increasingly, political power and representation by elite groups at the national level determined control of land. Widespread disinheritance of land rights of the rural poor coupled with resource capture by elite groups has been closely related to deepening rural poverty in the 1980s and 1990s. Deepening rural poverty, in effect, led to violent conflict. The current study argues that issues of elite interest and interference seems to be a factor in the study area and that these played out in the carnage of the 2006-2008 conflict in Mt. Elgon Region as alluded for in studies by Simiyu, (2007); Kamoet, (2011) and, Ngulutu, (2014).

In turn, elite groups characterized these competitions in ethnic terms. Over time, different groups in the conflict were polarized along ethnic lines and were purposefully driven to conflict through ideologies propagated through official media. Gasana (1999)

observed that the rural poor (both Hutu and Tutsi) described the ruling elite collectively as *abaryi* (eaters) who to them represented a new, exploitative ethnic category. It is such labels that indeed played out as determinants in extremist attacks during the genocide in 1994.

Studies of the Rwandan conflict have come to appreciate and acknowledge the role played by ecological scarcity (Percival & Homer-Dixon, 1996). Homer-Dixon (1996) study for instance described Rwanda as a country with severe demographic stress in the period leading to the genocide. To put the demographic equation into perspective, Hintjens (1999) study advanced that in 1991, Rwanda had an estimated population of 7.5 million and a growth rate of 3.3% annually. It had the highest population density in Africa at 271 persons per square kilometer, and between 400 and 800 persons for arable land depending on the prefecture. Ninety-five percent of the overall population inhabited 43% of the total cultivated land. The population density in the rural areas was up to 843 persons per square kilometer.

Gasana (1999) study alluded that land contributed to the conflict in Rwanda the following two ways. The first is population pressure leading to competition for scarce land; the second was the inequitable distribution of land, most of which was controlled by elite groups. The current study argues that the latter has indeed been a factor in feeding into extremism in Mt. Elgon region while the former is an emergent Global and Afrocentric area of concern with regards to current and future conflicts- especially, in the wake of the domino effects posed by climate induced hazards. This is especially after it emerged from a World Bank (2018) report “*Pathways for Peace*” that Africa is set to bear the brunt of violent conflicts over land and natural resources in the next two decades.

Bigagaza *et al.*, (2002) added that there is a long history underlying the relationship between land and politics in Rwanda. Land was used during the colonial era to divide the Rwandan population along ethnic lines. When Belgian colonizers came to Rwanda they favored the Tutsi for administration, in effect establishing a governing class of mainly Tutsi. They adopted the indirect rule system that enabled Belgium to extract more taxes and labor from small farmers, mostly Hutu. Belgian colonizers justified their preferential treatment of the Tutsi by relying on racist ideologies. The Tutsi governing class, meanwhile, exploited their authority by seizing cattle and land from other Tutsi and Hutu peasants. King Rwabugiri also used land to increase tension between the Hutu and Tutsi. During and after the period of colonial rule, the governing class in Rwanda once again used land to polarize the Hutu and Tutsi ethnically. Insecure rights to land and resources for the rural poor were mobilized for political gain.

Bigagaza *et al.*, (2002) study advanced that there is a widespread belief that German and later Belgian colonialists reinforced divisions between Hutu, Tutsi and Twa ethnic groups. This was in part the result of a racialist colonial perception that viewed Tutsi as superior to other groups, including Hutu. The Tutsi were treated preferentially by Belgian colonial authorities. This, consequently, strengthened Tutsi hegemony over the Hutu. Historically, Tutsi and Hutu identities were not clearly defined. The terms Hutu and Tutsi appear to have originally been flexible in that a man could be Tutsi in relation to his clients or inferiors, and Hutu in relation to his patrons or superiors. It was possible for those born Hutu or Twa to be ennobled to hold elite positions thus becoming Tutsi. Colonialists, however, by favoring Tutsi on the basis of racialist ideology, reinforced ethnic divisions. These differences were reinforced by the introduction of compulsory identity cards in 1931, which indicated ethnicity. At this point, Rwandans began to

relate more to their respective ethnic groups, which would be critical to determining access to political representation and access to resources. Colonialism thus sharpened the differences between Tutsi and Hutu. At independence the new government continued the use of identity cards. The current study argues that the polycrisis in the build-up to Rwanda's genocide had been defined and reinforced by former colonial masters and that as opposed to the study area, Mt. Elgon region would suffice as a study area that was a predominantly homegrown issue with regards to extremism.

Reyntjens (1996) study claimed that ethnicity always existed in Rwanda and is to blame for the 1994 genocide. During the Habyarimana regime, power was concentrated in the hands of the *akazu*. The *akazu* mainly came from the northern prefecture of Gisenyi and supplied a third of top government jobs and almost all heads of security. They also benefited disproportionately from state development projects. The *akazu* dominated the state and maintained virtual exclusive control over Rwanda's land and resources using the laws and institutions of the state (Des Forges, 1999). Thus in Rwanda, the question of who controlled which decision-making structures and processes to decide ownership of what land and resources and for which groups was the key issue underlying conflict leading up to civil war and genocide. Conflict to capture the state was simply the means used to gain or maintain control of scarce land and natural resources.

In viewing conflict in Rwanda through the lens of state control, it must be critically questioned how arguments of ethnic difference were used to support the war and genocide. Storey (2001) study listed strategies adopted by the *akazu* to deal with challenges to their domination of the state and control of land and natural resources. The included: mass propaganda that blamed the Tutsi minority for poverty, famine and general economic hardship; violence against opposition figures; and genocide. The

current study argues that in an attempt to deal with the land problem in Rwanda, “elites” resorted to extremist approaches such as use of propaganda and elimination through genocide. These, the current study argues seem to have manifested itself in Mt. Elgon region during the SLDF reign of violent extremist attacks in their quest to protect “their” land from being redistributed. The *akazu* regime was faced with widespread internal and external opposition, manipulated ethnic differences to incite violence and genocide in order to weaken Tutsi-led opposition. In zero-sum competitions to control scarce land and resources, where the gain of one group implies the loss of another, ethnicity is a convenient guise for elite competition. Ultimately, grievances over access to and control of scarce land and resources assumed an ethnic orientation in Rwanda.

2.2.1.1 Land as a Cause of Conflict in Rwanda

The role of land is crucial to understanding the civil war and genocide in Rwanda. Land is the most important asset for most Rwandans and will remain important for many years to come. Around 95% of the active population derives its livelihood from the production of food crops. A common understanding imparted in many analyses of the Rwandan conflict is that population pressure leading to land scarcity was the ultimate cause of conflict in Rwanda. However, it is clear that this view is limited, and that a number of other factors interacted to cause conflict in Rwanda, as Olson (2002) notes. Rapid population growth, soil degradation, low prices for agricultural produce, lack of access to productive resources, unequal distribution of land, limited government investment, and limited off-farm opportunities amounted to “production pressure on a constrained resource”, in the words of Olson.

2.2.1.2 Demographics and Access to Land

Population pressure is an important factor contributing to land scarcity in Rwanda. It is well known that Rwanda is the most densely populated country in Africa (329 per

square km, against 29 in sub-Saharan Africa in 1998). In the 1980s the population density on arable lands was estimated at 390 persons per square kilometer. In the intensively cultivated regions in southern Rwanda, such as Butare, the population density was an estimated 400 to 500 persons per square kilometer. The 1991 census estimated the Rwandan population to be 7.15 million and overall population density to be 271 persons per square kilometer. This was the highest population density recorded in Africa at the time.

2.2.1.3 Land Distribution

Land scarcity was a perennial problem in Rwanda even before the outbreak of civil war in 1990. Owing to a number of interrelated factors, there was insufficient land to meet the needs of the growing population in Rwanda over time. 'Free' land was exhausted and the size of family holdings was decreasing. The size of family holdings declined on average from 3 hectares per family in 1949 to 2 hectares in the 1960s, 1.2 hectares in the early 1980s and 0.7 hectares by the early 1990s. This average, however, conceals great disparities in the size of land holdings, with an increasing number of landless and near landless peasants at the same time that the size of the largest farms was increasing. Stress induced by high population density chiefly affects smallholders who have few opportunities off the land to begin with (Clay, 1996).

Resource capture by the elite was evident in the 1980s when the disparity in land ownership between poor rural peasants and the elite grew tremendously. In 1984, nearly 50% of the agriculturally productive land was held on 182 farms out of an overall total of 1,112,000 farms. Furthermore, whereas 43% of poor families owned only 15% of cultivated lands, 16% of rich families owned 43% of cultivated lands. These figures are supported by a survey carried out in 1988 in five prefectures of Rwanda that show 60%

of agricultural households owned only 31.4% of arable land while 20% of the population owned 46.9% of the total cultivable land. Increase in population led to further divisions of smallholdings through inheritance, further decreasing the viability of subsistence farming on many plots. Land scarcity among the rural poor forced many to cultivate steep slopes prone to erosion and that are acidic and unproductive. By the 1990s, Rwanda was thus facing serious land scarcities that were worsened by unequal access to and distribution of land caused by resource capture by the elite. Most of the land belonged to elite groups connected to powerful government officials. Rarely do elite groups fully utilize their land holdings (Bigagaza *et al.*, 2002).

Land scarcity was prevalent for both the Hutu and Tutsi in Rwanda. Resource scarcity was not divided along ethnic lines. Indeed, the great majority of both Tutsi and Hutu did not benefit from the 1959 social revolution. The situation for the majority of the rural poor did not change. Instead, the revolution worsened poverty and inequality and concentrated wealth in the hands of a ruling elite. However, grievances of the poor rural Hutu failed to materialize into protest against the control of the state by a small ruling elite. The government became increasingly insecure as food insecurity grew in rural areas. The government was deeply concerned that growing food insecurity threatened the legitimacy of their rule and state control. Ethnic differences were used to polarize Hutu and Tutsi and to shift responsibility for social injustice onto the Tutsi, regardless of class (Newbury, 1995).

Since control of the state enabled access to and control of scarce land, a power struggle between competing elite groups to capture the state developed over time. It is this competition that culminated in the genocide. Historically, Hutu occupied land vacated by displaced Tutsi, thereby relieving land scarcity temporarily. While conflict was used

to entrench the power of a ruling elite, it empowered poor and rich Hutu alike to claim land vacated by the fleeing Tutsi.

Hutu extremists in support of the ruling government calculated acts of genocide by purposefully laying the blame for land scarcity and widespread poverty on the Tutsi minority. According to Prunier (1997), the orders to commit the 1994 genocide (given by government authorities) were heeded by rural Hutu who were led to believe that they would inherit the land of the killed Tutsi. As in the past, the government assured Hutu peasants that land vacated by Tutsi who were displaced or killed would be redistributed to landless Hutu and other smallholder Hutu farmers. Claims to land were a strong motivation underlying recurring pogroms in Rwanda over time. The ruling elite manipulated land scarcity to its advantage, claiming to redress scarcity for the poor rural Hutu.

Thus, in the early 1990s, when the ruling regional Hutu elite from northern Rwanda was challenged by provisions contained in the Arusha Accords, the government increasingly emphasized Tutsi control of rural land and resources to win the popular support of rural Hutu peasants and maintain control of the state. Rural Hutu strongly supported the genocide of the Tutsi and moderate Hutu in 1994. Access to and control of land was essential to sustain rural livelihoods. Hutu are known to have participated in the genocide in the belief that land belonging to the murdered Tutsi and moderate Hutu would become theirs (Bigagaza *et al.*, 2002).

Bigagaza *et al.*, (2002) concluded that even though land was not the root cause of the Rwandan conflict, its role is critical to understanding conflict dynamics in Rwanda. Land scarcity in Rwanda was both a function of population pressure and the unequal

distribution of land. Control of the state by elite groups has facilitated their domination of land ownership. This aggravated land scarcity for the rural poor by concentrating ownership of land with a minority. Prior to the genocide, land was an important factor underlying the formation of violent conflict between the ruling elite and armed opposition. The land issue continues to complicate peace-building and national reconciliation in the post-genocide period. The government is confronted with an enormous responsibility to settle thousands of returning refugees and secure the land and resource rights of the rural poor, who are the majority of the population. At the same time the government, with the support of the international community, was seeking ways to reduce dependence on subsistence production that depends on access to scarce land. Dependence on access to scarce land has reinforced the vulnerability of the rural poor, Hutu and Tutsi alike.

2.2.2 Land Rights and Inter-Communal Contestations in Darfur

In Darfur, land rights operated as a central feature of the conflict. Widely regarded as being at the heart of the war, land rights for the different groups involved in the conflict are highly complex, confused, sensitive, and volatile (Ki-Moon, 2007). A study by De Waal (2004), also established that of the six recognized and agreed on “root causes” of the war mentioned in the 2011 peace accord between the government and one set of the primary rebel factions, three deal explicitly with land rights issues. This, the current study argues underpins the centrality of land as a salient issue in past, present and future discourses of peace and security in Africa. A study by Young *et al.*, (2005) advanced that, in one of the most acute manifestations of the land rights problem, certain Arab pastoralists were easily recruited into the *Janjaweed* for two primary reasons: land and money. From their perspective, Arab pastoralists of northern Darfur saw an opportunity to correct a long-standing injustice of landlessness caused by the customary, colonial,

and statutory legal land regimes by pursuing their acutely felt need for land and hence greater political participation in Darfur. Interestingly, Arab pastoralist groups of southern Darfur who already had longstanding and secure claims to large swaths of land based on customary law attempted to stay neutral in the conflict. At the same time sedentary agriculturalists were threatened by the increasing numbers of pastoralists and other “outsiders” who are able to gain access to “their lands” based on statutory and Islamic law in an increasingly aggressive, confrontational, and secure way. The current study points out that the role of the legal land regimes in the Darfur conflict remains unexamined in the academic literature and sought to interrogate it in Mt. Elgon Region of Western Kenya.

In addition, a study by Abdul-Jalil & Unruh (2013) on “*Land rights under stress in Darfur: A volatile dynamic of the conflict*” established that, indeed, the aggravation of land rights over time in Darfur was a primary factor in the initiation of the conflict, and has emerged as a particularly difficult set of issues in the search for viable peace. While the prospect of being able to keep land acquired in course of the conflict was a primary factor in recruitment for the *Janjaweed*, it came on the heels of a set of changes in the environment, land use and population patterns, institutions, law and governance that produced a highly unwieldy and volatile land rights scenario. According to Flint & De Waal (2008) study advanced that land rights in Darfur still operate as a central feature of the ongoing conflict. Widely regarded as one of the root causes of the war, land rights for the different groups involved are highly complex, emotive, contentious, and volatile.

Indeed, Behrends (2007) study advanced that as one of its most acute manifestations, Arab pastoralists of northern Darfur with longstanding grievances regarding their

perceived lack of land and political participation (the two inseparable in Darfur) saw an opportunity to gain access to land, and so were easily recruited into the *Janjaweed*. Interestingly, Arab pastoralist groups from the south who already had longstanding and secure claims to land attempted to stay neutral in the conflict. The primary war-related land tenure issue in the Darfur conflict, which has driven many other aspects of the war including perceptions of ‘genocide’, and how the Arab pastoralist militias (*Janjaweed*) went on operationalizing the prospect that they would be able to keep the lands they were able to ‘liberate’ during the course of the conflict.

Instead of pursuing and engaging the rebel militias in order to obtain such lands, the *Janjaweed* and its constituencies went directly to the land itself and conducted scorched earth campaigns against the civilian agriculturalist population, emptying the countryside, and seizing the land. Flint (2009) added that this is not what Khartoum had expected when recruiting Arab pastoralists for its counter-insurgency efforts, to the degree that government soldiers often needed to accompany the *Janjaweed* to achieve military objectives; which also eventually came to include attacks on rebel-sympathizing civilian settlements. Flint & De Waal (2009) study advanced that, the massive dislocation, loss of life, and occupation of lands that resulted from the *Janjaweed*'s approach to the conflict, and the subsequent responses by rebel militias, led to a massive escalation of the overall conflict and the emergence of extremely difficult dilemmas in the socio-political landscape proved difficult to engage in a sustainable peace process.

However, it is important to point out that the problem of land rights in Darfur did not emerge suddenly as exemplified in a study by Abdul-Jalil & Unruh (2013). The aggravation of a number of land use and tenure patterns over time, together with a

progressive reduction in the adaptive capacity of customary institutions and the increasing intrusion of statutory law unsuited to tenurial reality in Darfur, led to a highly unwieldy and volatile land rights scenario, which was easily manipulated for various political agendas as part of the current conflict. The result is the use of land rights as a tool of belligerence, and a highly problematic dilemma of dislocation and secondary occupation which the two peace accords, the international community, government, and the various constituencies involved in the conflict are finding difficult to resolve.

2.2.2.1 Salient Features of Land Tenure in Darfur

This section presented and reviewed empirical literature on the characteristics of land tenure in Darfur.

2.2.2.1.1 Land Rights and Territorial Groups

Land in Darfur is divided up into tribal homelands known as *Dar*. As a general rule the *Dar* belongs to (or more specifically is named after or associated with) a major ethnicity or clan, but in practice its residents reflect a wide range of ethnic backgrounds. An ethnicity initially obtained such rights as a result of earlier occupation dating from the pre-Sultanate period. During the Sultanate period the sultan merely recognized the fact of land occupation and control, and reconfirmed the position of the group's leader. The main advantage of this arrangement for the major ethnicity was that it gave it a monopoly over the land- political nexus as well as leadership positions and revenue collection. Thus Darfur is known historically as the *Dar* or homeland of the *Fur* ethnic group in recognition of its historical role in establishing a thriving state. Thus, while the *Fur* tribe did not occupy the entirety of what is today called Darfur, the naming of the region as associated with the *Fur* followed a long history of state formation by the ethnicities even though other ethnic groups and *Dars* are included within Darfur (O'Fahey *et al.*, 2003).

When Darfur was annexed to Sudan in 1916, the colonial authorities changed very little of the land administration system. The tribal homeland policy of indirect rule adopted by the British in Darfur favored the larger tribes in that their leaders were confirmed as Paramount Chiefs (otherwise known as *Nazir*, *Shartay*, or *Sultan*) to be responsible for managing large areas of land as well as the people within a given boundary (Abdul-Jalil *et al.*, 2007). This minimized the colonial oversight that would have been needed to interact with many smaller ethnicities. It also meant that small ethnic groups and their chiefs came under the administration of the larger ethnic chiefdoms with or without their consent. In this regard, many small ethnicities struggled for their own identity and land for some time.

The claim for independent *Dars* by the smaller ethnic groups was linked to their desire for their own 'Native Administration' operating within broader customary law. Such an administration includes formal leadership positions in local and regional state institutions, including local councils and state advisory bodies. The claim for separate *Dars* by minority ethnic groups was resisted by the majority ethnic groups because it would lead to the fragmentation of the overall *Dar* and a diffusion of authority away from the larger ethnic groups. According to Jalil & Mahmud, this grew to become a major source of inter-ethnic conflict in the region.

2.2.2.1.2 The Aggravation of Land Tenure in Darfur

In the decades preceding the conflict a number of processes contributed to the aggravation of land tenure in Darfur into the volatile question it is today. This section describes the most significant of these, and how they interacted to produce a primary contributor to the war. According to Olson & Siba (2013), the conflict in Darfur has been described both as an ethnic cleansing campaign, carried out by the Sudanese

government and its allied militias, and as a local struggle over dwindling natural resources between African farmers and Arab herders. The conflict in Darfur was one of the worst humanitarian disasters in the world. Since the onset of hostilities in 2003, it was estimated that some 300,000 people had died and that 2.7 million people had fled their homes at the peak of the conflict. The official view held by the Government of Sudan was that the hostilities in Darfur were primarily a local struggle over dwindling natural resources between farmers and herders with no government involvement. Therefore, the importance of land degradation and a deteriorating climate for understanding Darfur has also been emphasized by Ki-Moon (2007).

2.2.2.1.3 Population Increase and Movement

At the peak period of the active conflict, Unruh & Abdul-Jalil (2012) study established that Darfur's population had multiplied nearly five times since the early 1970s (from 1,350,000 to 6,480,000) according to the 1973 and 2003 censuses. While natural population increase is partially responsible for this, large, multiple waves of immigration had contributed significantly to the overall population increase. Darfur had experienced two types of migration that directly affected land rights and land use patterns. The first resulted from a decade of droughts (mid-1970s to mid-1980s) which triggered internal migration from northern Darfur to southern areas. The displaced sought refuge in the eastern *goz* to the south of El-Fasher in North Darfur as well as in *goz* areas in South Darfur. Historically, South Darfur was less cultivated because most of its inhabitants were cattle pastoralists. But with the Sahelian droughts large numbers of people began to settle on land in the South which was previously unclaimed for agricultural use, but within areas claimed and used by local cattle pastoralists. These

areas eventually became saturated with new inhabitants, sparking numerous conflicts with the native pastoralists.

The second type of migration involved pastoralists from Chad who crossed into Darfur to seek permanent settlement, along with *Zaghawa* agro pastoralists and traders from eastern Chad and northwest Darfur seeking agricultural land and trading opportunities. These in-migrations were facilitated by broad tribal areas that crossed international and Darfur borders, making the influx difficult to quantify or monitor; however, they are widely regarded to have been quite large. As an illustration of the magnitude of these migrations, a large swath of land in the southern part of North Darfur was labeled the ‘agro-migrant livelihood zone’ by the UN.

The population increase and migrations over time meant that more farmland had to be secured for the new arrivals. And, while the customary land tenure system in Darfur was by and large able to manage this, it brought with it certain tensions. One result was a large decrease in available grazing land and in the practice of fallowing. Both led to significant constraints in land access by natives, and resulted in tensions with migrants. The gradual expansion of both farming and herding activities in Darfur over the past decades has put significant pressure on tenure systems and patterns, and on the agreements and arrangements about land between groups which supported these. This was particularly problematic between groups from different production systems seeking access to the same land, but most acutely between agriculturalists and pastoralists.

2.2.2.1.4 Land as a Tool of War in Darfur

All sides in the war were able to use land rights issues and maneuvers as tools of belligerence. The rebels were able to use the recent history of land acquisition by

government and other interests as a rallying point to further their argument that the sedentary tribes and the *hakura* tenure system were under threat. As the war progressed, and distinctions between insiders and outsiders to the *hakura* system hardened, the system was used to deny land access to pastoralists and others who might previously have been allowed onto lands as guests, and in some cases evicted those already with access. As well, the rebels and their constituencies denied pastoralists their transient rights of land access to migration routes and fallow and post-harvest fields. The UN-OCHA in Darfur noted that different relationships of specific groups to the *hakura* system was one of the major stumbling blocks to the peace process (Abdul-Jalil, 2008).

For its part, government was quite adept at using certain land rights issues as tools of belligerence in the war. Most notable was the purported indication to the Arab pastoralist groups of North Darfur that they would be able to keep lands they ‘liberated’ from the agriculturalist tribes. Whether indeed offered by the government or not, the prospect of gaining lands operated as a primary recruitment and operational tool for Arab pastoralists joining the *Janjaweed*. In addition, when government forces realized in 2003 that they could not effectively engage the rebels in desert warfare, one tool was to begin to robustly communicate to the non-*Zaghawa* agriculturalist population that the *Zaghawa* (who originally comprised the bulk of the SLA) wanted to take their land, and so should be chased off the land they occupied in *Dars* in which they had been accepted as guests for long periods of time. Thus the government sought to encourage use of the *hakura* system to evict populations that were constituencies to the rebels. Some of the *Zaghawa*, however, indicated that the waves of *Zaghawa* migration, their land access, and status as guests seemed to occur peacefully prior to the war.

For the *Janjaweed*, the Arab pastoralist acute desire for land, and access to the administrative and power structures that go with it were manifested in direct attacks on agricultural areas so as to take lands, and was a primary way the *Janjaweed* operated militarily. In addition, the original *hakura* granting documents themselves, held by important families became a target for destruction by the *Janjaweed*, in an attempt to reduce the customary legal basis for *hakura* claims. Land rights as a tool in the war was also used in other ways. In one example, an *Omda* of the *Awlad Mansour* clan of the *Mahariya* tribe, who was a *Janjaweed* leader in south Darfur, threatened the government with defection of his 1,500 armed fighters to the rebel movement unless the government provided the tribe with a *Nazirate* as one of three demands (Flint, 2009).

This section concluded with Bromwich (2018) study which established that, at the national level, there were two important factors in the Darfur conflict: the chronic marginalization of the Darfur region and the contestation for the state of Sudan. In 2003 the Darfur Liberation Front, which had grievances about Darfur's marginalization, changed its name to the Sudan Liberation Movement/Army (SLM/A) and made an alliance with the Southern Sudanese rebel movement, the Sudan People's Liberation Movement/Army (SPLM/A) to contest Sudan as a whole. These political distinctions are relevant to natural resource use as they influence the arrangements for resource governance at the national and sub-national levels. During the 1970s land was nationalized in order to enable a government-led agricultural expansion, notwithstanding local customary land rights. While Darfur was not the focus of this agricultural programme, it was deeply impacted by the governance vacuum created by the ill-fated legal reforms.

2.3 Extremism and Injustices in the Kenyan Perspective

This section reviewed literature on the Mombasa Republican Council and the Sabao Land Defense Forces which both were motivated by issues of homegrown economic marginalization.

2.3.1 Mombasa Republican Council (MRC) and Extremism

MRC is a group situated in the coast region in Kenya. The group has been supporting the severance of the coast region from the rest of the country so that the coastal residents can have added control of all assets existing in the region. The main issue that MRC is fighting for is that of land (Kisiang'ani, 2012). TJRC (2013) report established that land-related injustices at the Coast are one of the key reasons for under-development in the area, and have caused the emergence of the Mombasa Republican Council (MRC). This problem can be traced back in 1887 when Seyyid Said, the sultan of Zanzibar allegedly leased the 10miles (16kms) large coastal strip to the magnificent British East Africa organization, which viably made the seaside occupants squatters in their territory (Hassan, 2018). The current study observed that, just like in Mt Elgon, extremism agenda arises out of historical land injustices in Coastal Kenya region. Under the Slogan *Pwani Si Kenya* (The Coast is not Kenya), the group conveyed an extremist slogan. Coupled with the al-Shabaab factor, extremism and youth radicalization has been relatively high. Today, MRC remains relatively quiet after the government of Kenya declared it as an illegal sect yet historical land injustices persist. Studies on extremism and MRC are scarce. The current study sought to fill this gap by interrogating extremism over historical land injustices in Mt. Elgon Region. It is hoped that the results of the current study will inform counter violent extremism efforts of other areas plagued by historical land injustices.

Since its establishment, MRC has been alleging that it is fighting for the land of the coastal people. MRC have become a noticeable affiliation in political issues in the coast region, articulating different, longstanding complaints and setting out a disobedient plan which represents an existential danger to the Kenyan state by requesting independence for the coast region. This issue of land has made the group put more efforts on the secession agenda as this according to Goldsmith (2011) would grant the coastal people total control of the coast region. Mombasa Republican Council (MRC) activities within Kilifi County are mostly carried out in: Kaya Choni, Kilifi South Sub County, Kaya fungo and Palakumi in Kaloleni Sub County.

Ngumbao (2012) adds that on top of a fee of 100 shillings levied by the MRC, their meetings are usually conducted in forests and sometimes during burials where they use manipulation and propaganda to earn support and sympathy from members of the public. Few members of the group vied for elective positions, where they alleged that they wanted to represent MRC agenda through legislation and negotiation with the government. There are witch doctors within Kilifi County who have been bestowed with permission and powers to conduct oath and ritual to all MRC members so that they can keep all secrets and activities of MRC. Most of MRC members receive their training in forests and is conducted by ex-police officers who have either retired or were fired from the service (Ngumbao, 2012). Just like the other groups already discussed, the current study observed that the MRC exhibited some level of organization and as will be demonstrated by the SLDF in subsequent sections.

Goldsmith (2011) argued that the land issue is a big problem in the Coast region. In addition, the ruling class and the business elites own huge chunks of land at the expense of the indigenous people. There has been a case where foreign companies take huge

chunks of land but do not invest much in the area. Goldstein (2012) added that the Tiomin Mining Company has bought huge chunks of land in Kwale and Msambweni but has not involved the local community about their mining decisions and how it is going to help them.

Ratemo (2012) observed out that with the Malindi Municipal Council having leased 40,000 hectares of land to Jatropha International, this would reduce the land cover for the people leaving in the area and with improved technologies in the area, and most of the people would become unemployed thus increasing the grievances of the Coastal people. Such grievances enabled the MRC be more vocal in achieving the civil and political rights as they advocate for their rights of not being enslaved by people who do not have their interest at heart.

What made the secession talks more interesting is that the Kenyan government failed to honor the 1963 MOU between the Sultan of Zanzibar and Kenya's first President where the Kenyan government would protect the coastal people and as Kisiang'ani (2012) argued that the agreement was supposed to respect the rights of Muslims and empower them economically in the 10-mile coastal strip. By not respecting this treaty, the 'Coasterians' felt cheated and somehow are socially and politically aware of what is happening in Zanzibar.

A study by Hassan (2018) in Kilifi County established that factors which led to the emergence of MRC as an extremist group included poverty, lack of education, peer pressure, frustrations caused by the government after it failed to meet their grievances and influence from political leaders. In addition, the study established that the activities of the MRC had negatively impacted education and businesses. In as much as the MRC

may have been declared an illegal sect, their issues remain at large, only time will tell whether there will be an overt recurrence of MRC's extremist agenda. The findings of the current study sought to inform state actors on counter extremism strategies by interrogating extremism over historical land injustices in Mt Elgon Region. Currently, studies on the aforementioned subject area remain scarce. The current study sought to fill this gap.

2.3.2 Sabaot Land Defense Forces (SLDF) and Extremism

Much of what has been written about the SLDF militias has focused on their atrocities and relationship with the armed forces and on the latter's legal responsibility for the violence (Simiyu, 2007; Kamoet, 2011; Ngulutu, 2013; Wafula, 2019). This preoccupation with culpability, while important and understandable under the circumstances, has obscured the much deeper questions about the intimacy between historical land injustices and homegrown extremism. This section reviewed literature on the rise of the SLDF and extremism over land injustices while identifying gaps in literature which the study sought to fill.

2.3.3 Chepyuk Settlement Schemes and Extremism in Mt Elgon Region

The possibility of resettling the Mosop, who had been displaced in colonial times, in a more hospitable environment with their Soy counterparts was mooted as far back as 1965. From the government perspective, the initiative was guided by other equally compelling reasons, including protecting the Mosop against violent incursions from communities across the border in Uganda. In the period 1979-1983, former soldiers of toppled Ugandan president Idi Amin fled to Mount Elgon forest and persistently raided

the Mosop and stole their cattle. The remoteness and inaccessibility of Chepkitale also made it difficult for the government to provide services to the Mosop (Ngulutu, 2013).

The creation of the game reserve in 1968 added some urgency to the resettlement plans. To begin with, the game reserve took up a substantial portion of the moorlands on which the Mosop grazed their animals and foraged, in the process provoking protests from the Mosop as well as precipitating environmental degradation due to overgrazing and overcrowding in the smaller remaining area. Hence a settlement scheme was established down-slope in Chepyuk in 1971 to which the Mosop would be relocated from Chepkitale trust land. To create room for the settlement scheme, part of the forest reserve was earmarked for degazettement. Kamoet (2007:20) describes the process as follows: “In 1965, the Dorobo leadership in Chepkitale, government representatives and local community leaders began negotiations on how the Dorobo (Mosop) people could be moved from the then Trust Land above the forest to the lower slopes close to their Soy counterparts. Despite resistance from some members of the Mosop group, the majority agreed and they were moved in 1971 to Chepyuk settlement scheme through legal notice no. 35 of 1968.”

The sections that follow typified Kamoet (2008) views by reviewing literature on Chepyuk I, II and III and their role in fueling intractable land conflicts in Mt. Elgon Region which culminated to the SLDF blood bath between 2006-2008. Identity and land provided the structural underpinnings to the SLDF. The actual catalyst, however, was the Chepyuk Settlement Scheme. Chepyuk has a long, complicated and ultimately unavoidable history that holds the keys to understanding the emergence of a complicated militia.

2.4.3.1 Chepyuk I

This first resettlement phase (1971 to 1974) commonly referred to as Chepyuk I, which was implemented in the present Emia and Chepyuk locations of Kopsiro division, did not proceed without a hitch, however. To begin with, the Mosop, comprising 468 families and a total of about 3 900 members were moved to Chepyuk before official degazettement of the forest and the process of land allocation and issuance of title deeds was not expedited (Simiyu, 2007).

As a result, persons who had not initially been targeted for resettlement, especially members of the Soy clan who had settled in the neighborhood of the scheme after their displacement from Trans-Nzoia, also staked a claim to the land on the grounds that some of them had either surrendered their land for the establishment of infrastructure and public utilities or had remained landless as a result of colonial displacement. Some also claimed that because of their relatively small population, the Mosop leaders invited a section of their Soy counterparts to join them in a bid to effectively occupy the expansive Chepyuk territories as a way of keeping off any would-be 'intruders'. This may be interpreted to mean that the Mosop considered the Chepyuk area as a territory to which they and their Soy cousins had a right. In a way, therefore, their action was a protest against the government's decision to limit their land occupancy to only a small area. However, other sources claim that the inclusion of Soy families in the scheme was necessary in order to achieve a mandatory minimum of 600 families required to constitute a settlement scheme as provided for under the resettlement policy existing at the time (Kamoet, 2011).

Apart from the Soy, members of neighboring communities especially the Bukusu and Teso also moved into the area. Some of them acquired land either by paying a purchase

price in money or in exchange for providing labor to Mosop and Soy in clearing the forest. Namwaya (2007) added that in both cases no formalized landownership documentation was completed. Thus by the time degazettement took place in 1974 and official land allocation commenced, the forest had already been cleared, people had divided the land amongst themselves and settled there, while others had sold their plots.

In addition, there were more families in the area than had been targeted for resettlement. For instance, early in that year, the government evicted 80 families from Ramromwet forest area in Kapsokwony division and these families ended up in Chepyuk. This prompted the government to establish a committee to verify claims and identify the families to whom land was to be allocated, as a result of which some people missed out and others were evicted. In the end, some 650 Mosop families and 300 Soy families received land (Ongugo *et al.*, nd).

2.4.3.2 Chepyuk II

Those who missed out and/or were evicted, petitioned the government to reconsider their plight. President Moi conceded in 1979, after which more land was set aside for resettlement at Cheptoror and Kaimugul, and named Chepyuk II. But as in the case of Chepyuk I, the allocation process was not finalized in time and the situation in Chepyuk I was to a great extent repeated in Chepyuk II. There were suggestions that because of their lifestyle, which revolved around herding and foraging in the forest, a lot of Mosop could not till their land, instead preferring to either rent it to the Soy or sell it altogether, and that some of them preferred to go back to Chepkitale (and even attempted to do so in 1979 and 1988) (Simiyu, 2007).

The money economy and new lifestyle that they were introduced to upon relocation from Chepkitale also placed pressure on the Mosop to sell land in order to meet basic needs. As a result, the Soy were able to acquire much of the land in Chepyuk and ended up dominating the scheme that had ironically been created for the Mosop. On the other hand, some claimed that the Mosop complained about illegal acquisitions of land by the Soy and felt they were unfairly losing out to the 'invitees'. They wanted their land back. In addition, they petitioned the government to allocate them land that was equivalent in size to the one from which they were relocated (about 35 000 hectares) (Simiyu, 2007).

Chepyuk scheme was an area of only about 6 500 hectares (Western Kenya Human Rights Watch, 2004). On their part, the Soy demanded refund of their money and threatened to chase the Mosop out of the scheme if they did not comply. This simmering dispute reached President Moi in 1988, and he ordered a re-evaluation of the land allocation process. The re-evaluation process was instituted in 1989 and was overseen by the then Rift Valley Provincial Commissioner, Francis Lekoolol, and the Bungoma District Commissioner, William Chang'ole, both of whom stated that the 'Chepyuk area was a settlement scheme for the landless and not an exchange land for Chepkitale forest reserve as had been perceived before' (Kamoet, 2007:22).

The government accordingly annulled the allocations, established a vetting committee (without involving local leaders), and invited new applications. As a result of the pronouncement on the status of the settlement scheme, the vetting committee was overwhelmed by applications not only from the two Sabaot clans, but also from members of other communities who had bought land and settled in the area. The committee was forced to introduce balloting and to limit land size to 2 hectares per

family. In the end, a group of Mosop was settled in the Cheptoror and Kaimugul areas, while applications from members of other communities, including the Soy who had already settled in the area, some by way of land purchases from Mosop but for which they lacked proof of ownership were mostly disregarded (Ngulutu, 2013).

Unsuccessful applicants were evicted from their farmlands, an action that enraged the Soy in particular, especially in view of claims of nepotism, non-involvement of community leaders, corruption and the fact that some ‘foreigners’ from outside had benefited from the land allocation process. Subsequently, Soy leaders – among them local politician and the then Mount Elgon KANU chairman, Fred Chesebe Kapondi – petitioned the government to resettle the evictees and other Sabaot who remained landless. They met President Moi in 1989 and again in 1993 to present their case (KLA, 2007).

2.4.3.3 Chepyuk III

Following the 1993 visit, President Moi issued a directive to resettle those affected, primarily members of the Soy clan. Consequently, additional land at Chepkurkur and Korng’otuny was set aside for what would become the third phase of resettlement, called Chepyuk III that was intended for 1,732 families with 2 hectare allocations. Again, as in the preceding phases the land set aside had not only been illegally occupied by the Soy already, but the government again failed to expedite the allocation process. This perpetuated the very problems that necessitated the establishment of Chepyuk III. The process was delayed until 2006 (Simiyu, 2007).

It is important to note that it was the political competition in the context of the 2002 elections that had resurrected the land resettlement issue as local politicians from the

Soy clan pitched their campaigns around promises to finalize the resettlement programme. The Kenya National Commission on Human Rights (2008) argued that, by 2002, allocation of land and issuance of title deeds in the settlement scheme had not yet been completed. In the hope of garnering votes and endearing themselves to the electorate, politicians vying for parliamentary seats used the same as a campaign promise and more specifically with the promise of settling squatters according to the existing household landownership patterns. This meant that all families were to be given title deeds based on where one stays or built their home or hut (KNCHR, 2008).

While the process of surveying and issuing title deeds in the first two phases was completed fairly peacefully in 2003, many years after families had first settled there, the situation in phase three was potentially explosive for various reasons. Suffice it to note here that in 2005 during the constitutional referendum campaigns, the land issue in Chepyuk III resurfaced again. Although the then area MP and Assistant Minister for Planning and National Development, John Serut, supported the campaign in support of the constitution which was being spearheaded by pro-government forces, the Region returned an overwhelming vote against the proposed constitution (Ngulutu, 2013). This is said to have intensified political rivalry and tensions between the Mosop and the Soy, since the Mosop, which is the minority clan, supported the constitution while an overwhelming Soy majority voted against it. Like Serut, most of his political opponents, amongst others Kapondi and some former MPs, hailed from the Soy clan.

By 2006, when the government finalized land allocation in Chepyuk III, people had developed their farmlands, others had sold or leased out their land to fellow Sabaot as well as to migrants, and the population in the area had grown substantially. Moreover, because the scheme had initially been created for the Soy, and given the political

rhetoric of 2002 referred to above, the Soy who had already settled in the area believed that the process of surveying and allocation would be a mere formalization of their ownership and therefore did not expect the land boundaries existing at the time to be substantially altered. This was despite the fact that in many cases the self-allocated plots were many times bigger than the planned size (KLA, 2007).

In addition, by this time part of the land that had earlier been targeted for resettlement covering mainly Chepkurkur and Korung'otuny, had been hived off as part of a new reforestation programme by the state forest department. The ensuing dissatisfaction compelled Kapondi to negotiate with the government for the revocation of the decision- this was actually done. In 2005 the government surveyed the area and in 2006 embarked on the finalization of the third phase of the resettlement programme (Oloo, 2010).

Chepyuk III was intended for 1,732 Soy families who would each receive 2 hectare plots. However, when the process was revisited in 2005, a total of 7,000 claimants put in applications for land allocation. What is more, the government revised land allocations to 1 hectare plots and through consultations with local leaders under the chairmanship of the Provincial Commissioner, Abdul Mwasserah, it was further agreed that the Mosop should share in the land allocation in equal proportions to the Soy. In other words, each clan would receive 866 parcels. It has been speculated that the belated inclusion of the Mosop in the scheme was a ploy by Serut to punish the Soy for having voted against the draft constitution in the 2005 referendum while at the same time rewarding the Mosop for their support (KLA, 2007).

A vetting committee was constituted, comprising among others five elders from each clan drawn from across the district. The decision to use elders as opposed to chiefs and

government officers was aimed at minimizing the corruption and nepotism that had dogged the previous allocations. There were strict criteria for allocation, including proof of Kenyan citizenship in the form of a national identification card; that no land be possessed elsewhere; physical residence at the scheme; and appearance in person before the vetting committee. Vetting began in January 2006 (Simiyu, 2007).

The process among the Mosop proceeded smoothly and within a few days Mosop elders submitted a list of 866 families to benefit from land allocation. On the other hand, the identification of a similar number of Soy beneficiaries was highly politicized and problematic. Rival Soy politicians – MP Serut on the one hand and his rivals led by Fred Kapondi on the other – influenced the appointment of allies to the vetting committee, ostensibly to ensure inclusiveness and transparency in the land allocation process. Contrary to Serut’s pre-election pledge in 2002 to resettle squatters on the basis of existing land ownership and settlement patterns, the government introduced balloting in allocating the 1 hectare plots. This could not guarantee the squatters to retain the plots on which they were already settled (Kamoet, 2011). Serut’s rivals protested this decision and accused the MP of betraying the Soy, their allies withdrew from the vetting committee, and supporters boycotted the vetting process altogether. Serut took advantage of the withdrawal from the committee of his rivals’ allies which effectively handed over control of the vetting process to the MP’s cronies to influence the allocation of land to his supporters alongside those identified by Mosop elders (Ngulutu, 2013).

In March 2006 a list of successful applicants for land allocation was posted at the offices of local administrators. Thousands of unsuccessful applicants including some of those who had bribed authorities protested this outcome. The members of the Soy clan who

were opposed to the Mosop resettling in the Chepkurkur and Korng'otuny areas since they were not supposed to have been part of the scheme initially, were particularly dissatisfied (Simiyu, 2007).

An estimated 1,500 families faced eviction, many of whom had lived on the scheme since 1971. Some of these either did not fulfill all the requirements for allocation or, if they were successful, occupied larger pieces of land in the scheme and rejected the directive to give up part of their land for subdivision and allocation to other families. The latter category included a number of community elders, such as Patrick Komon and an 80-year-old Soy believed to be the SLDF's spiritual leader, Jason Psongoywo Manyiror, who reportedly owned 80 hectares each which they had already subdivided amongst their sons. Once this group realized that they would face eviction or lose part of their land, they collected money to seek legal redress and, when this failed, they channeled the money towards mobilizing young people to defend their land (Simiyu, 2007).

In summary, the following constitute key highlights in the land problem in Mt Elgon Region. In 1932, the Colonial government moved Sabaot from Trans Nzoia to Mt Elgon to create white highlands; In 1948, the government suggests removing Dorobo from highlands to protect forest, In 1971/72 – the government moves the Dorobo from the forest and creates Chepyuk settlement scheme to resettle them in phases alongside the Soy; In 1979 – Beginning of phase II of the settlement; In 2005/6 – Controversy over Phase III settlement leads to conflict as further allocations meant those who held huge chunks of land would have to surrender some leading to the carnage of the SLDF. The next section reviews literature on the carnage of the SLDF and the civil war in Mt. Elgon Region that erupted as a result of land injustices.

2.4.3.4 The Carnage of the SLDF over Land Injustices

The failure by the state to address the land question through a formal legal system led to the formation of the Sabaot Land Defense Force an armed group that first emerged in 2006 to resist government attempts to evict squatters in the Chepyuk area of Mt Elgon. Key players in the militia group leadership were the son of the Sabaot elder and spiritual leader. Wycliffe Matakwei was son to Mr Patrick Komon. SLDF comprised primarily of young men from the Soy clan. The militia group began by first targeting the members of the Mosop clan, who they perceived to be favored by the government in its land allocations while compromising the interests of the Soy clan (Ngulutu, 2013). The attacks were soon extended to the government installations and institutions who were blamed of being corrupt and unjust in their land allocate on process.

Initially the response of the state and its agents as well as the area MP was to dismiss the conflict as one resulting from incitement by irresponsible leadership, and the militia as a bunch of thugs and criminals who should be dealt with firmly and conclusively. It is this line of thought that made the matter a localized one, with the area chiefs tasked with the responsibility of ensuring that there was peace in their areas of jurisdiction. Subsequently curfews were put in place, to be enforced by the chiefs and administration policemen under them. This approach failed and the SLDF continued to spread terror and commit atrocities in Mt. Elgon and in parts of Trans-Nzoia District (Simiyu, 2007).

For as long as the government continued to view the situation as first and foremost a security issue, it deployed more security personnel including special units such as the Rapid Deployment Unit, Anti-Stock Theft Unit and the paramilitary General Service Unit. The mission of these deployments, which totaled 650 officers, was to enforce law and order and arrest the militiamen threatening peace in the area. According to

Mwasserah (2008:75), a major operation to flush out those with illegal firearms was launched. A total of 291 criminals/suspects were arrested, 24 raiders killed, 23 raiders and 13 civilians injured. One AK 47 rifle, magazines, 23 rounds of ammunition, crude weapons and military uniforms were recovered. Opening up of several police patrol bases and posts to help beef up security in the area has been another strategy.

Despite these successes, the militia continued to outwit the security agents and to terrorize residents and commit atrocities against innocent civilians. Serut and his entire family were also targeted, because he had used his position to secure the inclusion of members of the Mosop clan in the third phase of the resettlement programme although they were not supposed to be part of it. He was also accused of ensuring that his cronies benefited from land allocation in the scheme (Simiyu, 2007).

The militia employed various tactics and strategies that for a long time made it difficult for the security personnel to gain the upper hand (Namwaya, 2007). One tactic was the taking of an oath and spiritual guidance, which were important components of overall SLDF strategy. The community's spiritual leader/prophet, called a '*laibon*', administered the oath to all combatants and gave them special charms, ostensibly to bind them to the SLDF cause and imbue them with supernatural powers that would protect them from authorities and enemy bullets during combat, making them invincible. In this regard the SLDF is similar to many other militia groups across Africa that have employed mysticism and the narratives of invincibility as an integral part of their *modus operandi* (Omeje, 2005).

The confidence and psychological boost they derived from the oath and charms to some extent explain why the SLDF often sent information to its would-be targets ahead of

time, telling them when they would strike. It also explains, at least in part, why many young people enlisted in the militia despite the state's determination to exterminate it. One member of the militia was quoted, for example, as saying that "... What has given us supernatural powers is God. We have even got to know who the members of the special anti-insurgency security squad are through God's powers. We shall also finish them through God's powers... They (the police) cannot arrest me. I am not a chicken to be arrested just like that. It is not easy and they will not manage..." (Namwaya 2007).

The aforementioned assertion revealed that members of the SLDF militia had undergone an oathing and indoctrination process that made them somehow believe that they were fighting in the name of God and therefore had primary protection. This made the outfit quite resilient to the state security forces that had been deployed in the region.

The organization of the SLDF was organized into a spiritual wing, a military wing and a political wing all which were crucial in ensuring the group's dominance in Mt. Elgon Region. The extremism group used extremist techniques all aimed at instilling massive fear among the locals. Among the techniques employed were: torture, abduction, mutilation, extortion and burning down homesteads among others. At the end of the military operations, over 70,000 residents had been displaced and 600 others lives lost (KHRC, 2008).

2.4 Determinants of Extremism over Intractable Land Conflicts

With climate change and parallel increase in population pressure that diminish the availability of arable land it is of great importance to understand the determinants of land-related violence. However, little is known about why individuals participate in

violent conflict over land. To this end, the current study sought to interrogate determinants extremism over land in Mt. Elgon Region of Kenya as its first objective.

Von Uexkull (2016) study investigated why individuals participate in violent conflicts over land using novel data on around 70 individuals who fought in land-related conflict in the Mt. Elgon Region of Kenya during the years 2006-2008. Survey data is combined with semi-structured interviews. The case of Mt. Elgon Region shares common characteristics with many other regions in Africa that experience land-related conflicts. These determinants revolve around scarcity of land resources, location in the periphery of the country and the importance of ethnic entrepreneurs for instigating violence.

In spite of the increasing importance of land-related conflict, there is a lack in micro-level research on why individuals engage in land-related violence. In Mt. Elgon, 600 people reportedly died as a result of the land-related conflict, many more were injured and about 66,000 were internally displaced during the years 2006-2008 (HRW, 2008). Von Uexkull (2016) collected data on 70 ex-combatants of the Sabaot Land Defence Force (SLDF) in semi-structured interviews combined with a survey in January 2016. Von Uexkull (2016) study collected data from ex-combatants on why they participated in violent land conflicts. The current study however, sought to interrogate extremism among both ex-combatants and non-combatants in the Mt. Elgon Region. In addition, since the Mt. Elgon land issue remains unresolved, the current study specifically focused on the risk factors and probability to resort to violent extremism among both the ex-combatants and non-combatants in the study area.

Understanding the motivations of combatants can inform approaches for conflict prevention as it can shed light on the origins and evolution of violent land conflicts. In

addition, it can also help in the evaluation of strategies for conflict resolution. If fighters have been recruited by mobilizing grievances over lack of access to a particular piece of contested land, post-conflict arrangements may need to focus more on the establishment of institutional arrangements that regulate access for the contesting parties. If instead groups have dominantly been mobilized by prospects for gaining a livelihood, peacemaking may rather depend on creating alternative livelihood and job opportunities.

2.4.1 Participation in Violent Land Conflicts

In many respects, determinants of participation in communal conflicts over land should be similar to what is known about participation in other forms of organized violence (Von Uexkull, 2016). Similar to participation in civil war, organizing for communal land conflicts involves collective action problems (Olson, 1965). Participation in fighting is risky. Participants may die in battle with another group, or caught by government forces which are sometimes called to intervene especially when communal fighting regards land (Elfverson, 2015). In contrast to these great known risks, the benefit side of fighting is typically uncertain. While using violence may displace outsiders and vacate land, there are no guarantees that those participating in the conflict would benefit themselves. In addition, property rights of the original owners might also be revoked by the government following displacements (Kimenyi & Ndung'u, 2005). Thus, taking to arms in the context of land disputes is as puzzling as it is in the context of other forms of conflict.

A few common explanations may help explaining participation regardless of the form and dimension of conflict. Thus, they are likely also found in violent conflicts over

land. These explanations are not necessarily rival, but can be present at the same time in the same conflict (Humphreys & Weinstein, 2008). In particular, there is a group of explanations that can be as much a cause of conflict participation, as they are a result of the conflict. These include neighborhood effects. An individual linked to network endorsing the use of violence is more prone to participate than other individuals (McDoom, 2013; Scacco, 2012). A network that endorses violence may also impose social sanctions on any member who refuses (Humphreys & Weinstein, 2008). Moreover, the direct or indirect experience of violence should make individuals more prone to use violence themselves. For example, experience of violence has been found to harden negative intergroup attitudes (Beber *et al.*, 2014) and increase support towards lawlessness (Dercon & Gutiérrez-Romero, 2012). These explanations likely also have explanatory power in land conflicts.

Another commonly accepted explanation is the provision of selective incentives to fighters, benefits that are contingent of participation, which makes groups overcome the collective action problem (Humphreys & Weinstein, 2008). These selective incentives include for example security provided to individuals that join the group they could not enjoy otherwise during wartimes (Kalyvas & Kocher, 2007). For example, in the Mt. Elgon conflict in Kenya, several individuals reported they felt trapped between the SLDF land militia, who might kill them as suspected betrayers if not joining, and the government suspecting anyone of their ethnic community to be a member of SLDF (Simiyu, 2007).

2.4.1.1 Land as a Source of Livelihood

Conflicts over land concern a tangible divisible issue that can directly benefit fighters in the war. In contrast to battles over government power or fighting a holy war, land is

not essentially a public good. Thus, if the group can make credible to fighters that they can conquer a piece of land, and are able to keep it in control, an armed communal militia can use promises of future land gains as selective incentives for any active participant in violence. This may then make groups overcome the collective action problem (Von Uexkull, 2016).

However, even where credible promises of future land gains are made, participation in fighting involves great risk for the loss of life with future benefits being uncertain and contingent on the success of the group. Thus, that land itself is a resource worth dying for seems unlikely in most contexts. It should only be worth taking these great risks where land ownership is of major importance. On the structural level, it is no coincidence that land-related violence is concentrated in developing countries where agriculture is the backbone of the economy (Von Uexkull & Pettersson, 2013). The importance of land for the economy in these countries also means that how land is held or even accessed reflects how power is held because land ownership tends to depend on economic and political influence in these societies (Kanyinga, 2009a: 327).

Similarly, at the individual level, whoever takes part in the fight has likely a hunger for arable land. Most individuals have less costly outside options, such as migration from the area if it should be affected by conflict and finding jobs that are not dependent on the use of land. While a person with temporary labor in a factory may be poor, it is nevertheless unlikely to see this person risk life in fighting over land, as his livelihood does not depend on land. Thus, it seems likely that those participating are dependent on land for their livelihood and have little attractive and less risky outside options (Von Uexkull, 2016).

This argument refines the opportunity cost argument and makes it fit land conflicts specifically (Collier & Hoeffler, 2004). The higher economic gain from participation relative to alternatives, the higher the likelihood of participation in conflict (Collier & Hoeffler, 2004). As land is so tightly linked to economic wealth for certain population groups with livelihoods dependent on farming land, therefore, high dependence on land will be linked to participation in communal violence over land. On hypothesis 1 the study concluded that an individual who is particularly dependent on land for his livelihood is more likely to participate in land-related violence than other individuals.

2.4.1.2 Land and Communal Identity

Another perspective is that land conflicts occur largely because of a group's strong sense of belonging and ownership to a particular land. They perceive themselves to be autochthonous to an area and to have an obvious (and even natural) association with a specific land that others do not enjoy (Lynch, 2011). From this perspective, land is not an economic resource per se, but a source of identity. In the most extreme case land could then be perceived as almost an indivisible issue at the group level (Fearon, 1995). While land in principle is perfectly divisible, historical narratives of belonging may lead communal groups to identify so much with particular pieces of land that this piece of land becomes indivisible in the sense that no other ethnic group may be tolerated there. Indivisible issues have been recognized as causes of conflict according to bargaining theory, as they eliminate a bargaining space between the actors involved (Fearon, 1995). Developing a strong senses of belonging may even happen for both sides in a conflict through population movements, for example through resettlement efforts by colonial powers (Kanyinga, 2009a; Lynch, 2011). Also fighting between groups over "holy sites" could be seen from this perspective.

At the individual level this may imply that the strength of identification with the own ethnic group could explain who participates. Only individuals that see themselves strongly and exclusively as part of a group, distinct from another group may develop a sense of being “sons of the soil” (Fearon & Laitin, 2011) – or in the case of the Mount Elgon conflict in Kenya “sons of the mountain” (Lynch, 2011) – that does not tolerate the presence and access of outsiders.

The importance of identity for the use of violence has been recognized in other contexts as well. In a study of Africa, Velitchkova (2015) established that individuals who consider their “ethnic” affiliation more important than the nation are more likely to use violence in pursuit of political goals than persons who have not adopted such ethnic self-identifications (Velitchkova, 2015). An exclusive and strong ethnic identity below the level of the nation state seems particularly relevant for the explanation of non-state violence that per definition are fought between communally identified groups. On hypothesis 2 the study concluded that, individual who is strongly identified with the own ethnic group and puts particular value to a particular land linked to his identity is more likely to participate in land-related violence than other individuals.

2.4.1.3 Other Determinants of Land Conflict

First, the conflict shared with other land-related conflicts the lack of clear legal land ownership that permitted different groups to claim that the land was theirs based on conflicting and unclear right of usage, legal rulings and directives of politicians in power (Simiyu, 2007). Kenya has a history of the coupling of land access and politics where with the introduction of multi-party politics, political campaigns have been building on questions of land access to ethnic groups (Kanyinga, 1998; Boone, 2011). In these contexts, communal groups can make credible to their fighters that territorial

gains can be made that will not be revised by the government. Second, its geographic location in the periphery is similar to many other state-based and communal conflicts (Buhaug, 2006; Sundberg *et al.*, 2012). It broke out in the periphery of the Kenya on the border to Uganda, in a marginalized region with little state presence and proximity to safe heavens and sources of weapons in neighboring countries (Simiyu, 2008).

A third typical condition for communal land-related violence is resource scarcity, caused by ever increasing pressure on land resources, due to rapid population growth (Kahl, 2006). This was the case for Mt. Elgon as well (Simiyu, 2008). Moreover, similar to many other land-related conflicts in Kenya and elsewhere, its timing and extend is partly explained by powerful political supporters that both further incited violence and allegedly even provided tangible support (Kanyinga, 2009a). In particular, the power struggle between two political rivals that struggled for political support, John Serut and Fred Kapondi, was crucial for the outbreak of violence (Simiyu, 2008).

It is a somewhat unusual case as during later stages of the conflict, other forms of violence including massive use of one-sided violence and fighting against the army became dominant (Simiyu, 2008). However, the conflict issue of land and fighting between the Soy (SLDF) and Mosop (MDF) was present throughout the conflict. It thus can nevertheless inform many other cases of land-related violence.

A study by Psiwa *et al.*, (2014) in Kopsiro Division established that land, politics, land distribution and land boundary disputes were the main causes of conflict in Mt Elgon Region. Psiwa *et al.*, (2014) established that during the 1st resettlement of the Mosop Phase I, the exercise was faced with many challenges. These included poor preparation, lack of title deeds as evidence of ownership and corruption that resulted in

dissatisfaction among the Mosop and envy from the Soy. The same problem remained unsolved in phase II and III. In addition, the long duration of those resettlement phases led to new problems mainly that the residents on the ground could not continue farming on the land because of the dispute and thus, had to seek other means to survive including business. This has been a major source of anger and discomfort especially among the residents who have been rendered jobless with no other stable sources of livelihood. Psiwa *et al.*, (2014) study examined the effect of land conflicts on livelihood and did not interrogate the risk factors for extremism, a gap the current study sought to fill. However, some of its findings could be relevant in informing grievance and consequently the risk of extremism among residents in the region. For instance, reduced household incomes, loss of jobs, sleeping hungry as a result of lack of food could be factors that inform extremism if not expeditiously handled.

2.5 Violent Extremism Risk Assessment

As a concept, risk assessment has been in existence for use by the criminal justice system for decades. However, the current study argued that risk assessment for counter-violent extremism in Kenya and the Global South at large could be the missing link in the fight against extremism. Amakanji *et al.*, (2018) for instance argued, the fight against radicalism and extremism in Kenya is often reactive, waiting for extremist attacks to happen and react thereafter, with the Kenya Police at the forefront of the reaction in the national realm and AMISOM leading reactive operations in the regional front. As such, the current study sought to fill this missing link.

Risk assessment at its most basic, involves the collection of data about a delinquent to assist in making judgment about the likelihood of an outcome or behavior. As such, early efforts of risk assessment were biased in assessing the risk of engaging in

offensive behavior as well as the risk of re-offending among prisoners before reintegrating them back to the society. In the late 1900s, however, Hamilton *et al.*, (2015) observed that, there was a clamor for stricter punishment as opposed to rehabilitation efforts. With an upsurge in incarceration, inadequate funding and congestions in prisons, many jurisdictions reverted to rehabilitative frameworks. Borum *et al.*, (1999) argue that, as a theory, risk management has moved from a belief that risk resides within and individual and that this aspect cannot be changed to the notion that risk enjoys an intimate relationship with context and occurs along a continuum.

In the context of the study of terrorism, risk assessment refers to the process of identifying risk levels for engaging in future acts of violence based on a certain set of characteristics present and demonstrated by known extremist offenders (Pressman, 2012). These characteristics are widely known as extremist risk factors and are attributed based on data collected from previous offenders and thus appear to be related. A risk factor, therefore, is any trait such as appearance, experience, belief and environment among others that increase the propensity of the outcome being measured (violent extremism) to occur.

Although risk factors and indicators are terms often used interchangeably, they should not be interpreted to mean the same thing. This is partly because, there is a lucid distinction between the two (Smith, 2016). Risk factors increase the possibility of a given outcome, while indicators help signal the presence of that outcome. For example, smoking is a risk factor for lung cancer because it increases the likelihood of the outcome (cancer) happening in the future. Coughing blood is an indicator of lung cancer because it signals that the cancer may currently be present. Indicators function similarly

to risk factors in that their presence does not necessarily mean that the outcome is happening. The presence of risk factors and indicators does not automatically mean that the outcome of interest is present (Kraemer *et al.*, 1997).

Variables that operate in the opposite direction as risk factors are known as protective factors, which insulate and buffer an individual's resilience to radicalization into violent extremist ideologies and organizations. Protective factors, according to Borum (2015: 66), are characteristics "that reflect a person's commitment to conventional norms against terrorism, and that involve activities incompatible with terrorism and militant extremist activity." Borum (2015) added that the field of violent extremism research has not yet adequately identified and validated an empirical list of protective factors that mitigate against engaging in extremist violence, although "rigorous research exists on risk and protective factors for other forms of violence" (Borum, 2015: 66). Smith (2016) agreed with Borum (2015) suggestion that more work needed to be done to identify protective factors, although some existing assessment tools for violent extremism namely the ERG22+ and VERA do include suggested protective factors (Lloyd & Dean, 2011). Examples of potential protective factors that need to be validated further include being married, having stable employment and having no previous history of violence. The importance of understanding protective factors is recognized elsewhere in violent extremism studies literature by Hoffman (2006), Horgan (2009) and Jacobsen (2010). Although there has not been as much research into protective factors relevant to terrorism prevention, a few assessment tools have started to incorporate them. The current study sought to understand and expound on the workings of the protective factors in the study area.

2.5.1 Risk Factors and Indicators Specific to Violent Extremism

A significant amount of research and development of risk assessment tools has occurred in the criminal justice field. However, many of these tools focus on general reoffending. There are a number of tools that measure the risk of violence. The current study sought to adopt the risk factors from both tools available in order to assess the risk for extremism in Mt. Elgon Region as the second specific objective. The National Institute of Justice (NIJ) (2015) summarized a list of widely accepted risk factors for violent extremism. The NIJ conference focused on risk factors for radicalization, while the NIJ-funded research focused on risk factors for violent action. Where risk factors alluded to the same concept, they were combined for ease of review although, there is a significant overlap. Furthermore, many risk factors for radicalization that were not identified in NIJ-funded research are risk factors associated with other models of extremist violence (Cook *et al.*, 2013; Meloy & Gill, 2016; Pressman & Flockton, 2010).

The factors for radicalization into violent extremism as identified by NIJ (2015) include: identity conflict, feeling there is lack of meaning in life, failing to achieve aspirations, desire for action/adventure or military experience, having experienced trauma/abuse, being emotionally unstable, having strong religious beliefs and extremist ideology, having grievances, having an “us versus them” worldview, justifying violence as a solution to their problems, having engaged in previous criminal activities, involvement with gang or delinquent peers, societal discrimination or injustice, exposure to violent extremist belief systems or narratives among others. Although the current study argued that the aforementioned risk factors were documented with terrorism proper ideology in mind and not issues such as the ones the current study sought to pursue. These notwithstanding, it is rational to point out that a good number

of those factors will come in handy when developing the data collection instruments and thus influencing the research methodology. The current study sought to adopt and employ a combination of risk factors in a bid to adequately address the second objective.

Although a risk factor increases the likelihood of a negative outcome, some risk assessment tools have started to incorporate protective factors, which have the opposite effect (NIJ, 2015). Protective factors are characteristics of the individual or his or her environment that decrease the likelihood of a negative outcome. To date, there has not been as much research into protective factors relevant to violent extremism; however, a few assessment tools have started to incorporate them. Protective factors are believed to counter the effects of risk factors by providing the individual with the support and strength necessary to withstand stressors. Protective factors seen as countering risk factors for radicalization and extremist violence include high self-esteem, strong family and community ties, mental health treatment options, and exposure to non-violent belief systems.

2.5.2 Methods for Assessing Risk for Violent Extremism

Risk assessment has been referred to as “a problem to be solved, rather than as a prediction to be rendered” (Borum, 2015: 64). In other words, risk assessments cannot predict future behavior, but can identify certain characteristics an individual possesses, according to his or her life history and current disposition, which may provide an indication of the likelihood to engage in the outcome of interest. Tools for assessing risk have gradually evolved over the past 50 years, primarily in the criminal justice sector, and will continue to do so in the future. The criminal justice literature often refers to the four generations of risk assessment to highlight the differences among

different methods of assessing risk. The current study is in agreement with Borum (2015) view and consequently the aim of the study is not to predict future behavior but to identify the likelihood of violent extremism and recommend solutions based on the findings.

2.5.3 Assessment Tools Specific to Violent Extremism Prevention

Borum (2015) argued that existing structured professional judgment (SPJ) tools for violence in general assume a linear cumulative risk model. In other words, more risk factors present equates to a higher risk of engaging in violence, which is not necessarily true for engaging in extremist violence. Pressman (2009) argued that existing risk assessment tools were an effective way to assess future violence, but were inadequate for assessing violent extremism (VE) risk because they in no way account for the background and motivations of ideologically motivated individuals. For these reasons, researchers have been working to develop VE-specific assessment protocols that take advantage of the known strengths of general risk assessment tools, but prioritize extremist-specific characteristics over those of individuals likely to commit more general violent acts. The current study sought to adopt a number of risk factors for use in a Likert scale to assess the risk of violent extremism in Mt. Elgon Region. It should be noted that literature in assessment tool of violent extremism is scarce both in Kenya and the Global South. This was evident in the aforementioned sub-sections. As such, the current study sought to fill this gap.

2.5.3.1 Violent Extremism Risk Assessment (VERA)

Beardsley & Beech (2013) advance that the VERA model was designed and developed to fill the need for a tool to assess the risk of violent political extremism. The VERA was modeled after other existing violence risk assessment tools, most notably the HCR-

20 and the SAVRY, to be an empirically grounded structured professional judgment instrument. Using the thinking laid out by Roberts & Horgan (2008), the developers of the VERA sought to identify empirically valid risk factors for terrorism and political extremism. A list of factors relevant to political, religious and ideological extremism was compared to the most commonly used general violence risk assessments (HCR-20 and SAVRY) to identify overlap (Pressman, 2009). Most items used to assess the risk for common violence were unrelated to the risk factors for violent political extremism. These findings supported the development of a tool specifically designed to measure the risk of violent political extremism. With land in the study area already identified as one of the most politicized and contentious issue, the role of politics cannot be ruled out (Simiyu, 2007). The current study agreed that some risk factors used in the VERA model can be relevant and therefore can be used to calibrate extremism over land issues in Kenya. However, there is inadequate literature on VERA as a methodology in Kenya. The current study sought to fill this gap.

The VERA consists of 28 items categorized into five sections: (1) Attitude Items, (2) Contextual Items, (3) Historical Items, (4) Protective Items and (5) Demographic Items. Attitude Items represent thoughts or beliefs that increase the likelihood of violent political extremism and terrorist behavior. Contextual items examine the impact of the individuals' social environment and social links to known extremist groups. Historical items refer to violent actions in the past or an indication of approval for violence. Protective items are those aspects of a person's life that may prevent or lessen the likelihood of them participating in violent acts. For the VERA, these include a weakening of extremist ideas or increased social support. Finally, Demographic items refer to idiosyncratic variables sex, age and marital status, all of which have been shown

to be risk factors for terrorism (Monahan, 2012). The current study agreed that the VERA risk factor parameters can be of essence for use in calibrating violent extremism in the study area. Specifically, the attitudinal, contextual, historical, demographic as well as protective items from the onset look like they can be used in pursuit of the second specific objective of this study.

In 2010, the VERA was modified based on feedback from users, and the VERA-2 was released (Pressman & Flockton, 2010). The VERA-2 contains indicators associated with 25 risk factors and 6 protective factors. The four main areas of risk factors were renamed to represent updates and included: (1) Beliefs and Attitudes, (2) Context and Intent, (3) History and Capability, and (4) Commitment and Motivation. The protective items section expanded slightly from the original VERA, adding one indicator to cover experiences in deradicalization programs, and separating family and community support for nonviolence into two indicators.

Pressman and Flockton (2010) identified evidence to support the inclusion of each of the 31 indicators present on the VERA-2. In addition, many of the indicators closely align with the five categories of promising variables identified by Monahan (2012, 2015). Specifically, Ideology (commitment to ideology justifying violence), Affiliations (personal contact with violent extremists), Grievances (perceived victim of injustice and grievances) and Moral Emotions (feelings of hate, frustration, persecution, alienation) all have items that directly identify the presence of these concepts.

The VERA-2 is generally used in post-conviction high-security settings with individuals convicted of extremist violence. Some have suggested that the VERA-2 could be of use in information-gathering investigations or in other correctional

facilities; however, the developers stress that it is not a panacea for the prediction of radical violence and should be used only as a supplement to existing risk assessment strategies (Pressman & Flockton, 2012). Bii & Lubanga (2018) linked fresh attacks in Mt. Elgon Region to SLDF members who had just been released from prison. As such, the current study sought to fill this gap by collecting data and applying aspects of the VERA methodology for use in countering homegrown extremism in the study area.

2.5.3.2 Multilevel Guidelines (MLG) for the Assessment and Management of Group-Based Violence

Although the VERA-2 takes social and contextual aspects of the individual's environment into consideration, it is primarily an individual-level approach to assessing risk of violent extremism (Barbieri & Pressman, 2015). That is, characteristics and behaviors that are associated with the individual form the basis for the assessment. The social psychological perspective of violence holds that group membership, group behavior and group-level factors are likely to play some role in an individual's decision to commit extremist violence (Borum *et al.*, 1999). The current study concurred with Borum *et al.*, (1999) argument that group level factors have a role to play in influencing individuals into committing extremist attacks.

Pynchon and Borum (1999) suggested that an examination of the potential impact of group behavior and group membership on individual extremist behavior is necessary given our understanding of the influence that groups and group membership have on behavior in general. Additionally, Cook *et al.*, (2013) identified the need to incorporate both individual and group risk factors into a comprehensive violence risk assessment approach. The result of this effort was the Multi-Level Guidelines (MLG), a set of structured professional judgment guidelines for assessing group-based violence (e.g.,

gangs, criminal networks) using both individual- and group-level factors. The current study focused on the individual and the group at large in Mt. Elgon Region. To this end, therefore, the study borrowed aspects of the MLG extremism assessment tool to calibrate extremism in the study area in two folds, between individual members of the community and between communities (Soy and Mosop) over land injustice, as well as former combatants and non-combatants alike.

The MLG is based on a model of violence risk factors identified in the group-based violence literature. The model consists of four domains of risk factors: (1) Individual, (2) Individual-Group, (3) Group and (4) Group-Societal. Individual risk factors are independent of group membership and focus largely on the history and previous behavior of the person being assessed. Individual-Group factors are based on the individual's membership in the group and aim to measure the attitudes of the individual and his or her role within the group. Group factors are characteristics of the group's culture. The fourth domain, Group-Societal factors, captures the interplay between the group and society, including the presence of other groups which may be impacting beliefs or behavior. These domains are presented as a nested model with each domain being a member of each subsequent domain (e.g., the individual is contained within the Individual-Group dynamic and so on). Using this model, Cook & Logan (2021) identified risk factors for violence within each of the domains.

The MLG is composed of 20 risk factors spread across the four domains identified within the original model. Specifically, the MLG contains six individual, four individual-group, six group and four group-societal risk factors. Cook & Logan (2021) compared and contrasted the content of the MLG with that of the VERA-2 and the HCR-20. For this review, the overlap of the MLG and VERA-2 are of the most interest.

The items from both instruments were mapped onto the model of violence risk factors developed in conjunction with the MLG guidelines (Cook & Logan, 2021). Within the individual domain, the content of the two instruments clustered in the following areas: individual history of violence, adverse childhood experiences, problems fitting in with society, capacity for violent actions and antisocial orientation. The individual-group domain showed similarities between the instruments related to extremist orientation, dedication to the group/cause and negative attitudes toward others. Given that the MLG contains two additional domains that are based on group culture and group-society interactions, one would not expect much overlap in these domains. That expectation was confirmed. As such, in pursuit to calibrate extremism in the study area, the current study sought to tap into the risk factor parameters offered by the MLG. In addition, the current study noted that the MLG as an extremism assessment tool is Euro-American and thus presenting geographical gaps in terms of the scope. The current study sought to fill this gap in an attempt to interrogate extremism in Mt. Elgon Region over intractable land-use conflicts.

2.5.3.3 Structured Risk Guidelines (SRG) for Assessing Risk in Extremist Offenders

As already discussed in preceding sections, around the same time the VERA was being developed, researchers in Europe were investigating how to identify extremist actors before they turned violent (Dernevik *et al.*, 2009). In the United Kingdom, the National Offender Management Service (NOMS) sought an empirically based, transparent method for assessing the risk of future extremist offenses among offenders to assist with identifying interventions and treatment needs (Lloyd & Dean, 2015). NOMS convened a panel of experts in the fields of risk assessment and terrorism to assist with the development of this new methodology.

The first steps toward the development of the Structured Risk Guidance (SRG) tool involved individual case review of offenders. The goal was to identify what needs within the individual offenders were being satisfied by their extremist behavior and to match these with factors identified in the terrorist/extremist literature. In addition, (and likely because of the presence of one of the MLG developers on the advisory panel), NOMS elected to focus not only on the individual, but also on social support and the influence of groups over the individual. Ultimately, 21 factors were identified as common among the convicted extremists who were initially studied. The factors were distributed among four dimensions: (1) beliefs, (2) motivations, (3) intent and (4) capability.

The SRG was shared with users, and casework with known offenders continued. Based on user feedback and the additional casework knowledge, the SRG was revised and ultimately developed into the Extremism Risk Guidelines (ERG). The ERG retained many of the same risk factors from the original tool, with some minor changes. The ERG categorizes risk factors among three dimensions: (1) engagement (a combination of beliefs and motivations from the SRG), (2) intent and (3) capability. The ERG, developed using Ajzen and Fishbein's (2005) Theory of Reasoned Action to explain extremist offending using the belief-intent-action continuum, maintains clear delineation among those three dimensions. Engagement refers to contact, interaction or the development of beliefs consistent with an ideologically motivated group. Here the attitudes, behaviors and group norms necessary for the development of behavioral intent are cultivated. Intent provides a measure of the readiness level or potential to offend. This dimension includes factors examining both the individual's mental state and plans for action or outcomes. The third dimension, capability, contains risk factors

that point to the person's knowledge, skills and abilities for committing extremist offenses and their past criminal history.

The ERG has developed over time into the ERG 22+. The number 22 refers to the number of risk factors spread across the three dimensions. The "+" is used to signify that the instrument is not simply a checklist of risk factors, but rather a process in which assessors take myriad factors into consideration. Guidance documents for the ERG 22+ instruct assessors to consider context and personal attributes of the offender in their assessment. In addition, other relevant factors may be identified as contributors or deterrents for extremism. The idea that aspects of the individual or his or her environment may increase or decrease the likelihood of extremist offenses is consistent with the concept of protective factors observed in the VERA-2.

The ERG 22+ and VERA-2 are similar in some aspects, but also display some key differences. The ERG 22+ was developed to assess the likelihood of an individual committing any criminal act on behalf of a group or cause promoting extremist views, whereas the VERA-2 focuses on extremist violence. Although there is some overlap in the dimensions assessed, the tools were developed for different uses, and thus, for example, the ERG 22+ contains no indicators that relate specifically to violence. To this end, therefore, the current study heavily borrows from the VERA 2R and the ERG 22+ in an attempt to interrogate extremism over intractable land conflicts in Mt Elgon Region. Just like the preceding assessment tools, the ERG is Euro-American and is scarce on Afrocentric literature presenting a geographical gap in terms of scope. The current study sought to fill this gap in a bid to improve early detection of extremism and consequently counter violent extremism management.

Lloyd and Dean (2011:11) provided the official definition of the populations targeted by ERG 22+: ‘Any offence committed in association with a group, cause or ideology that propagates extremist views and justifies the use of violence and other illegal conduct in pursuit of its objectives’. The current study observed that the ERG 22+ is a tool that qualifies to interrogate homegrown extremism over land conflicts in the study area since the respondents meet the threshold of the Lloyd and Dean (2011) on whom and which populations the ERG 22+ can deliver in.

For its part, VERA focuses on higher level acts of ‘classic’ terrorism. As a matter of fact, the developers expressly referred to the five elements in the US Department of Defense’s definition of Terrorism: 1. the calculated use of unlawful violence or threat of unlawful violence; 2. to inculcate fear; 3. that is intended to coerce or to intimidate governments or societies; 4. in the pursuit of goals; and 5. generally political, religious, or ideological’ (Pressman & Flockton, 2012: 239–240). In other words, VERA was built to assess classic terrorists, not lower threshold extremists. That said, both VERA and ERG 22+ claim that their tools can also assess other populations or types of terrorists. Lloyd and Dean (2011: 23) stated that ERG 22+ has also been successfully tested with Al Qaeda extremists, ‘extreme right wing, animal rights, environmentalism, and other politically motivated single issues’. Additionally, the developers of both VERA-2R and ERG 22+ (Lloyd and Dean, 2011) have claimed that they are also applicable to women and regardless of age, and the original VERA contained demographic items that suggested that the level of risk is lower for females and for people over the age of 30 (Pressman, 2009).

Both tools contribute to an uncomfortable confusion pertaining to what they can achieve. Their developers both state that they cannot predict who will offend or

reoffend, whilst asserting that they can be used to assess risk. The developers of ERG 22+ have made clear that their goal is not to predict who will offend or reoffend and commit an extremist offence, but to ‘manage risk’ (Lloyd & Dean, 2011: 6–8). Yet, at the same time, they also stated that it is about informing ‘judgments about an individual’s likelihood of contributing to or committing a violent extremist offence’ (Lloyd & Dean, 2011: 8) and further that the question which was raised is ‘what is the likelihood of an individual committing an extremist offence?’ (Lloyd & Dean, 2011: 10). In other words, they semantically try to distinguish between, on the one hand, predicting whether an offence will be committed, and on the other hand, uncovering the likelihood that it may happen. In other words, ERG 22+ may not be predictive, but it is intended to answer the issue of risk levels, and some of its items are more relevant than others in this particular respect.

2.5.3.4 RADAR

The Australian Government also saw the need for a risk assessment tool to help combat the terrorist threat. However, unlike the VERA-2, the MLG and the ERG 22+, the Australians set out to develop a tool that would delineate the observable steps in the process of radicalization so that individuals could be directed to existing state programs to prevent them from committing extremist offenses. Much like the ERG 22+, RADAR is a protocol designed to systematically document all aspects of a person and his or her environment. All of this information is taken into account for decision-making purposes. The protocol consists of two assessments: a screening assessment and an in-depth assessment (Smith & Salinsky, 2016).

The screening assessment contains 15 indicators across three dimensions: (1) Ideology, (2) Social Relations and (3) Action Orientation. These dimensions correspond to the

three segments of a person's life where they are likely to experience significant shifts during the radicalization process. Ideological shifts are changes to the beliefs and attitudes of individuals during radicalization. Social relations refer to the impact that others, including family, groups and close contacts, have during the radicalization process. Finally, Action Orientation is identified as taking an "us versus them" attitude, growing suspicious or hateful of others, and the increased commission of minor crimes with possible escalation over time. Each of these three dimensions is well documented and is represented by risk factors or indicators within each of the assessments tools discussed in this section. RADAR also implements a measure of intensity for each indicator varying from Notable (minor) to concerning (moderate) to Attention (major) levels of intensity. The division of indicators into varying intensity levels allows assessors to factor in how far along the radicalization continuum the person may be. In addition to the 15 indicators, the screening assessment includes three protective factors (presence of influential/supportive family member, past example of societal engagement, generally not violent) for consideration (Smith & Salinsky, 2016).

If warranted, based on the results of the initial screening, individuals may undergo an in-depth risk analysis. The in-depth analysis contains 27 indicators arranged around the same three dimensions present in the screening tool. The in-depth analysis requires the gathering of significant details surrounding each indicator to allow for a panel review (Smith, 2016). Subsequent phases of the protocol, namely the intervention and follow-up stages, incorporate measures of coping and identity to assess the ability of the individual to function post-radicalization and the level of disengagement from the ideology.

Research using the RADAR or direct comparisons to other existing instruments is not available in the published literature. As indicated above, significant overlap exists among the dimensions and indicators present in this and other tools. However, the RADAR differs in that it was specifically designed to identify those at risk for radicalization early in the process. The RADAR is used to identify high-risk individuals who would benefit from programs designed to prevent radicalization, as opposed to trying to predict the likelihood of low base rate violent actions.

2.5.3.5 Terrorist Radicalization Assessment Protocol (TRAP)

Building on the foundational risk assessment literature and threat assessment approaches developed by the U.S. Secret Service, researchers have identified patterns of behavior temporally adjacent to acts of targeted violence (Meloy *et al.*, 2012). Specifically, behavioral patterns that typically immediately precede an act of targeted, non-random violence, what they refer to as “warning behaviors” have been identified to allow law enforcement to better direct resources and attention toward actors who are further along the pathway to violence. These behaviors have been identified primarily through casework on lone actor offenders, including terrorists, school shooters, workplace shooters and others who have perpetrated violence against a specific target. The central thesis of this approach is that by identifying behavior patterns as they relate to the timeframe of an attack, law enforcement and mental health professionals will be better able to determine the appropriate level of monitoring versus active risk management needed. The developers also hypothesize that these warning behaviors, when supplemented by indicators of characteristics associated with lone actor terrorism in previous research, may be more useful for identifying lone actor terrorists than other approaches.

Rather than taking a dimensional approach as the previously discussed instruments have, the Terrorist Radicalization Assessment Protocol (TRAP)-18 examines two broad categories of indicators: (1) warning behaviors and (2) distal characteristics. The TRAP-18 model identifies eight proximal types of behavior, observable in varying patterns, commonly observed immediately preceding the expression of targeted violence. The presence of these behaviors indicates a warning; consistent with common meteorological parlance, this means that the violent act may be imminent and the individual should be involved in active risk management. In addition to the warning behaviors, the TRAP-18 is used to assess 10 distal, more dynamic characteristics identified in the terrorism literature. These characteristics are commonly observed in individuals with the potential for extremist action, but are not necessarily indicative of those who are about to commit violent acts.

The TRAP-18 developers have identified the tool as an investigative template and stress that it has not been tested well enough to be considered an assessment tool (Meloy & Gill, 2016). They also suggest that the TRAP-18 be used in conjunction with other tools (specifically the VERA-2 and MLG) to allow for improved accuracy through multiple methods (Meloy *et al.*, 2015). Early research, however, has been promising. Application of the TRAP-18 to a set of 22 lone actor European terrorists showed indications of good interrater reliability and positive initial assessments of content validity (Meloy *et al.*, 2015). Meloy and Gill (2016) conducted an initial assessment of the criterion validity of the TRAP-18 using data from 111 lone actor terrorists from the United States and Europe. In addition, a study by Meloy *et al.* (2014), using a data set of school shooters and other students of concern who did not commit violent acts, provided some support for the discriminant validity of the instrument's warning

behaviors through its ability to discern school shooters from others. The developers have called for additional research into the limitations and utility of the TRAP-18 (Meloy & Gill, 2016).

2.5.3.6 IAT8

The United Kingdom's Channel program is designed to provide early-stage support for those identified as vulnerable to being radicalized or drawn into committing violent extremist acts. To support the existing components and projects within Channel, the UK developed the IAT8 to serve as an assessment framework or improvement metric to measure the ongoing vulnerability of individuals receiving services through Channel. The IAT8 is intended for ongoing measurement, primarily at the following four stages: (1) the start of support, (2) during support, (3) end of support and (4) post-support follow-up. Using these milestones as points of measurement, the individual's level of vulnerability can be assessed to provide evidence of the efficacy of the programming (RTI International, 2018).

The IAT8 measures an individual's risk using vulnerability and protective factors. Vulnerability factors are influences believed to make the person more vulnerable to radicalization and include both push factors (within individual characteristics) and pull factors (external influences). Protective factors, as defined earlier, are also considered on the IAT8. Each of the eight dimensions is assigned both vulnerability and protection ratings on a 0-3 scale (not evident to strongly applies). Vulnerability indicates a situation where the factor is present and may lead to an increased likelihood of radicalization. Protection circumstances for each factor are indicative of positive influences or outcomes that are relevant to the factor (e.g., a therapeutic relationship

with a professional that would result in healthier attitudes or beliefs, a mentoring relationship, or starting a new activity that serves as a deterrent) (Klausen, 2016).

The IAT8 is largely used as a framework for evaluating the effectiveness of programming to reduce vulnerability to extremist ideologies. The repeated measures nature of the instrument lends itself to measurements of within-person changes in vulnerability over time as the person progresses through the relevant program. However, the factors assessed as part of the IAT8 are consistent with those in use on other tools currently available. In a nutshell, these tools include: Violent Extremist Risk Assessment-2 (VERA-2): A risk assessment of the likelihood of violence by an offender who has been convicted of ideologically motivated violence (Pressman & Flockton, 2012). Extremist Risk Guidance Factors (ERG 22+): Assesses the needs and risks of offenders who have either been convicted of an extremist offence or have shown behaviors or attitudes that raise concerns about their potential to commit extremist offences (Klausen, 2016). IAT-8: Assesses the effectiveness of a current intervention at reducing or altering the level of vulnerability to radicalization (RTI International, 2018). RADAR assessments: Identifies individuals who would benefit from services to help them disengage from violent extremism by assessing a variety of observations including religious understanding and knowledge, radicalization source, intervention goals and progress undertaken to achieve these goals (RTI International, 2018) Terrorist Radicalization Assessment Protocol (TRAP-18): A professional judgment instrument for risk and threat assessment of individuals who may engage in lone-actor terrorism (Meloy & Gill, 2016).

Overall, the current study observed that the assessment tools are good for use in developing counter violent extremism programmes. In addition, all the assessment tools

are Euro-American or were at least conceived through Euro-American perspectives and thus there is scarce literature on their application in Kenya and in the Global South at large. The current study sought to fill the prevailing gaps in literature and the geographic limitation in bid to improve counter-violent extremism programmes in the study area.

2.5.3.7 Criticisms Associated with the Use of Risk Assessment Tools for Violent Extremism

Numerous challenges exist to developing tools accurate and precise enough to practically and authoritatively measure the risk of an individual engaging in extremist violence. Despite similarities between convicted violent extremists identified in the literature (Borum, 2011, 2015; Dernevik *et al.*, 2009; Horgan, 2008; Smith, 2016), most researchers and practitioners from private, academic and federal organizations support the assertion that there is no single profile for or pathway to violent extremism (Borum, 2011). Borum *et al.*, (1999: 328) argued that the profiles of those at risk for engaging in relatively rare types of violence will never be “sufficiently specific or sensitive” and there will be a large majority of individuals who fit these profiles, but who will never engage in violence.

Combining risk factors used to assess other threats of violence to create a single tool for the evaluation of HVE remains an elusive goal of many scientists. Meloy *et al.*, (2012) from the University of California posited four obstacles to the development of meaningful threat assessment tool for use in HVE. First, several existing tools have focused on traditional terrorism instead of the unique threats posed by homegrown extremists- the current study agrees with the first obstacle in the sense that terrorism is evolving and as such risk assessment tools ought to allow for flexibility. For instance,

the current study posited that extremism and intractable land conflicts enjoy an intimate relationship in Mt. Elgon Region; second, some tools fail to distinguish between affective (emotional) and predatory (instrumental or intended) violence; third, factors that contribute to short term motivations of violence are overlooked in favor of long term characteristics or personality traits; and fourth, the mixing of prediction and prevention efforts.

Gill *et al.*, (2014: 433) supported this claim over a decade later stating, “even if such a profile were evident, an over-reliance on the use of such a profile would be unwarranted because many more people who do not engage in lone-actor terrorism would share these characteristics.” For assessment tools for violent extremism to have any authority, they must be empirically validated. None of the existing tools have been comprehensively validated, in part because extremist violence is a relatively rare occurrence and its perpetrators are often either killed in the act or arrested and unavailable for interview by researchers (Borum, 2015; Hamm & Spaaij, 2015; Roberts & Horgan, 2008). Furthermore, motivations for engaging in violent extremism may be dependent on varying cultural and historical contexts, making further analysis of relevant risk factors associated with radicalization and violent extremism even more difficult to statistically analyze.

Despite their widespread use throughout the various levels and proceedings of the criminal justice system, a significant amount of debate exists regarding the use of risk assessments. Those in favor of their use argue that they can be used to assist the court with decisions about who should remain incarcerated or be released, and that they provide protections important for public safety (Starr, 2014). In addition, proponents claim the use of risk assessments benefits the offender by potentially allowing for

shorter sentences, providing useful information used to identify treatments, and preventing offenders from reoffending by keeping them incarcerated until they are ready to be released (Douglas *et al.*, 2017). However, many practitioners and researchers argued against the use of risk assessments, or at the very least call for additional research and development to improve the tools. The current study sought to improve these tools by assessing a diverse population of respondents.

Meloy & Gill (2016) observed that risk assessments are more useful in identifying conditions that can be changed in a person's life to prevent an act of violence, rather than predicting the imminence of a violent act. This confirms the importance of engaging multiple disciplines in the evaluation of homegrown violent extremism (HVE) threats. Even if a threat assessment tool enjoys a high degree of accuracy, the mode of intervention used to disrupt a particular subject's draw toward HVE must involve more than just law enforcement. Other stakeholders may be in a better position to change aspects of the person's life to prevent violent action.

Sarma (2017) contended that assessment tools work best with a combination of risk factors (predictors) that have evidence-based relatedness to the consequence that is being forecast, and trusted tools are calibrated to identify those who go on to offend with sufficient specificity to avoid incorrectly identifying subjects that do not commit a new or repeated offense. The accuracy of an instrument to identify true cases (sensitivity) and correctly eliminate false cases (specificity) is a high but necessary standard in most empirical studies. Sarma (2017) believed the assessment of terrorism has severe consequences if a true threat is missed, but equally important is a concern for wasted resources expended in the surveillance of a false positive. In his review of other studies on this matter, the effectiveness of risk assessments to predict future

violence related to extremism and terrorism continues to be plagued by an insufficient number of cases to form a solid statistical base for comparison.

Researchers involved in the development of instruments specifically designed to evaluate the risk of homegrown violent extremism—the Extremist Risk Guidance (ERG-22+) and the Violent Extremism Risk Assessment (VERA) protocol—readily concede a qualitative rather than quantitative evidence base. During the development of ERG-22+, “the advisory group suggested that accounts of individual offenders, evidenced also where possible from the wider terrorist literature, should be collated into a set of factors for assessors to consider within future case formulations, producing a set of structured professional guidelines” (Borum *et al.*, 1999). Likewise, the VERA protocol is a compilation of commonly accepted characteristics that differentiate extremist violence from ordinary violence but its creators caution, “The VERA is not intended to serve as a definitive predictive instrument for those who have not offended but rather provides some indicators as to measure the likeliness of danger. In fact, such decisions are made precisely when there is no certainty” (Pressman, 2009). Both tools have face validity from grounded research, but remain limited because of the statistically rare number of cases in which the assessments have proven useful (Lloyd & Dean, 2015).

The current study pin-pointed that research for assessment tools is limited to cases in the United States and the Global North. The data sampling used was too small to make definitive recommendations in most cases but the observations made there in were useful in the ongoing pursuit of better ways to recognize and prevent HVE before an attack occurs. In addition, such tools were limited to offenders yet the current study was of the view that they indeed could be adopted for use in measuring pathways to

extremism- both homegrown and external. As such, the current study sought to fill this gap.

2.6 Response Approaches to Land Conflicts and their Contribution to Extremism

This section reviewed literature on the response mechanisms to land injustices in Mt. Elgon Region in an attempt to identify research gaps on whether such mechanisms have impacted on extremism. As such, the current study was cognizant of the fact that a number of response approaches have been employed in attempt to solve land injustice in the area. Such mechanisms include: the judiciary, police, military, traditional dispute mechanisms as well as community based approaches among others These are reviewed hereunder.

2.6.1 Judiciary/Formal Justice Approaches

Wangari (2015) study argued that, until recently, the legal framework on land was marred by the existence of multiple land laws, some of which were incompatible. These laws, coupled with the rampant land injustices hampered efficacy in land ownership, management and administration of land. As a result, the Constitution of Kenya (CoK) 2010 changed the laws on land and the dispute resolution institutions. The CoK created the Environment and Land Court (ELC), which shall be a superior Court with the status of the High Court with the jurisdiction to hear and determine disputes relating to the environment and the use and occupation of, and title to land. This study sought to examine the effectiveness of the ELC as one of the main institutions mandated to deal with land disputes in relation to intractable land-use conflicts in Mt. Elgon Region of Western Kenya.

The legislation on land ownership in Kenya that was adopted by the government after independence and continued to be applied by successive governments, has to a large extent contributed to the issue on land disputes in Kenya. Wangari's (2015) study established that such legislation continued to disentitle the Africans from communally under trustees system from holding and owning land in Kenya. Land disputes were in the past resolved by community elders under the Lands Dispute Tribunal (LDT) and the Lands Control Board (LCB. However, Kenya has set back to the colonial institutional framework (court system) in resolving land disputes. The CoK created the ELC with a specific mandate to deal with environment and land disputes in Kenya. The ELC is a foreign concept for many Kenyans. This is because the formal laws applicable in the said court, the judges, the lawyers, the procedures and systems are alien to a majority of Kenyans (LDGI, 2013). On this premise, Wangari (2015) sought to examine whether the ELC as a one off institutional mechanism is in a position to solve land disputes given the nature of land disputes in Kenya which are wide spread as a result of the historical land injustices in Kenya.

In 2010, Kenya ushered and approved a new constitution which brought with it significant changes to land governance and tenure in Kenya. The new Constitution of 2010 provided some hope on historical land injustices. Unlike the old constitution which was dressed in colonial terms, the CoK 2010 adeptly provided for use and management of land and environment. Article 68 provides for the enactment of legislation on land whose object is to revise, consolidate and rationalize existing land laws, and this was the basis of enactment of the Land Act No. 6 of 2012. In addition to creating new law on land management, the CoK under created a judicial institution to specifically handle land disputes in Kenya. The CoK created the ELC as the institution

to deal with both environmental and land disputes in Kenya. The CoK was therefore perceived as the hope for Kenyans that indeed the judicial institution will reform to provide for an institution that will effectively, efficiently and most importantly resolve land disputes in Kenya. Wangari (2015) study sought to establish if the ELC as a one off institutional mechanism can effectively, efficiently and conclusively resolve historical and emerging land disputes in Kenya today.

2.6.1.1 Accessibility and Affordability under the ELC

The whole idea behind the CoK's creating of the ELC was to enable access to justice for all the people in Kenya in solving land disputes. The CoK guarantees the right to access to justice as one of rights under the Bill of Rights. The CoK envisages that the State shall ensure access to justice for all persons in Kenya. Article 22 of the CoK provides for enforcement of Bill of Rights. It provides that every person has the right to institute Court proceedings claiming that a right or fundamental freedom in the Bill of Rights has been denied, violated or infringed, or is threatened.

With the clear constitutional provisions and statues on the role of the ELC in Kenya, a question arises as to whether the ELC's are easily accessible to the citizens of Kenya in order to create justice in individual land disputes in Kenya. The LDT's were located in each District in the country. In essence, the LDT's were readily available to the citizens of Kenya in cases of land disputes. However, literature established that the ELC's are yet to be established in all counties in the country to date. This lack of the ELC's in the country translates to land injustices in areas that do not have ELC. The LDT Act provides that a dispute was adjudicated upon by elders from communities of the parties to a dispute. This composition of the tribunal indicates that the LDT's were readily available to parties to a dispute as the elders had to be sourced from the communities

that the parties to a dispute were located. In as far as the costs of adjudication under the LDT's is concerned, the costs set out under schedule two of the LDT Act were affordable to parties to a dispute.

A survey was conducted by the Land Development and Governance Institute (LDGI) in 2013, with a view to assess the perceptions of the members of the public on whether the formation of the ELC had improved the handling of disputes related to land. The report contains the findings of a study commissioned by the (LDGI) on land dispute resolution under the ELC in which interviews were conducted in fourteen counties with an Environment and Land Court and fourteen counties without the ELC. The report revealed that a total of 470 respondents (of which 70% were male and 30% were female) were interviewed in 28 counties across the country. Out of the 28 counties sampled for the survey, 14 counties had an ELC while the remaining 14 counties did not have the ELC. It was observed that the bulk of the respondents felt that the ELC were fairly accessible to them, 30% of the respondents felt that accessing ELCs was easy while 45% said that it was fair and 25% of them said it was difficult. Though the ELC had been set up in only fourteen counties, respondents were satisfied with its proximity. However, a quarter of the interviewed respondents still felt that the ELC are difficult to access, owing to the distances they had to travel in search for justice. The survey by the LDGI in 2013 was a clear indication that the ELC were not easily accessible to all the people in Kenya. Out of 47 counties in Kenya with only 14 counties out of the 28 Counties samples shows the ELC had not covered a wide geographical area in Kenya thus denying many Kenyan access to the ELC which translates to injustice in solving individual land disputes. Accessibility can be looked at from the point of distance of the ELC to the local people. The study by the Land Development

and Governance Institute (LDGI) in 2013 indicated that respondents complained that they were being referred to distant areas where the ELC is in operation. In such cases, the ELC became inaccessible to the people thus defeating the purpose of right to access to justice (LDGI, 2013).

The issue on costs is a key factor in access to justice and it is provided for under the CoK. Article 48 of the CoK provides that if any fee is required in order for an individual to access justice, the fee should be reasonable and shall not impede access to justice. The survey conducted by the Land Development and Governance Institute (LDGI) indicates that majority of respondents felt that the cost of seeking justice was affordable with 53% and 6% of the respondents reporting that it was affordable and very affordable respectively. 34 % of the respondents were of the opinion that the cost was unaffordable and 7% felt that the cost was completely unaffordable. An analysis of the survey indicates that majority of the cost of accessing the ELC was affordable to most of the people with a few people indicating that the cost incurred in accessing the ELC was high. Studies on affordability of judicial services remain scarce in Mt. Elgon Region, the current study sought to fill this gap.

The Land Development and Governance Institute (LDGI) concluded on the efficiency of the ELC based on the survey conducted by stating that most of the respondents they interviewed had confidence in the judicial process under the ELC; 64% of the respondents had confidence in the ELC and a further 21% were very confident in the ELC. However, 15% of the respondents had no confidence in the ELC. From the study, the high level of confidence in the court was attributed to the speedy and fair determination of cases. On the other hand, those who had no confidence in the ELC felt that corrupt individuals could still manipulate the court system to their advantage.

The current study is not in agreement with LDGI (2013) results on accessibility, affordability and efficiency of the ELC. This is because land conflicts still persist in Mt Elgon Region. In addition, literature on the workings of the judiciary and the ELC in particular remain scarce about the subject area. To this end, therefore, the current study sought to fill this gap by interrogating homegrown extremism and how it was impacted by the response mechanisms in Mt. Elgon Region. This was specifically covered by the third specific objective of the study.

2.6.2 Police Based Approaches

The initial government response to the Mt. Elgon conflict was that of dismissal. They presumed that the conflict was as a result of incitement by irresponsible leaders and that the militia was a bunch of criminals who should be firmly dealt with (Simiyu, 2007: 25). Since the issue looked more localized, the government charged the local chiefs with the responsibility of ensuring peace in their areas of jurisdiction. Curfews were instituted and implementers were to be the local chiefs and administration police. As usual, though these people knew that the stage of development of the insurgence was advanced, they decided not to report the truth but to conceal it believing that things would change. This approach yielded no fruits as the SLDF continued to unleash terror on the purported subjects (Ngulutu, 2013). The current study observed that the deployment of Kenya Police's Operation *Tafuta Amani* (look for peace) was reactive in nature and as such failed to deal with the root causes of the conflict.

Since the government viewed this as a security issue, more security personnel were deployed in the region that included Rapid Deployment Unit, Anti- Stock Theft Unit and the Paramilitary General Service Unit. Some results were achieved and according

to Mwaserah (2008:75), a major operation to flush out those with illegal arms was launched. This led to several criminals being apprehended. Several other police patrol bases and posts were set up to beef up security. This did not outwit the militia. They employed several tactics and practices that outwitted the security agents.

The instituted security personnel could not weed out the SLDF. This was because, as Simiyu (2007) articulated, the security personnel were unable to gather intelligence on SLDF operational strategies. The personnel also lacked specialized training in counter-insurgency. The security forces became frustrated since there were no results from their work (Oloo, 2010:168). They had been defeated to protect innocent civilians. This frustration was vented on the same civilians who needed protection for failing to give crucial information about the militia (Ngulutu, 2013). All young men became militia suspects and parents had to account for their sons' whereabouts. In fact, the police change of tact turned to violation of human rights. They killed and tortured innocent suspects, burned houses they suspected belonged to militiamen or their hideouts, looted property, extorted money from the residents and raped women (KNCHR, 2008). The current study observed that the police out of frustration grossly and indiscriminately violated human rights in Mt Elgon. The impact of such violation of human rights on extremism and a vicious cycle of frustration is scarcely documented. The current study attempted to fill this gap.

2.6.3 Military Based Approaches (Operation *Okoa Maisha* (Save Lives))

The Kenyan army was deployed in March 2008 to quell the insurgency. Local residents initially welcomed attempts to deal with the rebellion but later some residents accused the army for pursuing a strategy of rounding up all the adult males in the district

(KHRC, 2008). This operation was authorized after the Internal Security operation led by the police and codenamed Operation *Tafuta Amani* (Restore Peace) failed to achieve the intended objective (KHRC, 2008). Upon deployment the military immediately sealed off Mt Elgon Region from the media, the Red Cross and other humanitarian agencies and human rights organizations from accessing the region. The operation started on the 10th of March 2008 was meant to restore order and peace in the region. During the press briefing on the 14 of March 2008, the Police Spokesman outlined the mission of Operation *Okoa Maisha* (Save lives) as to arrest and bring to justice persons responsible for the crimes committed in Mt. Elgon Region, recover all illegally held firearms, create an enabling environment for the population to cooperate with the Police in the investigation of serious crimes reported without fear of retribution, prevent commission of further crimes in the area and restore law and order in the region.

This operation resulted in the death of SLDF Deputy Leader and Military Commander Mr. Wycliffe Kirui Matakwei on 16 May 2008 and the execution or imprisonment of other high ranking SLDF commanders, quickly followed by a vaporization of SLDF in the late spring of 2008. Operation *Okoa Maisha* was carried out by over 400 members of security forces composed of the military, the Kenyan police, the general service unit, the administrative police and the anti-stock theft police. The military set up a troop control base at Kapkota where all the operations were coordinated. According to government figures, a total of 3,265 persons were detained in Kapkota military camp, out of which 2,187 were released after questioning. The military engaged both ground operations and aerial bombardments using helicopter gunships to targeted suspected SLDF sites in the forests and in caves (Simiyu, 2007:38).

2.8.3.2 Military Tactics in Land Conflicts

Since the army had been informed of the challenge of gathering intelligence reports as earlier stated, they applied brutal force to extract information from the residents. Males were rounded up for interrogation. According to HRW (2008:4), the army violated human rights by using torture, mass detentions, mass burials, forced confessions and extra-judicial killings. Further allegations were that the army raided homes at dawn and abducted men, some of whom were tortured and others killed and their bodies either thrown in the forest or taken to Webuye or Bungoma mortuaries. To date, there is scarcity on literature on the impacts of such violation of human rights with no access to justice on the risk of grievance and extremism in Mt. Elgon Region. The current study attempted to fill this gap by interrogating the third specific objective of the study.

Although the coming of the army was welcome by the residents who had suffered at the hands of the SLDF, their misery was aggravated at the very operation of the military (KNCHR, 2008). As a result, more people became displaced. Regional security threat was increased as even some of the militiamen fled to Uganda, Eldoret, West Pokot and Trans- Nzoia (Human Rights Watch, 2008). The army also expedited torture that was beyond explanation. Whereas the army was instrumental in quelling the conflict, the excessive use of force and indiscriminate violation of human rights was not necessary.

Claims of torture by the military were brought to light when a 31-yearold Mount Elgon resident, Musa Olokoit, narrated his ordeal at the hands of the military to the media on 2 April 2008. He had scars on his body that had allegedly been inflicted by military personnel and claimed he had been picked up by the military on 16 March 2008 while working on his farm on suspicion that he was an SLDF militiaman. When he tried to

explain that he was not, the officers beat him in front of his wife and children using all manner of weapons, including dog chains, horse pipes, metal pipes and sticks, while others kicked him in the head, chest and ribs'. He further recounted that the military officers beat his wife and 'left her sprawling on the ground' when she tried 'to show them his work certificate as proof that he was engaged in gainful employment and therefore not a fighter'. He was then forced into an army truck and taken to Kapkota military camp. Along the way more suspects were taken and continuously beaten and Olokoit claimed that some of them died from the beatings. On arrival at the Kapkota military base Olokoit was unable to walk and was forced 'to crawl on his knees for 80 meters on the stony, gravel road to the point where the rest of the suspects had been herded' (KNHRC, 2008).

Allegations of torture by the military confirmed by the government's own human rights body, the Kenya National Commission on Human Rights, on its fact-finding mission in the area. Cheptais residents described the interrogation tactics as follows (KNCHR 2008:11) ".....The military officers went to the village on the 13th March 2008, rounded up all the men and told them to go to their base to confirm that they did not have guns, and neither had they held guns. They were then bundled in the military trucks and taken to Kapkota. On arrival they were all ordered to strip naked and crawl through a razor wire and while still in the razor wire they were whipped so that they would own up as to where the guns were hidden. After the razor wire ordeal, they were told to lie on their backs and thoroughly whipped using sticks ... they were slapped very hard by the officers and then told to slap each other equally hard" (KNHRC, 2008).

Witnesses also described how the military officers pulled and crushed people's genitalia to force them to confess, and how they executed people and took away dead bodies by

helicopter, which was always on standby, and then dumped them in the forest. A chilling account was also given by a victim who described how the officers hung him upside down on a moving military helicopter ‘for almost five minutes until he went unconscious. When he regained consciousness, he was still hanging upside down, this time on a tree in the forest’ (KNCHR 2008:12).

Although the deployment of the military was thus initially welcomed by local residents who had suffered at the hands of SLDF militiamen (KNCHR 2008), the systematic terror visited upon them by the military (which was supposed to protect them) exacerbated the misery and hopelessness of the local residents. It also led to a further displacement of an estimated 5,000 people in the first month of its operation alone and about 600 reportedly fled to Uganda to seek refuge (Human Rights Watch, 2008). To date, the victims continue to await justice over torture by the KDF coupled with land injustices, but for how long are they going to wait. It is for this reason that the current study sought to interrogate extremism over historical land injustices in the study area.

2.6.4 County Management Approaches

Intrastate conflicts such as the one under study occur within and across counties. Such conflicts such as the one master minded by the SLDF have negative social, economic and environmental consequences to operations of both county and national governments. This means that, in as much as land issues are not fully devolved, both county and national governments ought to work with each other in order to ensure sustainable peace and rational land management practices in areas characterized by both present and past land disputes. The current study thus observed that literature on devolution and land management is scarce. It would be rational to interrogate the role county governments’ play in an attempt to address land injustices within their

jurisdictions. Such injustices, if unresolved-the current study argued were likely to lead to high voltage conflicts and establishment of intra-state insurgencies such as the SLDF in Mt. Elgon Region or extremist organizations such as the MRC in the Coastal region of Kenya. The current study attempted to fill this gap by interrogating the role of devolved systems of governance in addressing land injustices in Bungoma County's Mt Elgon Region.

2.6.5 Gender-Based Response Approaches

In any conflict of the magnitude of the one that faced Mt. Elgon Region, women always have their share of torture. In this case, many women are raped. Things were not different in this Region. Women were abused greatly. This was at the hands of the militia as well as the security forces. Some were raped by more than five men. Some contracted diseases including HIV. Some have been unable to conceive and have been chased out of their matrimonial homes. Some have protruding stomachs, showing pregnancy yet they are not pregnant. Some had conceived and gave birth to children whose fathers are not known. All this came out in a Focus Group Discussion (FGD) session that comprised of women. These were gross violations against women (Ngulutu, 2013).

According to Simiyu (2007), it was alleged that the army, like the SLDF before them, raided homes at dawn and abducted men, some of whom were tortured and killed and their bodies either dumped in the forest or taken to the mortuary in Webuye or Bungoma. According to Human Rights Watch (2008:3), 13 bodies had been taken to the mortuaries by 4 April 2008 and 'showed obvious visible signs of torture such as welts, bruising, swollen faces, broken wrists and rope burns around the wrists'. In what was interpreted as a validation of claims of torture by the military and the police,

relatives of the dead who wanted to collect bodies of their kin would reportedly be asked by the police to swear an affidavit to the effect that they would not lodge any 'claim of any nature against anyone or the state pertaining the death' of their kin (Human Rights Watch, 2008:3). The organization had also documented 23 cases of missing people who had been taken away by the military and were believed to be dead.

Hamasi (2015) study interrogated the role of grass root women in peacebuilding especially among the pastoral communities of Northern Kenya with specific reference to Elgeyo Marakwet County. The study was guided by the premise that there has been less attention on what women can do in peacebuilding processes especially as a result of erosion of women's knowledge system in the post-colonial era in Kenya. The study established that women play an important role in peacebuilding processes yet their immense contribution has been side stepped. Hamasi's (2015) study established that women had an inventory of knowledge that is central to peace and security issues as they were in charge of drought monitoring, food security, negotiation mediation as well as water and land use. In addition, Amutabi and Hamasi (2018) argued that women are key natural resource managers. However, their contribution was always blanketed together with that of their male counterparts and thus is overlooked.

Men and women are both adversely affected by conflict situations. Therefore, they both possess knowledge on how to build peace. However, the differences in male and female experiences in war and their varying capacities in peace processes are enough to make the case that men cannot represent women interests in peace processes. Women, therefore, can add value to peacebuilding processes by including experiences overlooked by men (Hamasi, 2015). The neglect of women's participation in peace processes is a typical example of failure to recognize and tap on the women

demographic dividends in peacebuilding among local communities. In Kenya, women comprise more than half of the population and therefore, complex efforts of peacebuilding cannot be complete without half of the population. Women are central to any communal life and thus their contribution to peace processes cannot be overlooked.

Kassilly (2018) based on the past two decades peace building initiatives fronts the Women and Gender involvement ideology as a strategy that may influence sustainable peace, security and development not only in Africa but the world over. Kassilly (2018) examines the relationship between gender, peace, security and development specifically the role of women and the levels of inclusion in governance. The United Nations Security Council Resolution- UNSCR October 2015 article 1325 becomes the yardstick to measure success and progress of gender activities. Kassilly (2018) study is persuaded that women by nature, role and position in society can bridge divides through preventive measures as well during recovery and construction indiscriminately. In order for the security agencies to succeed in peace, security and development initiatives, enhanced multi-sectoral and inclusive collaboration is necessary and more funding should be directed to peace education and policy issues in Kenya to leverage on social injustices for sustainable peace the world over. The author pinpoints out that gender should not be misconstrued to mean feminism but rather equitability in access to what pertains to positive and negative development equation. Democracy appreciates diversity indiscriminately and thus recognizing gender or youth- mainstreamed activities in peace building a plus in sustainable peace. The value and role of diversity in terms of gender, youth and other vulnerable groups is vital in social change. The current study endeavored to examine women as part of the response actors in pursuit of sustainable peace in Mt. Elgon Region. Literature on the contribution of women to

peace and conflict processes and consequently on extremism is scarce; a gap the current study sought to fill.

2.6.6 Traditional Justice Mechanisms/African Customary Law

ADR and TDRM have been adopted as the means of resolution of conflict and settlement of disputes since the pre-colonial era. These modes of conflict resolutions have been and continue to be associated with a number of advantages over the Court system. ADR are mostly preferred because they are expeditious, cost effective and lenient on procedural rules (Swazuri *et al.*, 2017). ADR mainly goes to the root of a dispute with a view of parties to a dispute reaching an amicable solution. ADR seeks to preserve good relationships that existed between individuals before the dispute occurred. Litigation is classified under dispute settlement mechanism while ADR is classified as a conflict resolution mechanism. Resolution of conflicts under the ADRs is associated with giving rise to an outcome based on mutual sharing of a problem which individuals to a conflict cooperate in order to redefine their conflict and their relationship.

Wangari (2015) added that the outcome of a conflict such as a land dispute that involves individuals is said to be enduring, mutually satisfying, addresses the root cause of a conflict, rejects power based outcomes and it is non-coercive. However, ADRs that incorporate traditional practices face a lot of challenges such as changing times and societal ways of life, use of technology, unequal bargaining powers, enforceability challenges which require court action, lack of precedents system, and lack of expertise. Further, ADRs mechanisms used are not consistent in their application and use. There are no standards or enforcement mechanisms in some of the ADRs. ADRs as

highlighted come into play for their efficiency that relieves the courts and the disputants since they are meant to compliment the court process.

Research has shown that the role played by community leaders during land adjudication has made ADRs more suitable for solving land disputes in Kenya. A survey conducted by the Land Development and Governance Institute (LDGI) in 2013, established that in some cases ADRs were effective in resolving land disputes. This is because ADRs were easily accessible to the members of the public and they were all cost effective. However, the survey established that in other instances ADRs were not effective in resolving land disputes. The survey indicated that some aggrieved individuals were of the opinion that they were not granted a fair hearing during the ADR mechanisms and as result some of them sought legal redress through the formal court system.

The National Land Policy recommended negotiation, mediation and arbitration methods of ADR. However, literature study and field research has revealed that ADRs applied on land disputes resolutions mainly favor mediation and arbitration. These forms of ADRs are mostly preferred in disputes that relate to communal land disputes. This study is concerned with individual land disputes and as such negotiations are most preferred in such instances. Negotiations and mediation have been classified to operate well at family and individual level where common custom and beliefs may contain the emotive nature of land matters which may render negotiations unfeasible. Mediation which is a form of ADR which incorporates conciliation methods has been classified as more favorable in resolving individual land disputes in Kenya. Before an individual land dispute is taken to Court and or the ordinary court system, research has established that a quasi-judicial form of ADR is a suitable mechanism of handling such disputes which have not been resolved at mediation level. Mediation and arbitration may be

compulsory and awards in mediation may be binding. However, the application of traditional practices in mediation makes its awards enforceable therefore it is highly recommended that both mediation and arbitration should be made compulsory as the first instance of land dispute settlement mechanisms (Swazuri *et al.*, 2017).

In Kenya ADRs are used in resolving land disputes of various categories; public, private and community land. ADRs have been used and continue to be used to resolve land disputes in cases involving boundary disputes, succession, access and claims to land. Disputes under community lands are subjected through ADR by application of negotiation, mediation or through arbitration. Disputes related to private land ownerships, which is a concern of this study and public lands disputes are best referred for ADRs (Swazuri *et al.*, (2017). A general survey and community leaders during adjudication of land disputes makes ADR a sustainable tool for resolving boundary disputes and claims to land. Mostly, in the rural areas, ADRs are applied in solving land disputes and due to their wide geographical coverage ADRs operations should be promoted and supported throughout the country.

The land dispute tribunal included traditional institutions like elders' courts, elder's committees, neighborhood groups and chief's institutions use customary approaches to address and settle disputes within families and communities. These traditional institutions are said to be more effective and are said to be adaptive to changing times and thus combine both traditional and modern approaches. Unlike the court system, the judge adjudicating upon individual land disputes can be from any community in Kenya who might not be conversant with the subject matter of the dispute. The ELC Act makes provision for ADRs (Wangari, 2015).

Referring to reconciliation processes in South Africa, Tutu makes a central point: "there is no handy roadmap for reconciliation," Bloomfield *et al.*, (2003: Foreword). He added, the aftermath of unprecedented violence tends to run short of appropriate responses, noting societies emerging from such horrible past struggle to forge their future as "there is no short cut or simple prescriptions," Bloomfield *et al.*, (2003: Foreword). Tutu's recommendation is critical: for sustainable peace to prevail, each society must discover its own route to reconciliation rather than using imported approaches Bloomfield *et al.*, (2003). Murithi (2008), Francis (2008) and other scholars have advocated for reintroduction of unconventional approaches to Africa's conflicts citing their strengths such as deepening interpersonal and social trust, promoting cooperation, reparation of relationships and promoting societal harmony. A wide range of examples of African unconventional approach to peacebuilding and conflict resolutions are scholarly cited by the foregoing scholars. The current study argued that currently, there are scarce research studies done on the application of traditional justice mechanisms as pathways to sustainable peace over intractable land conflicts in Mt. Elgon Region. As part of the questionnaire items in the third specific objective, the current study sought to fill this gap by uncovering the role played by such mechanisms in managing and or preventing extremism.

According to Mwamvaneza (2018), from the reviewed literature, for instance, Report on activities of *Gacaca* Courts (2012) it was established that had Rwanda applied one single route, the conventional approach, as a response to the consequences of 1994 genocide against Tutsi, it would have taken hundreds of years for survivors and perpetrators of genocidal violence to get truths, restore trust, promote apologies and repair fractured relationships (reconciliation). Cognizance of the above registered

limitations of conventional approach, Rwanda reintroduced a number of unconventional approaches to realize post genocide development and Peacebuilding objectives. Rwanda reintroduced *Girinka* in 2006.

Girinka is one of the homegrown initiatives, Rwanda Governance Board (2014) and its reconciliatory value is rooted in cow-revering culture of Rwandan people. *Girinka* is nationally implemented in all 30 districts of Rwanda. The reconciliation approach of *Girinka* is nationally piloted in Kamonyi District, Rwanda. This approach is premised on the view that it enables revelation of truth, trust-building, triggering apologies and strengthening Rwandaness and forgiveness for realization of sustainable peace in Kamonyi District.

The current study argued that as a result of inadequacy in literature on the role of traditional justice mechanisms in Mt. Elgon Region, it is difficult to quantify their value addition in preventing extremism. Unlike, the preceding sections which demonstrate adequacy in literature especially on the roles of police and the military, there is a noticeable inadequacy on traditional justice mechanisms. In a nutshell, therefore, the current study argued that the overreliance on conventional methodologies in managing the Mt. Elgon problem have not largely impacted the protractible land conflicts. In an attempt to fill this gap, the study sought to examine the unconventional approaches and their roles in preventing extremism in Mt. Elgon Region.

Mwamvaneza (2018) study established that the *Girinka* approach had significantly contributed towards removing the “us versus them” negative attitudes among genocide survivors and perpetrators. In Mt. Elgon Region, the recurrent extremist attacks in 2017/2018 were attributed to former SLDF militia members who had just been released

from prison after serving their terms (Bii & Lubanga, *Daily Nation*, 21st February 2018). This means that little has been done in addressing the negative attitudes among the conflicting sides of the divide. This could partly explain the intractability in the Mt. Elgon Conflict.

For instance, Mwamvaneza (2018) study confirmed that the revolving process of cow giving between genocide survivors and former genocide perpetrators led to strong inter-ethnic bonding. The current study argued that it is the polarization of the communities around Mt. Elgon Region that makes that land conflict intractable and therefore the need to expedite solutions to the land problem through both conventional and unconventional approaches to sustainable peace.

In Rwanda, both survivors and former perpetrators referred to the given cow as: a standing symbol of *Igihango*—meaning a relational pact between them. Others called the cow *Ikiraro*—meaning the connecting relational bridge between genocide survivors and former genocide perpetrators. Respondent's references of given cows under *Girinka* as a relational bridge, relational pact gains practical credence when one takes a retrospective recall of the relational gaps occasioned by 1994 genocide against Tutsi in Kamonyi District of Rwanda and Rwanda as whole. The current study argued that extremism over land conflicts persist in Mt. Elgon as a result of negative relational gap among communities living in the region. There is need, therefore, to interrogate the role of general response approaches in addressing the us versus them attitudes in the region. As such, the current study attempted to fill this knowledge gap in the volatile Mt. Elgon Region. Overall, Mwamvaneza's (2018) study established that though much still had to be done, the *Girinka* approach epitomizes the ability of unconventional methods to yield sustainable peace in extremely polarized conflict environments.

2.7 Conceptual Framework

Extremism is a byproduct arising out of longstanding societal injustices in various arenas. As such, there exists no universal blueprint that explains the development of extremist narratives that sometimes lead to the formation of violent extremist organizations (VEOs) and commission of extremist activities as echoed by the SLDF in 2006-2008 in Mt. Elgon Region. Hypothetically, there are four observable stages in the build-up to the formation of VEOs especially in land, resource and access to power based conflicts which characterize a majority of the Global South. The carnage of the Rwandan Genocide in 1994, the SLDF, the rise and rise of *Boko Haram* in Nigeria, the al-Shabaab in Somalia, the Mombasa Republican Council (MRC) in the coast of Kenya among others VEOs epitomize such organizations, all which thrive and thrived in the “us versus them” narrative.

First, an extremist group or individual may begin with the identification of some unwelcome condition. Usually, this is characterized by the covert narrative “It is not right.” An unwanted event may be economic, social, political or environmental among others. Economically, it may manifest itself through poverty, poor living standards and unemployment. Amakanji *et al.*, (2018) study makes explicit poverty, unemployment and poor living standards among youths in Nairobi County and core drivers to the radicalization and recruitment into terrorist organizations. Socially and politically, this can be manifested through lack of order, political repression, police brutality without being held accountable, electoral injustices and social and political indicators of overt marginalization by the state. Generally, while the nature of the condition may vary, those involved may perceive the aforementioned as not being right.

Next, the individuals or group may frame the event as an injustice because it does not apply to everyone on the society. This stage is generally characterized by the narrative “it is not fair.” Usually, if the unfair situation of land or resource deprivation is not put under control by state actors, this takes the form of relative deprivation and the mild and overt narratives of “us versus them.”

Then, because injustices generally result from wrongful behavior, the extremist group usually holds a person or group responsible for the injustices bedeviling them. At this point, “it’s your fault” is the narrative used to identify a potential target. The government, the community or the group at this point may be held responsible by the group as causes of their perceived injustices.

Any person who intentionally causes harm and suffering to another is a bad person. After all, good people would not intentionally cause suffering to other people. The extremist groups at this point use the narrative “you are evil”. Anything that is viewed as evil deserves to be eliminated, at least in the lenses of an extremist. The ascription “you are evil” has three implications that make violence a rational resort to end the injustice. First, aggression becomes justified when it is directed against “bad” people, especially those that intentionally cause harm to others. Secondly, describing the responsible party as evil is a dehumanizing act that further catalyzes any form of aggression. Dehumanization of the target as cockroaches and snakes during the Rwandan genocide meant that approximately 1,000,000 people would die in a period of 100 days that is an estimated 1,000 people per day. Third, those suffering adverse conditions in the hands of the oppressors do not perceive themselves as “bad” or “evil.” Further, this identifies the responsible party as being extremely different from those affected, making aggression even easier. All these stages seek to facilitate justification

or impetus for aggression and the commission of acts of extremism. The next section discussed two theories the study adopted to link the variables of homegrown extremism and intractable communal land use conflicts. These theories are the Relative deprivation and the Frustration-Aggression.

2.7.1 Relative Deprivation Theory by Samuel Stouffer

Relative deprivation (RD) can be defined in three steps. First, there must be comparisons made by an individual or group. If there are no comparisons, there can be no RD. Second, there must be a cognitive appraisal that leads the individual to perceive that the individual or his/her in-group is at a disadvantage. This perceived comparative disadvantage distinguishes RD from frustration-aggression hypothesis and other non-comparative models of social justice and discrimination. Third, the perceived disadvantage must be viewed as unfair. The perceiver thinks the perceiver or his/her in-group deserves better, and this results in angry resentment. This component is an indispensable component of RD.

First, RD theory concerns individuals their comparisons, appraisals, and affect. This feature means that data to test the theory must come from individuals directly a requirement overlooked by much of the research literature that purports to test RD. Second, three types of comparisons are delineated. Two are the types that Runciman (1966) usefully classified interpersonal comparisons with in-group members (IRD) and intergroup comparisons (GRD). Repeated research demonstrates that it is that GRD promotes support for political protest and out-group prejudice (Pettigrew *et al.*, 2008).

Feeling deprived may inspire participation in collective behavior, but only if the person feels deprived on behalf of a relevant reference group. It is important to pinpoint that

the relative deprivation theory follows a pathway akin to Tajfel tripartite social identity theory of social categorization, social identity and social comparison. It is the social comparison which has elements of relative deprivation that are likely to trigger frustration and consequently aggression. This is because, the social comparison stage manifests itself in the “us versus them” narrative which is likely to lead to acts of extremism-verbal, physical or apocalyptic.

Researchers have invoked RD to explain phenomena ranging from poor physical health (Adler *et al.*, 2008) to participation in collective protest (Newton *et al.*, 1980) and even susceptibility to terrorist recruitment (Moghaddam, 2005). Social scientists use relative deprivation to predict a wide range of significant outcome variables: willingness to join protests, individual achievement, deviance, intergroup attitudes as well as physical and mental health.

Marx (1847) captured the intuitive appeal of relative deprivation (RD) as an explanation for social behavior. If comparisons to other people, groups or even themselves at different points in time lead people to believe that they do not have what they deserve, they will be angry and resentful. Violence results from frustrations of relative deprivation

The relative deprivation theory aims to explain individual’s decisions to join social and radical movements. Relative deprivation is based on a certain set of psychological ideas (Gurr, 1970). It is the gap between what one has and what one expects (Brush, 1996), particularly in reference to a specific group within the society. As a concept, it can be traced in the early frustration aggression hypothesis by Dollard *et al.*, (1939) which

suggested that when individuals respond to frustration and do not receive a response that relieves their frustration, such individuals will respond with aggression.

Because of its theoretical foundations and its prevalence in conflict situations, scholars have given inequality a preeminent position at the center of conflict studies, “(the Economic Inequality-Political Conflict nexus) is probably the crucial issue in conflict studies. If it could be solved, all other conflict puzzles would fall into place”. In this school, economic inequalities are argued to lead to conflict because they generate grievances that impel men to take to arms. As such, participation is the key causal mechanism connecting economic inequality and the resulting political conflict, even if this remains implicit in a portion of the literature.

A more nuanced variation of this argument relies on the concept of relative deprivation (Davies, 1962), which states that political violence is more likely to occur when people’s expectations about what they should be achieving exceed their actual levels of achievement. Gurr (1970) popularized the concept in his seminal “*Why Men Rebel*”, in which he suggested three different patterns that relative deprivation could take: decremental deprivation, in which a group’s value expectations remain relatively constant but capabilities decline; aspirational deprivation in which capabilities remain static but aspirations increase; and progressive deprivation, in which there is a simultaneous increase in expectation and decrease in capabilities. Gurr’s formulation of the relative deprivation theory places its explanatory power squarely on the shoulders of participation: relative deprivation leads to frustration and aggression, which manifests itself as political conflict. The foundations of the argument thus lie in the grievances that motivate individuals to participate in rebellion. The greater the intensity

of deprivation, the stronger the motivational base for political violence, and the greater the magnitude for violence (Gurr, 1970: 9).

Were (2018) argued that relative deprivation has the potential to escalate to extremist levels as well as the development of genocidal tendencies in Kenya. Relative deprivation is a severe living reality in Kenya where almost all the 47 counties in the country have a record of endemic inequalities that directly pose a threat to prosperity and security. The current study argued that communities in Mt. Elgon Region feel that they are being deprived of land which they believe they are entitled to. Relative deprivation is therefore, manifested through communities comparing their positions and realizes that they have less or none of what they believe themselves to be entitled to. The theory depicts tension that arises from a discrepancy between the ought and the is of collective value satisfaction. The discrepancy is what tends to dispose the deprived to violence. Communities and individuals are more likely to revolt when they lose hope in attaining their societal values. Relative deprivation theory however is not adequate in explaining the violence arising out of land resource deprivation leading to extremist attacks. To this end, therefore, this shortcoming is compensated by the Frustration aggression theory to qualify the conceptual framework adopted by this study in calibrating extremism in Mt. Elgon Region of Bungoma County, Kenya.

2.7.2 Frustration-Aggression Theory by Dollard *et al.*, (1939)

Frustration–aggression theory ranks among the most seminal and prolific theories in research on aggression. From its beginnings in the late 1930s until today, it has been applied and studied in a variety of areas, including clinical and social psychology, ethnology, sociology, criminology, and medical research. The theory argues that the

occurrence of aggressive behavior always presupposes the existence of frustration and, contrariwise, that the existence of frustration always leads to some form of aggression. Frustration here is not understood as an emotional experience but as an interference with the occurrence of an instigated goal-response. Taken verbatim, “the occurrence of aggressive behavior always presupposes the existence of frustration” suggests that aggression does not occur without any form of prior frustration, and the assertion that frustration “always leads to some form of aggression” implies that aggression is a certain outcome of any frustration.

The original formulation of the frustration–aggression hypothesis by Dollard *et al.*, (1939: 1) stated that “the occurrence of aggressive behavior always presupposes the existence of frustration and, contrariwise, that the existence of frustration always leads to some form of aggression”. What is especially noteworthy in this definition is that, unlike the use of the word in everyday language, frustration here is not understood as an emotional experience but as “an interference with the occurrence of an instigated goal-response”

According to the aforementioned statement by Miller *et al.* (1941), aggression is one of several possible consequences of frustration. Among the characteristics aside from aggression that frustration can affect are the development or increase of prejudice (Grossarth-Maticek *et al.*, 1989) and depression (Seligman, 1975). In some of the early publications on the frustration–aggression hypothesis, it was argued that the threat of being punished for aggressive behavior itself (e.g., through social norms) can also be a frustration that can, again, increase the inclination to act or react aggressively in further interactions. Linked to the land problem in Mt Elgon Region and following the extremist blood bath between 2006-2008, indiscriminate arrests and violations of

human rights of young men and women, squatters, combatants and non-combatants alike equating to war crimes could have hypothetically escalated frustration and extremism tendencies and thereby future aggression. The current study argued that impending future aggression cannot be ruled out because not only are the communities living in the area awaiting land rights justice but also justice as a result of commission and omission of track one actors, specifically those by the Kenya Police and the Kenya Defense Forces (KDF) (Simiyu, 2007).

In his “Note on the Frustration–Aggression Theories of Dollard and His Associates,” Morlan (1949:1) wrote that the argument that “the frustration of an aggressive impulse increases the strength of the aggression” is based on the presupposition that “expression of aggression serves as a catharsis”. The competing view, according to Morlan (1949), is that “the expression of an aggressive impulse does not result in catharsis, but, on the contrary, sets up a vicious cycle that leads to further aggression”. Anticipating the outcome of much of the later research on catharsis theory (which yielded little evidence for its basic assumptions), Morlan (1949) argued that the second view is more appropriate, as aggressive acts rarely occur or exist in isolation but have consequences for further or future (inter)actions. Indeed, the 2006-2008 bloodbath served as a catharsis for the relative deprived communities in Mt. Elgon Region. First, this anger by the SLDF was directed at the government by killing of local administrators and later spilling over to individual members of communities who did not subscribe to their ideology of land rights. As Morlan, (1949:1) argues, such aggressive reactions have a domino effect on future aggression. It is to this end that this study sought to examine extremism over land injustices in Mt. Elgon Region.

With regard to the intensity of the aggression, Dollard *et al.* (1939) put forth the suggestion that the strongest aggressive reactions are those directed toward the perceived sources of the frustration. Aggression toward the source of the frustration is one type of retaliatory behavior (Zillmann & Cantor, 1976). However, the aggressive response to a frustration can also be directed toward individuals not responsible for the interference with the attainment of a goal (Geen, 1968). This is one of the cases in which the type of aggression is commonly described as displaced.

Berkowitz (1989) proposed a revised frustration aggression hypothesis, where he argued that frustration does not always lead to aggression. According to Berkowitz (1989), aggression would only occur in the presence of certain cues. For instance, presence of weapons will be more likely to trigger aggressive tendencies.

Despite its roots in psychology, frustration–aggression theory has been used not only to study the behavior of individuals and small groups but also as a basis for macro level theories (Coleman, 1987) that explain aggression within or between them. In the book *Why Men Rebel*, Gurr (1970) argues that, both on an individual and a societal level, the repeated and prolonged experience of frustrations can lead to an outburst of aggression and violence. On the societal level, such frustrations can, for example, be characterized by severe economic recessions, a lack of or restricted access to resources, or systematic and/or institutional discrimination against certain groups. Feierabend and Feierabend (1966:250) have called this “systemic frustration”. Such macro level applications of frustration–aggression theory to societies can also be understood through an evolutionary lens. Here, events or circumstances that interfere with hardwired biological goals such as survival or reproduction would be the most aversive and, hence, the ones with the most intense and far-reaching consequences. Systemic frustrations

over land in Mt. Elgon Region mean that intractable land conflicts persist. It is based on the aforementioned arguments as presented that this study sought to calibrate extremism over intractable land conflicts in Mt Elgon Region of Bungoma County, Kenya. The next section presents a conceptual model that guided the study in calibrating extremism over intractable land conflicts in Mt. Elgon Region.

The conceptual model which guided the study is presented in Figure 2.1. The Independent variables which guided the study include the determinants of extremism, the risk factors of extremism, the response approaches as well as the challenges and opportunities of extremism. An increase and a reduction on extremism and intractability of land conflicts in the study area are highly dependent on the aforementioned independent variables. However, extremism over intractable land conflicts can be modified by the existing policies, socio-economic and demographic factors, governance, increased population and urbanization. The next sub-section highlighted the knowledge and research gaps identified in the literature review.

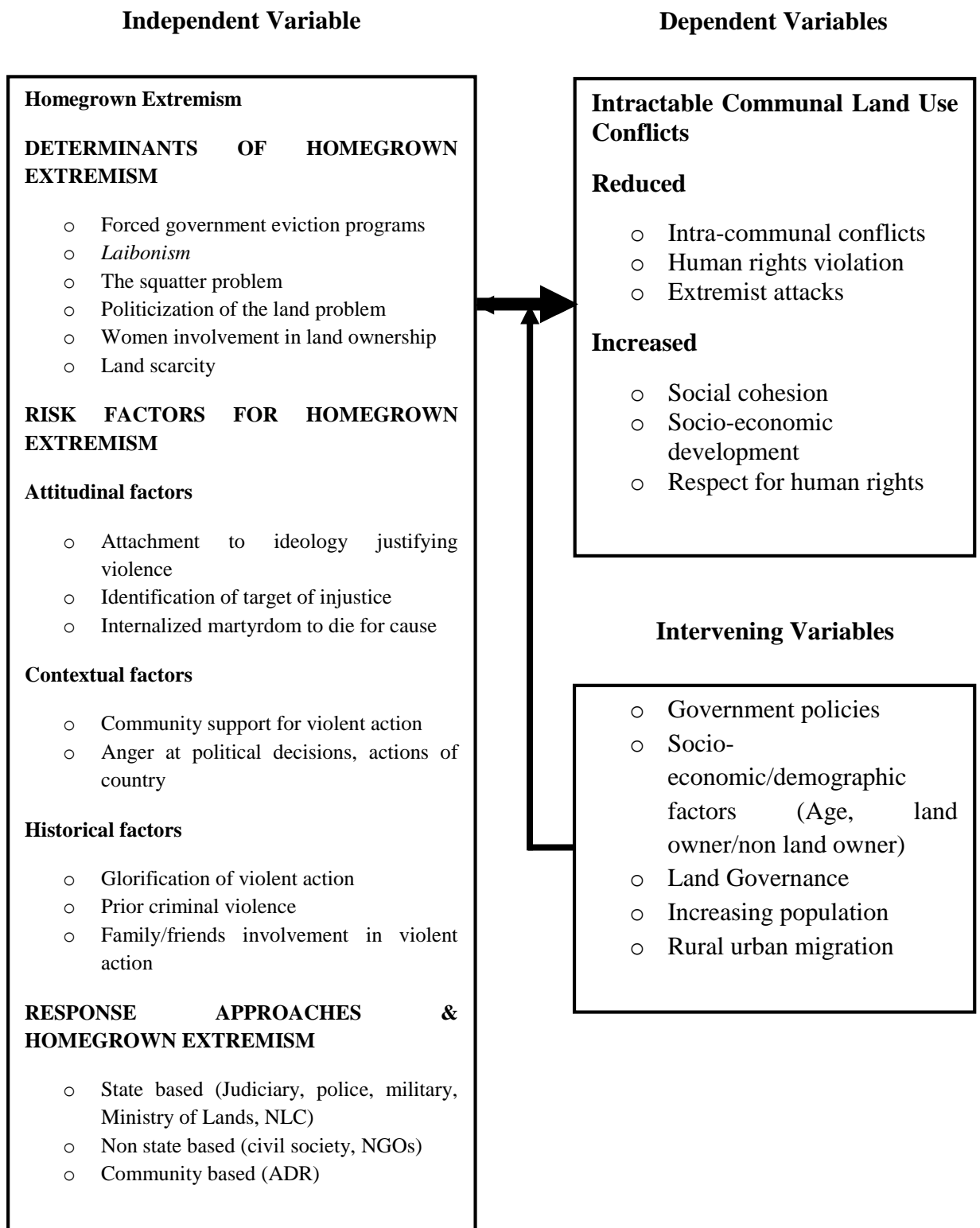


Figure 2.1: Conceptual Model Showing the Relationship among Research Variables in Calibrating Homegrown Extremism over Intractable Communal Land Use Conflicts in Mt Elgon Region, Kenya.

Source: Researcher (2019)

2.8 Knowledge and Research Gaps in Literature

The second chapter of the study reviewed relevant literature on extremism and historical land injustices. Literature reviewed has identified the gaps that the current study intends to fill, that is, scanty information on extremism and historical land injustices and how this informs counter extremism strategies particularly in the Global South where land and resource distribution contribute to a number of intra-state conflicts.

Based on the first specific objective, literature reviewed demonstrated that studies conducted in the area of extremism focused on the traditional and often Euro-American drivers and conceptualization of extremism- politics and religion (Amakanji *et al.*, 2018; Chumba *et al.*, 2016; Chumba, 2013) and to this end focused on the al-Shabaab, ISIS and al-Qaeda like extremist organizations which have dominated global, national and academic security discourses in the post-cold war world orders. Land distribution, as a cause of homegrown extremism is scarce on the literature available. As such, available literature on extremism is dominated by discourses about ISIS, al-Qaeda, al-Shabaab and *Boko Haram* as the core actors in the subject of extremism. It is important to point out that the aforementioned extremist organizations have their foundations deeply rooted in specific state actors. For instance, the *Boko Haram* has its roots in Nigeria, ISIS in Syria and al-Shabaab in Somalia. It is based on the aforementioned observations that the current study argued that the foundations of groups such as the SLDF and MRC should not be taken for granted by state security agencies since they have the potency to hit the levels of al-Shabaab and the al-Qaeda in the contemporary security realm if the risk factors are not detected and addressed on time. To this end, therefore, there was a conspicuous inadequacy of literature on the determinants of

homegrown extremism in Mt. Elgon Region, Kenya. The current study sought to fill this knowledge gap through research question one thereby informing rational counter extremism strategies.

In the second specific objective, literature reviewed identified a number of research gaps on the risk of extremism. It is rational to point out that extremism grows over time. For instance, the carnage of the SLDF in Mt. Elgon between 2006-2008 is attributed to feelings of grievance over inequitable distribution of land resources since the conception of the Chepyuk settlement schemes in the 1970s (Simiyu, 2008). Literature reviewed demonstrated that a number of risk factors are associated with the development of extremist tendencies. In addition, there exist tools for use by security practitioners to measure extremism. The aim of these tools is not to predict but determine risk levels thereby informing sound counter violent extremism strategies. Such tools involve the violent extremism risk assessment (VERA), Structured risk Guidelines (SRG) for assessment of group based violence, Terrorist Radicalization Assessment Protocol (TRAP) as well as the Multi-Level Risk Guidelines for assessment and management of group based violence among others. However, empirical studies on the usage of the aforementioned tools are scarce despite their proven capabilities to detect and counter extremist agenda. In addition, literature on the usage of the aforementioned tools is euro-centric presenting a geographical and regional gap in research as extremism not only affects the Western world but largely the Global South. In addition, the usage of these tools has been limited on the “narrow” understanding of extremism as being politically or religiously motivated and thus their application fails to pay attention to homegrown causes of extremism such as land- a subject the current study sought to pursue. Similarly, there is scarce evidence on the

application of these tools in the Global South. The current study sought to fill this knowledge gap in the quest to inform counter violent extremism strategies within and beyond the study area.

In the third specific objective, literature reviewed demonstrated that a number of approaches have been put in place in a deliberate attempt to manage extremist agenda in the study area. These approaches include judicial approaches, community based approaches, county-based approaches, police based approaches, military based approaches, and community based approaches as well as traditional justice mechanisms. The current study observed that there is scarce literature on the nexus between each of the aforementioned approaches and extremism in the study area- a gap the current sought to fill. The fact that sustainable peace remains elusive and land conflicts persist in Mt. Elgon Region is evidence that these approaches are not effective enough. To this end, the current study, through research question three, sought to interrogate the contribution of the response approaches on extremism in their quest to manage intractable land conflicts in the study area.

In addition, literature reviewed showed that homegrown extremism is associated with a number of challenges and opportunities elsewhere but the opportunities remain under-exploited in Mt. Elgon Region. There is scarcity of literature on the challenges and opportunities of extremism in the region. The current study sought to fill this gap. The study is not backed by empirical research studies but desktop and literature reviews, a gap the current study sought to fill. In addition, the challenges and opportunities for extremism as demonstrated by the available literature have been those linked, albeit peripherally to conventional terrorism associated by ISIS, al-Shabaab and *Boko Haram*. To this end, therefore, the current study sought to bring to light the context gap by

focusing on the challenges and opportunities of homegrown extremism in Mt. Elgon Region of Kenya

Beyond these issues a number of methodological gaps in the study area, study population, data collection techniques and sample size also emerged in the literature reviewed therein. Previous research studies have used a limited study population and data collection instruments thereby lacking in terms of triangulation of data and triangulation of sources, which is essential in attaining valid research results. The next section gives a summary of chapter two of the study.

2.9 Chapter Summary

The chapter presented an empirical literature review based on existing studies on homegrown extremism and intractable communal land use conflicts. Literature reviewed examined the determinants of extremism in a global, regional and Kenyan perspective. Case studies on ISIS, al-Shabaab, *Boko Haram*, MRC and SLDF were presented and research gaps identified therein. In addition, literature on risk assessment of extremism as well as the contribution of response approaches to extremism in addition to the challenges and opportunities of homegrown extremism was also reviewed and the research and knowledge gaps identified therein. Lastly, a conceptual framework that guided the study was also presented. The next chapter presented the research methodology that this study employed to achieve the specific objectives and answer the corresponding research questions.

CHAPTER THREE

RESEARCH METHODOLOGY

Introduction

This chapter discusses the methodology for the research. The chapter is structured as; Research design, study area, study population, sampling strategies and sample size, data collection instruments, validity and reliability. The chapter also includes: methods of data analysis and presentation, limitations of the study, ethical considerations and chapter summary.

3.1 Research Design

In order to ensure the validity of research results, the study adopted two research designs- descriptive and historical research designs. Historical research design was used to collect, verify as well as synthesize past evidence on homegrown extremism and intractable land use conflicts in Mt. Elgon Region. It used documentary evidence, official records as well as reports. On the other hand, specifically a convergent parallel mixed method research descriptive design was used. As a method, it focuses on collecting, analyzing, and mixing both quantitative and qualitative data in a single study or series of studies. Its central premise is that the use of quantitative and qualitative approaches, in combination, provides a better understanding of research problems than either approach alone (Demir & Pismek, 2018). The research process can be symbolized as qualitative and quantitative (QUAL+QUAN). A convergent parallel design entails that the researcher concurrently conducts the quantitative and qualitative elements in the same phase of the research process, weighs the methods equally, analyzes the two components independently, and interprets the results together (Creswell & Pablo-Clark, 2011). The research design; collects and analyzes both

quantitative and qualitative data; mixes two forms of data in different ways and gives priority to both forms of data. In addition, it increases validity of research results and helps to best understand and develop a more complete understanding of the research problem by obtaining different but complementary data. The purpose of this form of research design is that both qualitative and quantitative research, in combination, provide a better understanding of a research problem or issue than either research approach alone.

It is important to point out that, the three specific objectives of the current study to a large extent meet the minimum threshold required to adopt a convergent parallel mixed method design. The design utilized mixed methods under both qualitative and quantitative techniques. The design was suitable for this study since it involved measurement of variables about homegrown extremism in relation to intractable communal land use conflicts in Mt Elgon Region. The design would also be an efficient method for gathering data from a wide range of respondents.

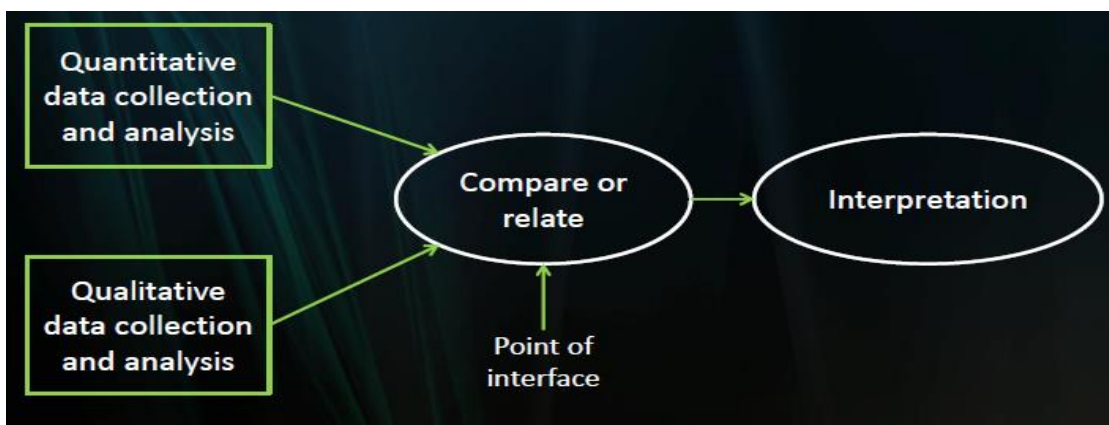


Figure 3.1: The research process using Convergent Parallel Mixed Method Research Design

Source: (Demir & Pismek, 2018)

3.2 Study Area

The study was carried out in Mt. Elgon Region of Bungoma County Kenya- specifically within Mt. Elgon Constituency. Mt Elgon is one of the 9 electoral constituencies in Bungoma County. It borders the Republic of Uganda to the North and West, Trans-Nzoia County to the East, Sirisia and Kabuchai Constituencies to the South. It has 3 sub-counties namely, Cheptais, Mt. Elgon and Kopsiro Sub-Counties. The constituency has 6 wards, 16 locations and 42 sub-locations (Table 3.1). The constituency occupies an area of 956.6 square kilometers with an estimated 70% covered by gazette forest reserve which is in the upper section of the constituency while the rest is under human settlement. The constituency is inhabited by the majority Sabaot community with minority Bukusu and Teso communities.

Socio-economically, Mt. Elgon has the lowest share of residents with secondary level of education or above; has the highest share of residents with a primary education only at 70%; has the lowest share of cement floors; has the lowest percentage of corrugated iron sheet roofs; has the highest share of grass/makuti roofs at 55%; has the lowest share of brick/stone walls and the lowest share of residents using improved sources of water (KNBS & SID, 2013). The mountainous terrain means that most roads and the are in general is underdeveloped. In addition, rich volcanic soils and an average annual rainfall of 1270 milimeters with a mean 80% of the residents practise subsistence agriculture making land a key determinant of livelihood provision. Crops grown include bananas, maize, tea, potatoes onions, vegetables, millet and sugarcane among others. It is home to the Mt. Elgon National Park, the second highest Mountain in Kenya and eighth in Africa. It is also home to the Mt. Elgon water tower which is one of the five water towers in Kenya feeding into Suam, Turkwell, Nzoia and Malakisi rivers.

Mt. Elgon covers the south-eastern slopes of the extinct shield volcano of the same name on the border with Uganda. The area has mountainous high altitude character rising up to 1,430 metres above sea level in the north and covers an area comparable to the urban part of Lagos (940 square kilometres, nearly 60 percent of forested grounds) Residents are of various ethnic backgrounds. About 60 percent of them are from the Sabaot group of the Kalenjin tribe, which in turn comprises two main sub-groups: Mosop (or Ndorobo) and Soy, with the later constituting approximately 80 percent of the Sabaot. Members of two other groups involved in the conflict (the Bukusu tribe and the Teso of the Turkana tribe) are in significant minority. The District, although geographically isolated and underdeveloped in terms of social infrastructure, boasts with rich fertile soil covering the lower part of the volcano's slope and has a mild climate - factors which both make the district conducive for agriculture and make the limited soil acreage susceptible to 'land-grabbing mania' (Wasinski, 2017). But while the hotbed of the conflict described here may be easily reducible to a typical dispute over the land, the overall background to the dramatic events reveals a much more complex texture, combining colonial, economical, social and political contexts.

A number of reasons prompted the choice of Mt. Elgon as a feasible study area for a study on homegrown extremism and intractable communal land use conflicts. These are outlined in aforementioned sections. According to (KNBS & SID, 2013), only 34.1% of land parcels in Bungoma County have title deeds. This implies that 65.9% of households reside in ancestral land with no official documents of ownership. In addition, the county has cases of landlessness and squatterdoms (Kamoet, 2011). A majority of these cases are in Mt .Elgon Constituency. To this end, the landless and

squatter enclaves are vulnerable to socio-economic challenges of poverty, malnutrition, food insecurity, diseases and social crime among other vices.

Mt. Elgon is home of the Soy ('people from below') and Mosop ('people from the top'). Sabaot sub- ethnic groups that this study uses in pursuit of homegrown extremism and intractable inter-communal land conflicts. The defining parameters of these ethnic groups include; the Soy are the majority/dominant ethnic group living in the low altitude areas of Mt. Elgon. In addition, they are majorly farmers. Politically, the Soy have also enjoyed dominance in the region. On the other hand, the Mosop represent a minority ethnic group who traditionally lived in the Moorlands of Mt. Elgon and practised pastoralism, hunting and gathering (Kamoet, 2011). The rest of the Mt. Elgon population namely the Bukusu and the Teso are scattered all over the slopes of the mountain.

In addition Mt. Elgon is home of the Chepyuk I,II and III settlement schemes which were established in 1971 but became battle grounds between 2006-2008 which in a rare occasion prompted the state's military intervention. Chepyuk I was officially known as Emia settlement scheme, Chepyuk II as Cheptoror and Chepyuk III as Chepkurkur. There emerged sharp divisions between the Soy and Mosop over distribution of land in Chepyuk III. These led to the formation of an extremist group named as the SLDF by members of the Soy ethnic group. In response, the Mosop created the MDF with both extreme sides of the divide holding mutually incompatible views over land distribution in the area (Simiyu, 2007). There was yet another militia group that was formed to defend the Soy clan- Political Revenge Movement (PRM). It was based in the deep forest and its members are said to have been among key informers and associates of the army in identifying SLDF militia men (KHRC, 2008).

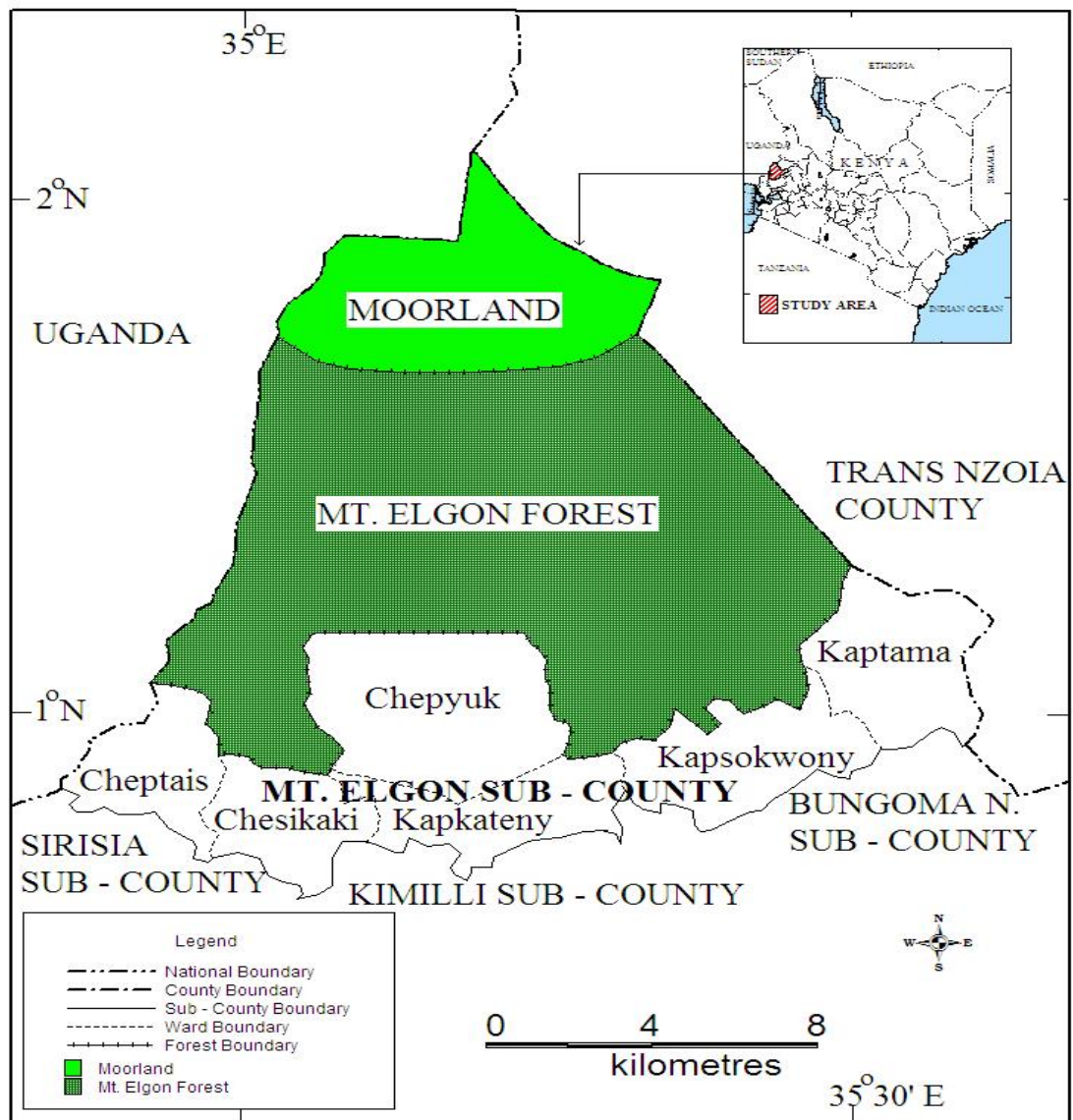


Figure 3.2: Map of Mt. Elgon Constituency.

Source: GIS Expert at Moi University (2019)

Like conventional extremist organizations, the SLDF displayed adequate organizational levels distinctly divided into political, military and religious wings. SLDF activities were concentrated in Kopsiro where Chepyuk settlement scheme is located and in Kaptama and Cheptais where SLDF commanders came from. The SLDF employed extremist tactics to instill massive fear among the locals- human rights violation, physical assaults, rape, torture, murder of people perceived to oppose their

agenda and occasionally wiping out entire families. In addition, they levied taxes and the emergent insurgent economy as well as their tactics became a key driving factor in sustaining the conflict. To restore some semblance of peace in the region, a rare utility to intra-state military intervention was used. The KDF have been accused of indiscriminatory violation of human rights without being held accountable in their efforts to restore peace in the area (KHRC, 2008).

According to Bii and Lubanga (2018), the recurrence of a reign of terror in 2017/2018 was linked to SLDF members who had just been released from prison after serving their terms. This led to loss of tens of lives and displaced hundreds of people who moved to more secure places. In addition, the national government deployed hundreds of police officers to enforce a dusk to dawn curfew which lasted four months with no tangible measures to address the land problem. In a nutshell, the current study argues, of the three sub-counties in Mt. Elgon; Cheptais was the home of the SLDF leadership and their recruitment ground. It was also KDF's choice of their military camp and subsequently a permanent military base- Kapkoto (Simiyu, 2007). Kopsiro was the battle ground and worst hit by the violence and current home of the squatterdoms in the region (Kamoet, 2011). Mt. Elgon Region bore the direct immediate direct effects of the war. Today, the current study argues, as land issues in Mt. Elgon Region remain unresolved so does the risk of homegrown extremism. It is for the aforementioned reasons that the current study chose Mt. Elgon as a viable location for a study in calibrating homegrown extremism over intractable land conflicts.

3.3 Study Population

The study population comprised 400 household heads, 2 community elders, 10 former SLDF perpetrators, 20 male and 20 female victims of land conflicts. These are elaborated in Table 3.2.

3.4 Sampling Techniques and Samples Size

Sampling is the process of systematically selecting representative elements of a population (Kothari, 2004). Sampling is advantageous because it helps a researcher to draw generalizations, improve effectiveness and reduce bias. According to Ngau and Kumssa (2004), there are more chances of making errors when dealing with the entire population as opposed to a sample. In addition to its advantages, sampling is carried out because it is impossible, impractical or extremely expensive to collect data from all the members of a study population (Nachmias & Nachmias, 2008).

Ryan (2013) argued that, the main factors considered in determining the sample size is the need to keep it manageable enough. According to Ryan (2013), the Krejcie and Morgan Table as developed in 1970 was used to determine the sample size for this study with a confidence level of 95% and margin of error of 5% was used to determine the sample size from the households estimated at 31,585 according to KNBS & SID (2013). Therefore, 381 respondents were used for this study. The number, however, was increased to 400 to cater for non-responses and spoilt questionnaires. Many researchers commonly add 10% to the sample size to compensate for persons that the researcher is unable to contact. The sample size also is often increased by 1- 30% to compensate for non-responses and spoilt questionnaires (Cohen, 2013).

To benefit from the advantages of sampling, the current study employed both

probability and non-probability sampling techniques in calibrating homegrown extremism in Mt. Elgon Constituency of Kenya. In sampling the study area, a multi-stage sampling technique was used (Refer to Table 3.1). In the multi-stage sampling of the study area, the study used the already existing administrative boundaries in Mt Elgon Constituency which is divided into 3 sub-counties namely Cheptais, Kopsiro and Mt. Elgon Sub-counties. Kopsiro and Cheptais Sub-counties were purposively sampled for use in the study. Best and Khan (2001) recommended that research studies use between 30-50% for studies involving small a sample frame. The two Sub-Counties were purposively chosen because: Cheptais was home of the SLDF leadership and an epicenter for recruitment (Simiyu, 2007) which later served as a KDF base of operation in Kapkota location where there were extreme and indiscriminate violation of human rights during the conflict. In addition, Cheptais is predominantly home to the Soy ethnic group representing the lowland Sabaots.

On the other hand, Kopsiro Sub-county hosts the contentious Chepyuk settlement schemes- Emia, Chepyuk and Chepkurkur representing Chepyuk I, II and II respectively (Simiyu, 2007; Ngulutu, 2013). Secondly, Kopsiro Sub-county was most affected by the violence and has been the main battleground. It is also important to point out that Kopsiro was the home to MDF, a counter-insurgency to the SLDF. Lastly, Chepyuk is predominantly home to the Mosop or the highlands Sabaot, one of the ethnic groups the current study sought to use in an attempt to calibrate homegrown extremism in Mt. Elgon Constituency.

Table 3.1 Table showing Sampling Administrative Units in Mt. Elgon Constituency

SUB-COUNTY	WARD	SUB-LOCATION	HOUSEHOLD/POPULATION
Cheptais (81.1) (Purposively sampled)	Cheptais (Purposively sampled)	Chebwek	
		Chepkube (50% sampled) purposively sampled	
		Cheptais (50% sampled) purposively sampled	
		Ngachi	
		Household total	5,634/ 28,788
	Chesikaki	Chemondi	
		Sasuri (50% sampled) purposively sampled	
		Toroso (50% sampled) purposively sampled	
		Chesikaki	
		Household total	4,478/ 24,062
Kopsiro (142.1) (Purposively sampled)	Chepyuk (Purposively sampled)	Chepyuk (II) (50% sampled) purposively sampled	
		Kabura	
		Emia (I) (50% sampled) purposively sampled	
		Chepkurkur (III)	

		(50% purposively sampled)	
		Korng'otuny	
		Kaimugul	
		Household total	4,158/ 25,442
	Kapkateny	Cheptonon	
		Chengeywo	
		Kamuneru	
		Kapкуруongo	
		Masaek	
		Sacho	
		Terem	
		Toywondet	
		Household total	5,268/ 28,668
Mt Elgon (740.1)	Kaptama	Kabwoyo	
		Kaptelio	
		Kongit	
		Chemoge	
		Kaptama	
		Kanorom	
		Chesito	
		Mt Elgon Forest	
		Household total	6,035/ 33,555
	Elgon	Sambocho	
		Kibyeto	
		Nomorio	
		Kimobo	
		Kamutiong	

	Bugaa	
	Chemweisus	
	Chemuses	
	Kapsokwony	
	Koshok	
	Kibuk	
	Household total	6,014/ 31,682
	TOTAL	31, 585/ 172,377

Source: KNBS & SID (2013) Pre-census Results

Both Cheptais and Kopsiro Sub-Counties are administratively divided into 2 wards each. Cheptais Sub-county is divided into Cheptais and Chesikaki Wards. Kopsiro Sub-County is divided into Chepyuk and Kapkateny Wards. One ward each was purposively sampled from the two Sub-Counties, Chepyuk-Kopsiro ward and Chesikaki-Cheptais ward. Households in the two Sub-counties were sampled using simple random sampling.

A total of 208 (52%) households were selected using from Chesikaki- Cheptais using simple random sampling and 192 (48%) households were selected from Chepyuk - Kopsiro. To this end, therefore, 400 household heads were selected for a study in calibrating homegrown extremism over intractable land conflicts in Mt. Elgon Constituency. In addition, two community elders were purposively sampled for the study- 1 each from Cheptais and Kopsiro Wards. The choice of 2 out of 4 community elders was informed by Best and Khan (2001) who recommend that 30-50% for studies involving a small sample frame.

Table 3.2: Table Showing Sampling of Target Population

Sample Frame	Target Population	Sampling Technique	Data Collection Instrument	Actual sample
1. Chepyuk-Kopsiro Ward	4158 households (48%)	Simple random sampling	Questionnaire	192
2. Chesikaki-Cheptais Ward	4478 households (52%)	Simple random sampling	Questionnaire	208
3. Community Elders	4	Purposive sampling	Key informant interview guide	2
4. Male Victims (2)	1 each from from study locations	Purposive sampling	FGD guide	20
5. Female Victims (2)	1 each from from study locations	Purposive sampling	FGD guide	20
6. Former SLDF perpetrators		Snowball sampling	FGD guide	10
TOTAL	8,642			452

Source: Researcher (2021)

In addition, 4 homogenous groups (2 each from Cheptais- Chesikaki Ward and Kopsiro- Chepyuk ward) comprising 10 male and 10 female victims of land conflicts each were selected for the study using purposive sampling techniques for focus group discussions (FGDs). Women victims were selected purposively with both groups having formed self-help groups. Snowball sampling was used to sample former SLDF perpetrators for the study. This was done with the help of the area Chief in charge of Chesikaki-Sasuri location.

3.5 Data Collection Instruments

The main primary data collection instruments for this study were questionnaires, key informant interview schedules, focus group discussions and content analysis of secondary sources of data. The tools for data collection were based on the objectives of the study. To this end, therefore, to ensure validity of results, the current study employed various sources for data triangulation.

3.5.1 Questionnaires

Primary data was collected using questionnaires (Appendix I) for household heads. The study adopted both closed as well as open ended questionnaires to collect primary data from respondents. The questionnaires were hand delivered to the target population. Where possible, researcher assisted questionnaires (RAQs) were administered. In addition, the questionnaire and its items were designed to collect data based on the three specific objectives of the study. Questionnaires were used for this study because; large amounts of information can be collected from a large number of people in a short period of time and in a relatively cost effective way; they can be carried out by the researcher or by any number of people with limited effect to its validity and reliability and the results of the questionnaires can usually be quickly and easily quantified by either a researcher or through the use of a software package (Mitchell *et al.*, 2003).

3.5.2 Key Informant Interview Schedules

Interview schedules (Appendix II) were used to compliment questionnaires in obtaining first-hand information as well as reduce ambiguity in responses. This instrument was used to gather qualitative data from key informants. The target key informants of this study were community elders from Chepyuk and Chesikaki wards each representing elders from both the Mosop and Soy communities respectively. The key informant

interview schedules allowed for both closed and open ended questions that allowed for flexibility during the process. The interview in Chepyuk was held in Kipsigon shopping center whereas the interview in Chesikaki was held from Cheptais shopping center. Both were held in close door settings that allowed for uttermost privacy during the process. Sufficient information can be collected through the interview process because it allows the interviewer to ask as many questions as possible. Interview process also allowed for the flexibility of research questions.

3.5.3 Focus Group Discussions

This method has been widely used in generating data. Hennink (2014) suggested that this method is advantageous for generating data when investigating a homogeneous group or groups of participants. A total of 5 FGDs (Appendices III, IV) were conducted in this study. This was in pursuit of valid research results. Snowball sampling was used to sample former SLDF perpetrators which was purely a male FGD comprising 10 respondents. These were identified with the help of a chief in Cheptais-Sasuri ward. In addition, 2 male and female FGDs were selected from Cheptais and Chepyuk wards representing the Soy and Mosop areas of the conflict. Therefore, this instrument was appropriate for this study since the subjects of the study were homogeneous. Focus group discussions were guided by a structured checklist that allowed for flexibility in raising questions. Where necessary, the researcher used the services of trained research assistants as interpreters. Although, during the data collection exercise, the researcher noted that most respondents had a good grasp of Kiswahili as a mode of communication. The venues for the FGD's were private which allowed for respondents' participation without fear. The discussions took between 40-60 minutes.

3.5.4 Secondary Sources of Data

The study also employed content analysis of data in calibrating homegrown extremism over intractable land conflicts in Mt. Elgon Constituency. This mainly involved physical collection of secondary data. Secondary data-both physical and digital were collected from institutional libraries and digital repositories of MMUST, University of Nairobi and Maseno University among others. In addition, secondary data was sought from government official records, the judiciary and county governments. Lastly, published books, journals, newspapers, government policy documents, dissertations and thesis were used in accessing data for calibrating homegrown extremism in Mt. Elgon Constituency.

3.6 Validity and Reliability of Research Instruments

3.6.1 Validity of Research Instruments

Validity is the degree to which results obtained from analysis of data actually represents the phenomenon under study (Best & Khan, 1993). It is the accuracy and meaningfulness of inferences, which are based on the research results. Validity refers to the agreement between the value of a measurement and its true value. According to Mugenda (2008), the validity of a research is concerned with the extent to which that data measures what it is supposed to measure.

To test the validity of the research instruments, the questionnaire was presented to other researchers, peers and the research Supervisors at MMUST for cross checking and to assess the reliance of the content. Precisely, reliability entailed a critical evaluation of the items in terms of content and construct validity. Content validity sought to test whether the test covered a representative sample of the domain to be measured in the study. Construct validity on the other hand sought to establish how well this study

would measure up to its claims. It sought to ensure that this study would only measure aspects in calibrating homegrown extremism over intractable land conflicts in Mt. Elgon Region of Western Kenya.

Content Validity Index (CVI) was used to calculate the statistical proof of all the research tools. The following formula was used for questionnaires and interview schedules.

$$CVI = \frac{n}{N} = CVI = \frac{85}{92} = 0.92$$

Where;

n = the number of items declared valid

N = total number of items

A CVI above 0.7 according to Polit *et al.*, (2001), then the instrument is regarded to be valid.

Table 3.3: Content Validity Index for Questionnaire and Key Informant Interview Guides

Instruments	Section	Valid Item	Invalid Item	Total
Household Questionnaire	A	9	0	9
	B	31	3	34
	C	22	0	22
	D	30	4	34
	Total	92	7	85
Interview Schedules	A	9	2	11

	B	10	1	11
	C	11	3	14
	Total	30	6	36

Source: Field Data (2020)

The calculated content validity index for household questionnaire, interview schedules and observation checklist is as shown.

$$\text{CVI (Household questionnaires)} = \frac{85}{92} = 0.92$$

$$\text{CVI (Key informant interview guides)} = \frac{30}{36} = 0.83$$

The instruments are regarded as valid when the computed CVI is above 0.7 (Polit *et al.*, 2001). Hence, the household questionnaire and interview schedules were declared valid at 0.92 and 0.83 respectively.

3.6.2 Reliability of Research Instruments

Reliability of measuring instruments refers to the ability of a research instrument to yield consistent results each time it is applied. It is concerned with extent to which the researcher can confidently depend on the information gathered through the various sources of data adopted for a study. It can also be seen as the measure of the degree to which a research instrument yields consistent data after repeated trials (Mugenda and Mugenda, 2003).

All measurement procedures have the potential for error, so the aim is to minimize it. The reliability of an instrument is usually expressed as a coefficient. The reliability coefficient varies between values of 0.0 and 1.00. A co-efficient value of 1.00 indicates perfect reliability, which is practically unattainable. A rating of .00 indicates no

reliability. According to Mugenda and Mugenda (2003), the reliability coefficient shows the extent towards which a research instrument is free of error variance. The closer the reliability coefficient is to 1.00, the more the instrument is free of error variance and is hence a measure of the real differences among the subject in the dimensions assessed by the instrument. To establish the reliability of the instruments that were used in this study, the split half approach which is preferred by most researchers was employed.

Reliability of the questionnaires were achieved through split-half reliability procedure where the researcher subjected the research instruments to a pilot study in Kilifi County's Kadzuhoni-Magarini location which has a historical squatter problem. The pilot study was conducted in the month of September 2020. The study used 10% of the sample size which was derived from the actual sample size for the study. The Spearman-Brown prophecy formula was used for the reliability (Fraenkel *et al.*, 2016). The questions were divided into odd and even numbered and the total scores calculated. The formula used to calculate reliability is as shown.

$$Re = \frac{2r}{1+r}$$

Where;

Re reliability

2r correlation coefficient of 1st half.

1+r correlation coefficient of 2nd half.

3.7 Data Analysis and Presentation

The study made use of qualitative as well as quantitative data. Qualitative data was analyzed in the form of measures of central tendency, frequency counts as well as percentages. Quantitative data was coded and analyzed descriptively (frequencies, percentages, mean and standard deviation). The results were presented in form of tables, charts and graphs. Thematic analysis was used to analyze qualitative data. It was presented through narratives and verbatim quotations. Noteworthy, in this study, qualitative and quantitative data analysis and presentations were mutually reinforcing.

3.8 Limitations of the Study

According to Orodho (2004), limitations are (foreseeable) aspects of the study, which may adversely affect the results of the study, and the researcher has no direct control over. In the same vein, constraints are bound to occur in any research activity and as a result, the researcher may encounter lower rate of response. Given the sensitivity of the study in pursuit, one likely limitation of the study was that some targeted respondents were adamant in responding to the study. To overcome this limitation, the researcher used the Peace and Rights Programme of Kenya, which has been operating on issues relating to conflict and peaceful co-existence in Mt. Elgon Region to introduce the targeted respondents for confidence building and familiarization between the researcher and the respondents. In some cases, it was difficult to find the sampled groups in due course, especially the community elders. The researcher used prior arranged appointments with the respective officers to help collect data in good time.

It is important to point out that the primary data collection exercise was preceded by the Global outbreak of the Coronavirus pandemic- an age of social disruption. COVID-19 social distancing protocols, shelter-in-place orders, and travel restrictions across the

globe posed unique challenges to the qualitative nature of my work, often grounded by the researcher's physical presence in communities. Conducting research in a pro-rural community at the periphery of the country, the usage of internet data collection tools was not an option. Limited in-person field work may also create barriers to gaining entrée and building trust with communities, particularly if the researcher is new to a region and does not have community partners or key informants (O'Connor & Madge 2003; Lo Iacono *et al.*, 2016). To overcome this challenge, the study's qualitative design resorted to usage of public health prescribed approaches of maintaining social distance, use of masks and sanitizers that were provided to the participants during the study period.

Due to the sensitive nature of the subject of extremism, majority of respondents especially the former combatants may express a lot of reservations to engage in a candid discussion on the subject. This challenge was surmounted by a disclosure that the researcher would this information purely for academic purposes.

Lastly, due to the remoteness of the area, the current study anticipated that respondents would have difficulties interpreting English questionnaires. The study employed the use of researcher-assisted questionnaires by hiring and training two research assistants who understood English, Swahili and Sabaot language.

3.9 Ethical Considerations

Transparency of research, reliability of results, and the reputation of the researcher in the academic community are extremely important criteria, which determine both the prestige of science itself and the possibilities of successful use of new knowledge in practice (Žukauskas *et al.*, 2018). Therefore, the research ethics is not a mere

“formality,” which is required by academic journal editors, but it is a significant part of research, which is influenced by both the general trust in scientists, data protection, anonymity, and confidentiality, and the ability to build trust-based relationship with the respondents and retain it. Research ethics is not just requirements written in a digest or code of ethics, but also the researcher’s philosophical and value position, as well as the discussion continuing for many decades and learning from painful mistakes in the history of research (Žukauskas *et al.*, 2018).

To this end, therefore, the researcher was responsible for maintaining the dignity and welfare of all participants. This obligation entailed protecting them from harm, unnecessary risks, or mental and physical discomfort that may be inherent in the research procedure. The researcher ensured that the subjects had received a full disclosure of the nature of the study, the risks, the benefits and alternatives, with an extended opportunity to ask questions. The study also observed equity and fairness in the selection of participants as well as the distribution of data collection instruments respectively.

The researcher sought authority from the Directorate of Postgraduate Studies of Masinde Muliro University of Science and Technology. In addition, a research permit was obtained from the National Commission for Science Technology and Innovation (NACOSTI) in order to allow the researcher to go to the field for primary data collection. Before embarking on actual data collection, the researcher obtained written authorization from the County Commissioner in Bungoma County.

The researcher upheld individuals’ rights to confidentiality and privacy as a central tenet to the study. The participants were informed on how the data would be used, what

would be done to the case materials as well as the security of their consent. In addition, the researcher also ensured that confidential records were stored in secure areas with limited access. The researcher considered situations where confidentiality would likely be inadvertently breached, such as having confidential conversations in a room that is not sound proof among others. Consent was also sought from the interviewees on anonymously quoting them.

3.10 Chapter Summary

This chapter presented the methodology that the study employed in an attempt to interrogate homegrown extremism over intractable land conflicts in Mt Elgon Region of Kenya. The study employed a descriptive research design. The study population was 452 respondents which comprised 400 household heads, 2 community elders, 10 former SLDF perpetrators, 20 male and 20 female victims of land conflicts. The research instruments were subjected to validity and reliability tests. In addition, the limitations likely to be encountered were also presented and how the researcher would navigate each of the limitations. Lastly, the ethical code of conduct that guided the study was also presented. This chapter summary leads to a discussion of the study findings according to the specific objectives, beginning with specific objective one on determinants of homegrown extremism over intractable communal land use conflicts in Mt. Elgon in Mt. Elgon Region, the subject of chapter four.

CHAPTER FOUR

DETERMINANTS OF HOMEGROWN EXTREMISM OVER INTRACTABLE COMMUNAL LAND USE CONFLICTS IN MOUNT ELGON REGION OF WESTERN KENYA

This chapter presents findings for the first specific objective of the study which sought to examine the determinants of homegrown extremism over intractable communal land-use conflicts in Mt. Elgon Region. The chapter is divided into two core sections which extensively cover the socio-demographic variables of the respondents and the determinants “proper” of homegrown extremism. The aforementioned sections, relying on primary data present findings on variables which have for a long time not been explicitly covered in discourses of homegrown extremism. Each socio-demographic factor, for instance helps situate the relationship with homegrown extremism in Mt. Elgon Region of Kenya. Similarly, findings from the determinants proper have a direct relationship and are a salient feature of homegrown extremism in the study area. The results and interrogations are presented and discussed in subsequent sections. The chapter ends with a summary.

4.1 Demographic Factors, Homegrown Extremism and Land-use Conflicts

In studies on homegrown extremism, an examination of the socio-demographic variables of the respondents is an area that cannot be overlooked. As such, the current study sought to examine a number of these variables which have served or could serve as catalysts of homegrown extremism in the study area. These factors include: gender of respondents; whether or not respondents owned land; age of respondents; number of years they had lived in the area; whether they had migrated to other places since birth;

their sources of income; level of education; housing structure and ethnicity of respondents.

4.1.1 Gender of Respondents

The study sought to examine gender of respondents in an effort to understand the role gender plays in discourses of homegrown extremism in Mt. Elgon Region of Kenya. It was therefore important to interrogate gender based facts in relation to homegrown extremism in the study area. Data on the same were collected, analyzed and the results presented in Figure 4.1.

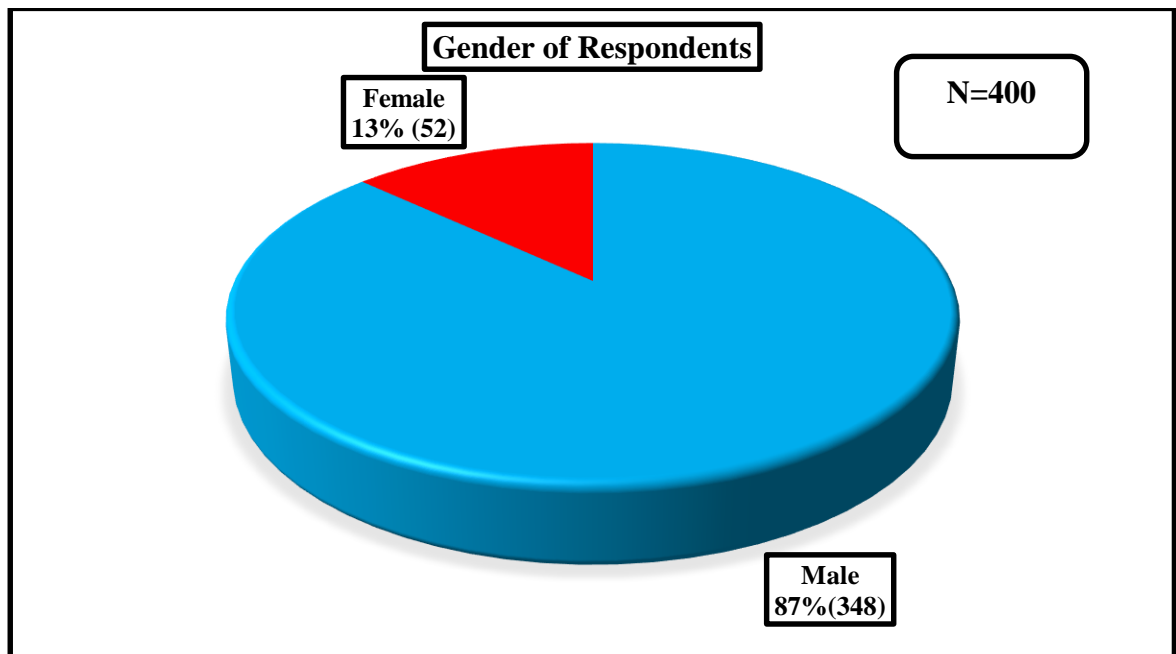


Figure 4.1: Gender of Respondents

Source: Field Data (2021)

Quantitative evidence in Figure 4.1 revealed that 348 (87%) respondents were male and 52 (13%) respondents were female. The fact that majority of respondents in the study area were male shows the instructive and active role men play in land issues in Mt. Elgon Region. In addition, being a rural and remote area, it has manifestations practice of traditional African societies which are highly patriarchal. This, the study notes that,

was observable during primary data collection with women performing supportive roles of preparing all venues for meetings. Similarly, at household level, whenever both gender of respondents were present, in 100% of those cases, the man was left to respond to the study items. The findings of the current study on domination of men in affairs of land are consistent with Wachira *et al.*, (2010) assessment of community and governance issues leading to the conflict established that the doctrine in Mt. Elgon Region is that women are to be seen and not to be heard and that they were also expected to exclusively do what the men tell them. The study also pointed out to commendable efforts that had been undertaken by a few women leaders to break the walls of patriarchy in Mt. Elgon Region.

The current study advances that, in contemporary violent extremism architecture, research studies and security agencies cannot overlook gender in matters of violent extremism-both homegrown as well as external. Timaye (2017) adds that there has been a surge in the numbers of women and girls joining violent extremism organizations (VEOs) globally. Taking cognizance of this fact, the current study advances that, security discourses on extremism cannot overlook women. Similarly, in as much women participation in violent homegrown extremism has long existed, it tends to be underexplored mainly due to the misconception that VE is and has continued to be dominated by men with women portrayed as victims (Timaye, 2017). In examining gender, the current study sought to advance those women have not only been victims of VE but also been sympathizers, recruiters and perpetrators of such activities.

The study, anchored on the Pragmatic Philosophy deviates from conventional-Eurocentric discourses of extremism which largely depict men as the predominant actors in extremism. Afrocentric findings from Mt. Elgon region reveal that in as much

as women may not have played active roles in combat, land was the only way to protect the livelihood of their families. In as much as female gender were minority respondents (52, 13%), findings should not be misconstrued to imply that they are neither peacebuilding agents, victims, sympathizers, recruiters nor perpetrators in stages of homegrown extremism in the study area. These sentiments also apply to the male gender whose predominant manifestation in academic literature was by participation in violence through the SLDF, MDF and the PRM (Simiyu, 2008; Kamoet, 2011; Ngulutu, 2013; Wafula, 2019).

Being an agricultural based community, land is very dear and necessary for survival in Mt. Elgon Region. Women also make up a considerable of the population in the study area. According to the Kenya Population and Housing Census (2019), of the entire population of 78,873 people, women comprise of 39,893 with men comprising of 38,977. Also being keepers of households, Wachira *et al.*, (2010) alludes that eviction of people from Phase III and the settlement of these squatters were of major concern to them to the point of action. Having already participated indirectly by urging their men to petition the government for land which resulted in Phase III and having seen the disastrous results, the Soy women rallied behind their men and even supported their men in the armed struggle against the government. Given the nature of the war, the women saw it in their best interests to participate in the conflict.

It is also worth noting that, the period of war curtailed economic activities, such as farming which is the backbone of the economy of Mt. Elgon, which plunged them into further poverty and eventual disillusionment and resentment at the whole conflict situation (Wachira *et al.*, 2010). This led women to participate in two ways: there are those who aided the SLDF in their war and there are those who worked against them.

The women who aided the war effort were the ones who stood to lose their land and thus decided to be part of the process of retaining their land. They were mostly the Soy women. The first role the women played in the war was that of incitement and encouragement (Simiyu, 2008). In traditional African societies, women were known to sing war songs that were meant to encourage the men as they went to battle. In the same way, women who were about to lose their land rallied together and encouraged their sons and husbands to fight for their land. This resulted in the formation of the SLDF, a militia group with the sole aim of defending their land from outside occupation.

Women also worked as spies to gather information that would aid the SLDF in their mission. This was crucial as the SLDF operated mostly from the forest and would, therefore, have no means of collecting the information themselves without being conspicuous. They needed an outside network that would be able to get the relevant facts without drawing attention to themselves. Hence, women were perfect spies because no one would suspect them and thus they easily went unnoticed. They were instrumental in informing the SLDF of impending police raids in order to avoid capture which would hinder their plans. Women also participated in the conflict by providing logistical support. They would provide the SLDF with food in order to ensure their success. Crops would be left in their farms for the SLDF to collect for food.

All this while the study has been seemingly loud on the role of women and silent on the role of men in homegrown extremism in Mt. Elgon Region. Yet the study is cognizant of and appreciates the fact that both men and women played key roles in sustaining homegrown extremism in the study area. Previous literature painting men as SLDF and active combatants while portraying women predominantly as victims of the conflict (Kamoet, 2011; Ngulutu, 2013; Wafula, 2019). The current study however appreciates

the role that gender can play in sustaining homegrown extremism and thus the need for studies, security and intelligence agencies to take into consideration the active yet silent roles both gender may play as determinants of homegrown extremism. The FGD excerpts give an account of the roles women may have played and may continue to play in homegrown extremism to the land issue remain elusive.

Sasa tuone tu mashamba ikiibiwa jameni? Ilifika mahali ilibidi mimi nisukume mzee wangu aende apigania shamba na wengine juu tukipoteza shamba tungeenda wapi?

We could not sit and watch our lands beings taken away from us. It reached a time when I encouraged my husband to go fight for our land rights. (Voice from FGD with women victims at Chebombai-Cheptais on August 17, 2021).

Nakumbuka usiku polisi wakikuja kunitishia eti niseme mume wangu yuko wapi? Mimi niliwaambia tu sijui ingawaja nilijua alikuwa kwa mambo ya kupigania mashamba yetu kwa msitu.

I remember one night the police during their random patrols coming to my house, they threatened me as they sought to know where my husband was, all I could say is I did not know where he was although I knew he was in the forest with the SLDF. (Voice from FGD with women victims at Chebombai-Cheptais on August 17, 2021).

Tulikuwa tunaweka Chakula mahali kila siku, nah ii Chakula ilikuwa inakuja kuchukuliwa na wana SLDF. Ilikuwa ya kuwasaidia wakati wa kupigania mashamba.

We used to put food for the SLDF at strategic points for them to collect it in order to sustain their fight for our lands. (Voice from FGD with women victims at Chebombai-Cheptais on August 17, 2021).

Vile vita ilikuwa inaendelea, wengine wetu tulikuwa tunajua lakini hatungesema kwa sababu tulikuwa tumeteswa kwa hii mashamba yetu. Sisi tulikuwa tunafikiria tu watoto wetu, maisha yetu na mapato yetu na Imani yote ya kupata hii yote ilikuwa tu ni mashamba yetu. Tulikuwa tumejaribu mbinu zote lakini serikali ilikuwa imetuhadaa na hivyo ndio sisi tuliwapa motisha mandugu zetu kupigania mashamba.

As the war went on, we knew quite a lot but we could not share any information with the security agencies, we had been oppressed on our lands by the government and the only hope for our livelihoods, our lives and our future was on the lands that we were almost being evicted from. We had to encourage them to fight. (Voice from FGD with women victims at Chebombai-Cheptais on August 17, 2021).

Qualitative evidence arising from FGD discussions, the search for social and economic empowerment emerges top of the complex factors that motivate women participation in VE. This is due to pro-patriarchal environments in most of Africa that privilege men and marginalize women in social, economic as well as political milieus. The findings of the current study concur that in the study area, such manifestation is evident in matters of land ownership with study findings revealing a marginal number of women as landowners in the study area, this despite the gains made in the current constitutional dispensation that is explicit on matters of gender mainstreaming. Exclusion in access to productive capacity loosely translates to feminization of poverty and dependence on men, which is likely to lead to participation in VE in pursuit for better socio-economic and political status. The current study opines that in as much as marginalization of women in land ownership might be conspicuous, that would not suffice a fundamental determinant of extremism since the majority of the community is deprived the land.

Current research data on push and pull factors for women participation in VEOs is mainly Eurocentric with few studies if any examining this phenomenon in Africa (Timaye, 2017). The current study, although not explicit, points to the fact that marginalization of women in highly patriarchal societies such as Mt. Elgon Region is a factor in their participation in VE. Timaye (2017) advances that among the complex determinants of women participation in VE are traditional norms that restrict them from taking full participation in both private and public spheres within the communities they live in.

VEOs in the Global South such as *Boko Haram*, Al-Qaeda and affiliates and well as al-Shabaab have intensified their recruitment efforts on women and girls with the promise of illusive good governance as well as social justice. As at 2015, there were about 4,000 Western fighters and migrants joining ISIS- 550 of which were women with ISIS ranks supposedly having enhanced the social status of woman by involving them in the state building process of the Caliphate of Iraq and Syria with administrative factions that included the health care, police, military and education. ISIS had incorporated women in gender segregated parallel institution known as the Women's Affairs to address women issues (Timaye, 2017).

In West Africa, *Boko Haram*, has continued to target women, widows and young girls in dire humanitarian situation by offering the opportunities for socio-economic empowerment. As of 2014, women suicide bombers in *Boko Haram* had killed more than 1,000 people in Nigeria and Cameroon. The female participants in West Africa have been compared to the Chechen "Black Widows" in Chechnya who reportedly comprised an estimated 30% of the republic's suicide bombers. Similarly, in Kenya, there have been reports that al-Shabaab have offered women better but illusive opportunities. Female jihadist in Kenya and Somalia continue to be mainly used in providing operational assistance and recruitment of militia. It is important to note that, unlike male violent extremists, their female counterparts have proven to be difficult to deradicalize given the fact that their roles more often than not remain unchanged even within VEOs.

To this end, the current study argues that in addressing extremist tendencies, CVE strategies need to incorporate a development approach in order to ensure that the concerns of men and women are equally considered in pursuit of addressing underlying

causes of grievance, extremism and sustainable peace. The current study also points out that current approaches towards prevention of extremism are not gender sensitive and as such fail to offer sustainable solutions in prevention of violent extremism. This argument is in tandem with Amakanji *et al.*, (2018) study which posited that response approaches towards violent extremism in Kenya are state centric and heavily dependent on the deployment of hard power therefore failing to prevent the negative impacts that lead to resentment and will more likely lead to more radicalization. Overall, from the findings on gender, data collected points to a given measure of gender as a core variable in studies of homegrown extremism. This is given that from the findings, there are elements of gender either holding, condoning, justifying, encouraging or supporting mutual intense feelings of hatred likely to lead to the use of violence on one Sabaot community over the other and even within the same Sabaot clan as a result of land conflicts in the area. In addition, study findings also feed the frustrations arising from relative deprivation of land in the study area. The next section interrogates land ownership as a determinant of homegrown violent extremism in Mt. Elgon Region of Kenya.

4.1.2 Land Ownership

In discourses of conflict in Mt. Elgon County, land remains as the single and most prominent issue. For a rural and remote community and in an area that has been for a long time described as Kenya's breadbasket, land in Mt. Elgon is a source of livelihood, a key economic driver, a pathway against poverty in addition to being a source of identity. This explains why attachment to land could inform studies on conflict and homegrown extremism. To this end, the study sought to interrogate land ownership with data collected used to determine the propensity of homegrown extremism in Mt. Elgon

Region. Data on the same were collected, analyzed and the results presented in Figure 4.2.

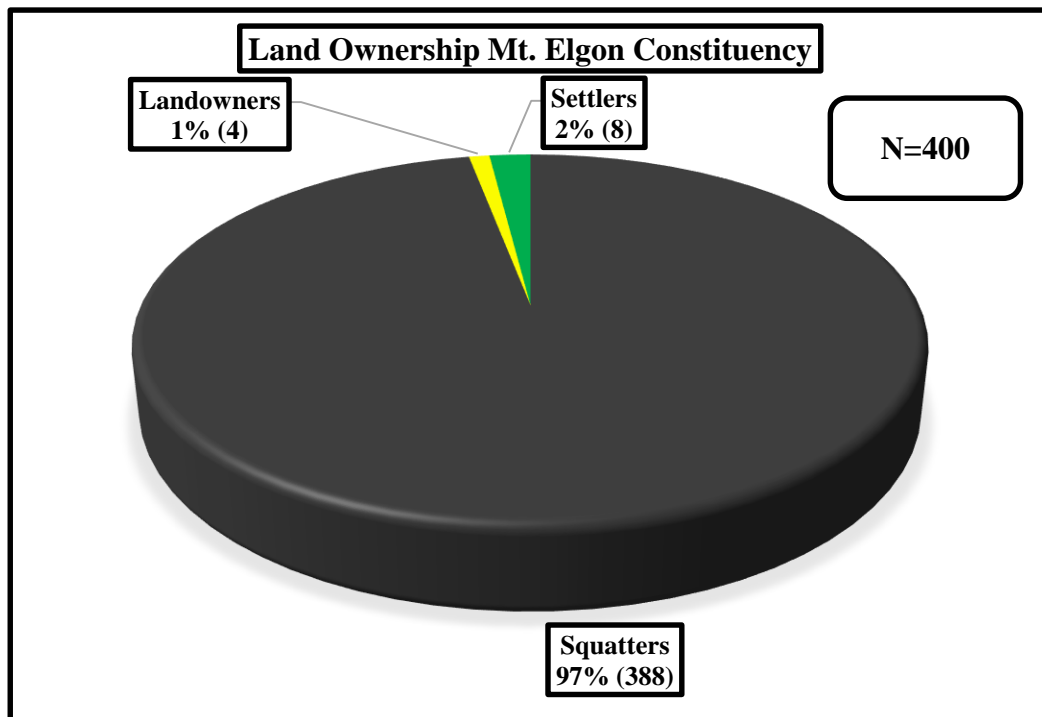


Figure 4.2: Land Ownership in Mt. Elgon Region, Kenya

Source: Field Data (2021)

Quantitative evidence in Figure 4.2 revealed that majority 388 (97%) of respondents in the study area were squatters with very marginal land evidence of land ownership. The findings revealed that only 4 (1%) owned land in the study area whereas only 8 (2%) were settlers with the settlers having no proof of land ownership. The findings thus reveal an element of legal exclusion from land ownership. The statistics on land ownership are a negation the United Nations Sustainable Development Goal number 16.9 is committed to provide legal identity for all. Legal identity on land could be in the form of an allotment letter or a title deed which an overwhelming majority lacked and thus a determinant in grievance leading to extremism in the study area. During FGD with male victims of land conflict, a title deed was mentioned as one of the single most

protective documents in land discourse exposing respondents to food insecurity, frequent evictions and lack of access to basic needs, especially food and shelter which fed to further deprivation and consequently the risk of extremism.

Study findings on land ownership were corroborated during FGD discussions with male victims of land conflict in the study area. The following is an account of responses collected during FGDs.

Hapa vile tuko wote tunafuta kitu moja tu, hiyo cheti ya shamba. Na hatutatchoka.

As you can see all of us here are looking for one thing which is the land documentation in the form of a title deed. And we will not tire in our search for it. (FGD with male victims of land conflict, Sasuri Location, August 18, 2021).

Mimi nimeishi hapa zaidi ya miaka 40, sijaona cheti. Nimezika baba na mama na watu yangu, itakuwaje leo hi unaniambia kuwa mimi si wa hapa Mt. Elgon. Nikitoka hapa kwetu kwingine ni wapi? Sijui nyumbani ingine. Lakini watu wenye sio Mt. Elgon wanapewa mashamba kubwa kubwa.

I have lived on these lands for over forty years. In those forty years, we have never stopped pursuing the land titles. I am an orphan and all my parents and relatives have been buried here. What other proof is there to show that this is not my home, even without the land title deeds? (FGD with male victims of land conflict, Sasuri Location, August 18, 2021).

Wakati wa siasa ikifika, utawaona wakikuja na kupeana title deeds. Hizo titles zenye huwa wanapeana huwa ni za kutafuta kura tu. Sasa sisi kila mwaka ya siasa, ni kuahidiwa tu na kukuja kupeana titles zenye hatupatangi.

When the political campaigns period come, you will see them (referring to politicians) coming and claiming to distribute title deeds. As a matter of fact, those titles that they always claim to distribute never reach the beneficiaries, yet they use that to gain political mileage. (FGD with male victims of land conflicts, Sasuri Location, August 18, 2021).

The current study is cognizant of the consistency of the usage of the word exclusion and marginalization in studies of terrorism. Study findings on land ownership paint a

dire situation of marginalization and exclusion in the form of lack of title deeds and therefore lack of any form of protection in land ownership which exposes respondents to frequent evictions. These findings are consistent and have nurtured the growth of violent extremism across the world and Africa in particular thus supporting the pragmatic Africanacity philosophy which this study is anchored on.

The findings of the current study on marginalization on land ownership are corroborated with Afrocentric examples with the emergence of notable homegrown violent extremist organizations in Africa is centered around issues of exclusion and marginalization of resources. The emergence of *Boko Haram* in Nigeria, for instance, is centered around the narrative of and politics of exclusion and unequal resource distribution between the Muslim North and Christian South with the former perceiving their impoverishment as a result of this distribution of resources. In addition, the Global Terrorism Index (2016) ranked *Boko Haram* as the world's deadliest terrorist organization. In the last decade, the Arab Spring Uprising was also shaped by exclusionary narratives surrounding lack of jobs for youthful populations, oppression by totalitarian regimes among others. Similarly, the foundations of some of the most prominent violent extremism groupings such as al-Shabaab, al-Qaeda and Hezbolah are consistent with issues of socio-economic marginalization and exclusion. Similarly, the Rwanda Genocide which epitomizes discourses of extremism in Post-World War II era was about exclusion (Uwizeyimana, 2017).

The findings of the study also reveal the very nature of intractability and the increasing challenge of solving and providing sustainable solutions to the land problem in Mt. Elgon Region. At the time of writing this thesis, it is important to point out that since 1971-when the politics of the Chepyuk settlement began, the population of the region

has since grown almost three folds. And this could complicate pursuit for lasting solutions even more. The findings of the current study are consistent with Youé (2002). According to Youé (2002), squatter numbers are often underestimates because of squatters' relative 'invisibility', the result of attempts to avoid state control. This invisibility especially due to population growth in a conflict spanning four decades could further complicate debates around conflicts and extremism surrounding the land problem and serving as a catalyst to the intractable nature of the conflict in Mt. Elgon region.

Indeed, the findings of the current study are in agreement with Youé (2002) sentiments that, squatting is a 'problem': an insidious drug, easily acquired, but sorely difficult to do away with', or 'thoroughly uneconomic and not in keeping with the modern needs of farming'. In 1945, it was proclaimed as one of the biggest problems facing Kenya, a problem of 'almost unmanageable proportions'. The reason was the impossibility of evicting squatters. As the colonial office would not consent to it, the squatters would have to be accommodated. This would spell the end of the White Highlands.

The findings of the current study on land ownership as a determinant of homegrown extremism are consistent with Hassan (2018) which linked the emergence of an extremist group Mombasa Republican Council (MRC) to landlessness and exclusion from land ownership in the squatterdoms of Coastal Kenya. The group's main slogan was "*Pwani si Kenya*" (The Coast in not Kenya)- a Swahili slogan founded from the perception that the Coastal Strip of Kenya, despite being a leading tourism destination, the residents continued to languish in poverty and landlessness with its development not in tandem with the rest of Kenya. Therefore, the group's main agenda was to secede the Coastal part of Kenya so that the residents in the Coast can have full control and

use of their resources. Again, it is important to point that MRC's agenda was anchored on issues of exclusion and marginalization that are consistent in debates and discourses of homegrown extremism. The main issue that MRC was fighting for is that of land (Kisiangani, 2012). This problem can be traced back in 1887 when Seyyid Said, the sultan of Zanzibar allegedly leased the 10 miles (16kms) large coastal strip to the magnificent British East Africa organization, which viably made the seaside occupants squatters in their territory (Mwachala, 2013).

Consistent with these findings and rise of landless populations, is the practice of allocating land to outsiders with close ties to the respective ruling regime. This was noted during the FGD discussions. This practice has since either led to the displacement of indigenous people from what they consider to be their ancestral land or has left them exposed to evictions by returning absentee landlords. These historical injustices have not been addressed and continue to cause havoc to this day. As much of the land in Coast region is now owned by a few wealthy individuals, indigenous people are left vulnerable to land dispossessions, as many reside on land without owning formal title deeds. This led to the emergence of homegrown extremist group in the form of MRC in the Coast Region and thus the need to governance structures to expedite the management of land and resource based issues not only in Kenya but also in the African Continent.

Study findings on marginalization over land ownership are corroborated by Warah (2017) on the fact that it is likely to lead to development of in-group versus out-group stereotypes which are likely to escalate and used to target either communities in a full blown conflict setting between perceived relatively deprived and relatively privileged groups. These stereotypes may also extend to settler communities whom at this point

may be excluded as not being indigenes of the area. These may lead to exclusionary attitudes between the indigenes and settler communities. Warah (2017) argued that while issues over land are deeply embedded in history, today the prejudicial attribution of land is leading to wider separations and divisions in the country. In Coast region, for example, people consider themselves ‘Coastarian’ rather than Kenyan. Warah (2017) noted that calls for secession by politicians from Kenya’s Coast region pointed to deep-seated grievances that went back at least one hundred years. Many of these grievances are related to landlessness and historical injustices that have yet to be resolved and which have been consistently underplayed by successive governments. People from the coastal region of Kenya have a word for those who are not indigenous to the region – *wabara*, which literally means “people from the mainland”, but which is often interpreted as “outsiders”. It is a designation that reflects a mindset that views the rest of Kenya as being separate or different, a worldview epitomized by the rallying cry of the secessionist Mombasa Republican Council – “*Pwani si Kenya*”.

Wabara is mostly associated with post-independence leaders who exacerbated landlessness and disenfranchisement in the region by implementing settlement schemes that provided land in the region to non-coastal people or by usurping large swathes of prime beach and other property for their own personal benefit. A major consequence of these land grabs has been land alienation and grinding poverty among the region’s people. Despite its abundant natural resources, the coastal region is considered amongst the most impoverished region in the country. Government data shows that three of the six counties in the region, namely, Tana River, Kilifi and Kwale, rank among the poorest in Kenya. These counties generally have high illiteracy rates and extremely low rates of secondary school enrolment. Tana River, Kwale, Kilifi and Lamu counties also

have the highest levels of inequality. This is complicated by the fact that land tenure is ambiguous or is not officially recognized. It is estimated that more than 60 per cent of indigenous coastal people do not possess title deeds to their land and that some of these people have entered into a kind of quasi squatter-tenant agreement with land owners. In other words, a sizeable majority of the region's people live as squatters on their ancestral land.

Simmering conflicts between the indigenous population and the settlers and landowners could escalate especially when the indigenes are marginalized on land ownership. This was the case in 2014 in the coast of Kenya when Al Shabaab militants brutally killed more than 60 men from the ethnic Kikuyu community in the villages of Mpeketoni and Poromoka in Lamu West. At the time, most Kenyans were not even aware that there was a large Kikuyu community living in Lamu until the attack. Mpeketoni is one of the settlement schemes that was set up by the late President Jomo Kenyatta in the 1970s for poor and landless Kikuyus from the central highlands of Kenya. Although the Kikuyu settlers are not indigenous to the area, they have lived relatively peacefully for decades with the local Bajuni and Swahili populations and have even turned Mpeketoni into a thriving rural settlement. However, given the endemic landlessness and historical grievances of indigenous coastal communities, Mpeketoni stands out as a community that has benefitted from political patronage and favoritism, and is, therefore, often viewed with suspicion by the locals. The settlement schemes in Lamu West have even been described by some locals as a “cultural invasion” or what Professor Abdalla Bujra, a respected scholar from the coast region, describes as “internal colonialism”.

The findings of the current study on land ownership also compare with Ngumbao (2012) study on the issue of landlessness and the emergence of extremist groups.

Ngumbao (2012) alluded that the MRC was funded by membership contribution who payed non-refundable fee of one hundred shillings. Their meetings were done in forests and sometimes during burials where they used manipulation and propaganda to earn support and sympathy from members of the public (Ngumbao, 2012). Few members of the group vied for elective positions, where they allegedly promised to represent the MRC agenda through legislation and negotiation with the government. There were witch doctors within Kilifi County who had been bestowed with permission and powers to conduct oath and ritual to all MRC members so that they could keep all secrets and activities of MRC. Most of MRC members received their training in forests. Like the SLDF, MRC's trainings were conducted by ex-police officers who had either retired or were fired from the service (Ngumbao, 2012). Study findings on marginalization over land ownership feed to debates on relative deprivation with extended marginalization translating to frustrations which are likely to inform emergence of alternative pursuit for pursuit for justice over land.

4.1.2.1 Women and Land Ownership

From the FGD discussions, study findings established that women were excluded from land ownership in Mt. Elgon region. Nyambura (2014) study advanced that women account for 50.3 per cent of the national population but face challenges in accessing and controlling land resources- which the current study alludes could count as a determinant of homegrown extremism in the near future. Whether in education, employment, and land rights or seeking health, women tend to be disadvantaged. The study concluded that women had no equitable access to land and this created conflicts when they tried to inherit land from heir matrimonial or husband's family land. The study also added that women had no protection of rights to property in that they did not have a title deed to their land. The findings are a negation of Chapter Four of the CoK

2010 on the Bill of Rights provides for equitable access to land, security of land rights and elimination of gender discrimination in land governance and land based resources. Although, the current study argues that women in land ownership in the study area would not suffice as an area warranting immediate attention given that men in the study area are also deprived from the lands. The starting point of such an investigation would be access to land, which seems to be a distant mirage for the households in the study area.

4.1.3 Age of Respondents

In studies of extremism, age is a key variable when it comes to informing participation and non-participation in extremist discourses. Therefore, the determination of age of the respondents was motivated by the researcher's need to understand the radicalization process into the conflict environment. It was also used to determine what ages the respondents were at the establishment of the Chepyuk settlement schemes in 1971; at the height of the conflict in that occurred between 2006-2008 and the repeat mini violence that occurred in late 2018 prompting a six months long dusk to dawn curfew. Data on the same were collected, analyzed and presented in Table 4.1.

Quantitative data in Table 4.1 revealed that 44 (11%) respondents were aged 18-24 years, 100 (25%) respondents were aged 25-35 years, 204 (51%) respondents were aged 36-45 years whereas 56 (13%) of respondents were of age 46 years and above. Study findings on age revealed that 56 (13%) of the respondents were in the brackets of above 46 years of age which was the highest age for this study. The implication is that at the height of the conflict almost 14 years ago, they were between the ages of 28-32 years. This means that this population category witnessed the conflict, participated either directly or indirectly and or were victims of homegrown violent extremism. It is

important to point out that the SLDF did take into consideration ages members within households and were in most cases concerned with adults as their special category of persons. There is scarce academic literature on SLDF and underage children in Mt. Elgon Region although, at this point the researcher can authoritatively state that from the data collection exercise, there was no engagement between SLDF and children in Mt. Elgon region.

Table 4.1: Table Showing Age of Respondents in Mt. Elgon Region, Kenya

Age of Respondents	Percentage (Frequency)
18-24 years	11% (44)
25-35 years	25% (100)
36-45 years	51% (204)
+46 years	13% (56)
TOTAL	100% (400)

Source: Field Data (2021)

The current study advances that given the experiences of this category of respondents, they are likely to have a broad history on key facts and history about the development of extremist tendencies since the establishment of the contested Chepyuk settlement scheme. This category also has fresh memory of the past and hence they are likely to have accumulated valuable lessons from the past that could serve as a catalyst of in positively or negatively influencing homegrown extremism in the study area. In addition to accumulating valuable lessons, with the unresolved land conflicts, it is likely that this category has suffered from land injustices more than the rest of the population

categories interrogated in this study and therefore have the “highest” grievance levels that are likely to shape and determine development of current and future extremist tendencies.

With a prolonged search for justice and with fading levels of energy, the second reason lies on their ability to both socialize and radicalize young generations on ideologies of discriminative policies- constructive and destructive, stereotypes in addition to their ability to over time inject genocidal tendencies among the next generation in the form of their sons, grandsons, friends and relatives. Mwamvaneza (2018) adds that, parents play a key role in inculcating values- conviviality, civility, tranquility and so forth for the greater societal harmony and peace cannot be overemphasized. The foregoing view is supported by Rwanda National Policy on Unity and Reconciliation (2007) emphasizing: “To inculcate the culture of peace, beginning with the family set up,” (p.13). Noteworthy, in retrospective, parents played a crucial in planting the culture of hate in pre-genocide Rwanda a whole and Kamonyi in particular. Therefore, this age bracket is important for a study of this nature especially in pursuit of valid research results with regards to homegrown extremism over intractable land conflicts in Mt. Elgon region.

The next age bracket comprised of respondents between 36-45 years. This category of respondents were between the age of 22-31 years during the conflict and therefore represent an age bracket of who depending on their socio-economic orientation exhibit constructive and destructive orientation. The current study concurs with Mwamvaneza (2018) study on *Girinka* Reconciliation and Sustainable Peace in Kamonyi District of Rwanda. According to this study, state and non-state actors, specifically peacebuilders have noted the destructive nature of uneducated and unproductive youths. It is worth

noting that youths are prominent subjects in studies on violent extremism, insurgencies and militia and terrorism (Amakanji *et al.*, 2018; Mwamvaneza, 2018; Chumba, 2016; Chumba, 2013). Similarly, this age bracket represents a special category of respondents who are likely to be active parents and active members of the society and therefore heavily dependent on land as a source of livelihood. In addition to being socialized and radicalized extremist tendencies over land in the area, this category potentially represents the most “irate” age bracket who would easily engage in extremism in pursuit for land in the study area.

The next category interrogated were those between the ages of 24-35 years. This category comprised 100 (25%) of the sample size. At the peak of violent extremism in Mt. Elgon, this category were aged between 10-21 years and there is a likelihood that a good number of them were victims of the violence through displacement. In addition, it is likely that this population category had had their family members directly or indirectly involved in the conflict. For this category there is a likelihood of socialization and radicalization into the conflict by the first and second category of respondents either as their parents and grandparents as well as relatives and neighbors. In studies of extremism, this age bracket represents a special category that could indeed serve as the most active participants in future conflicts over land and thus an essential age bracket for a study of this nature.

The last category interrogated are those between the ages of 18-24 years. These comprised of 44 (4%) of the sample size. At the peak of extremism in Mt. Elgon, this population category were aged between 4-10 years. It is important not to overlook this category on studies of extremism and armed conflicts because it serves as the youngest and easiest targets of extremist discourses. These are the easiest to influence either

constructively or destructively. This category, the current study opines- should the land issue remain intractable could inform the next category of active participants in socializing the Mt. Elgon community into extremism. Therefore, of particular interest to this study is this category because they hold the keys to sustainable peace in future.

Study findings on age are corroborated with Kobusingye (2018) study which demonstrated how war may significantly enhance the authority of male youths in land governance, at the expense of the elders and customary authority. Although, conventional analyses of rural youth in Africa describe their migration to cities in search of education and employment, and due to pressure on rural land, which leaves elders and customary institutions firmly in charge of land governance. Kobusingye (2018), in contrast, suggests that in post-conflict environments an entirely different dynamic may take place, as the majority of youths remain in rural communities and become the new power holders over or managers of land. This argument builds on findings from ethnographic research conducted between 2011 and 2013 in Acholi sub-region in Northern Uganda. The analysis highlighted different war-related processes through which youth claim and establish authority in land governance.

First, after war, youth fill up the vacuum in land governance left by the death of elders during the violence. Moreover, war favors youth in the ongoing struggle for authority between youth and elders, in particular when staying in IDP camps and participation in the war have eroded conventional legitimacy of the elders. Third, the youth are better disposed to seize opportunities created by war, notably the commoditization of land. An important dynamic is also that war legitimizes violence as a way of accessing land, a strategy which is mainly employed by youth. Kobusingye (2018) study concluded that by asserting that this new (claims to) authority of youth in land governance may

have irreversible effects on customary tenure, as ownership of rural land is becoming increasingly individualized and conflicts become more difficult to solve.

Study findings are further corroborated by Richards (2006) study which pointed out how patriarchal tenure relations – in which youngsters highly depend on the elders for accessing land, being able to marry, and acquiring esteem and manhood – may constitute an important source of grievance for young men. Likewise, after war, poverty levels may soar so much that elders become incapable of contributing to their son's marriages, which further weakens elders' legitimate hold on power.

Youth in post-conflict communities may have become accustomed to the use of violence because they were abducted, heard gun shots, witnessed killings, or were beaten while living in the IDP camps. Some researchers, policy makers and NGOs point out that youth in Africa are relatively violent anyway (Abbink, 2005; Blattman and, Annan, 2008. For instance, Abbink (2005) noted that African youth often grow up in communities that are not well integrated may be because of violence and forces of global capitalism. The youth's resort to violence in post-conflict settings may be rather a manifestation of this general lack of communal integration. Other authors have pointed out that the youth's resort to violence plays an important role in building masculinity. In many instances, youth become in charge of holding and governing land simply by replacing members of the elder generation that have died during the violence. In many families, youth no longer patiently wait to inherit authority over land from the elders, but pressure their fathers to relinquish authority over land while they are still alive, legitimizing themselves with new rationales for land inheritance for example use of force.

Similarly, after war, youth may challenge the customary authority of elders in land governance and so transform the ways in which land has been accessed so far, because they fought themselves up in the power hierarchy by getting access to other sources of income and maybe even weaponry. The youth gaining authority over land in post-conflict settings may be seen as an outcome of the “versatility and survival skills of the youngsters” (Abbink, 2005:2) they gained during the conflict. Other than that it is also important to note that communities always have more youths compared to elders (Richards, 2006) and this can be used as an advantage by youth to exert leverage in land governance in post-conflict settings. Therefore, power shift in land governance as a result of war may enable the youth to benefit from land, yet constrain the elders from benefiting from their right to land. Youth in post-conflict communities may have become accustomed to the use of violence because they were abducted, heard gun shots, witnessed killings, or were beaten while living in the IDP camps.

Death of elders affects most the customary tenure system where land rights are not documented but are orally passed on from elders to the youth or younger generations. After war the demand for land access is always high because of the increase in the youth population due to the high birth rates in the camps. As the youths struggle to access land without the elders to manage land, land disputes are bound to happen in post-conflict settings. War reorganizes the population structure of a community. War leads to death of elders and a shrink in their numbers while the youth population surges because of high birth rates in camps linked to redundancy. Under customary tenure, the authority to govern land is embedded in elders therefore their abrupt demise due to war contributes to an increase in intra family land disputes especially disputes over land boundaries.

Kobusingye (2018) study in Northern Uganda established that the youth have become vanguards in land governance at the community level in post-conflict situation. The youth are more in numbers compared to the elders. The study established that youths used their numbers to their advantage, to organize themselves and refute decisions on land that were made both by the government and elders that do not work in the interest of the youth. There was also the use of violence as a new form of access to land by the youth; this was attributed to getting accustomed to violence during the war, ignorance about customary way of governing land but also to the fact that the youth are energetic. The inability to find jobs outside agriculture influences the role of youth in land governance. Majority of the youths cannot be absorbed in the formal economy (unemployed youth); this leaves them with only land as a source of livelihood. Most of them are not competitive in the labor market therefore they cannot get formal employment because they do not have the required skills. The youth are so energetic and this energy has to be sunk into productive work but since they cannot get jobs elsewhere, the energy is diverted to land but in most cases in a negative way.

4.1.4 Number of Years as a Resident in the Area

The study in an effort to interrogate and understand determinants of homegrown extremism, examined the number of years' respondents had lived in the area. This variable, the researcher considered important for a study of this nature because, the number of years lived in an area will likely determine attachment to that particular area and inform the propensity of extremism as a result of interaction with the area over a given period of time. Data on the same were collected, analyzed and the results presented in Figure 4.4.

Quantitative evidence in Table 4.2 reveals that majority 308 (77%) respondents had lived in the study area for more than 16 years, 60 (15%) respondents between 11-15 years, 20 (5%) respondents between 6-10 years whereas only 12 (3%) of the respondents had lived in the study area for less than 5 years.

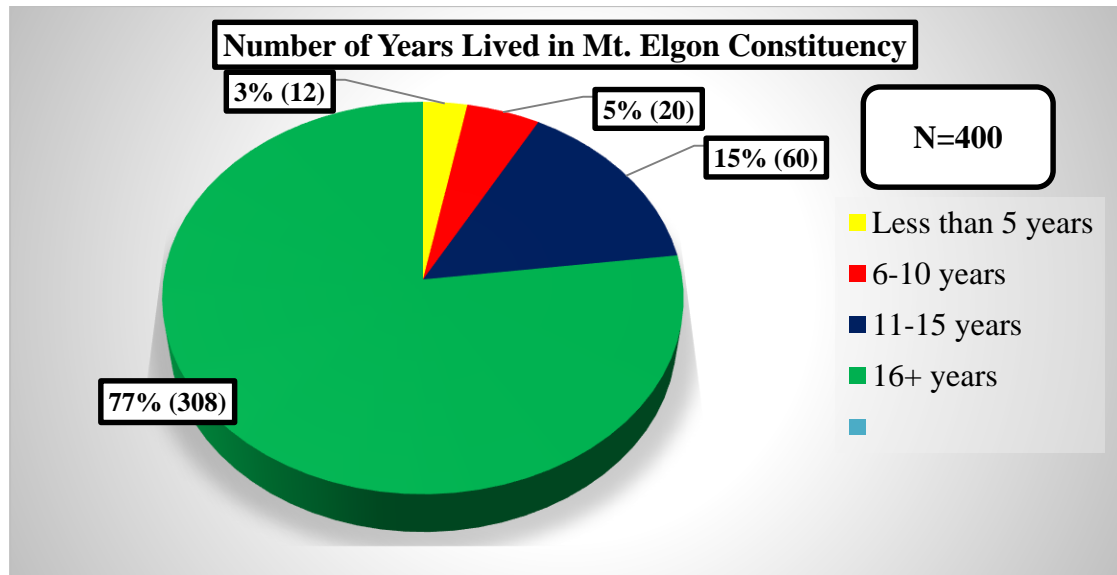


Figure 4.4: Figure showing number of years’ respondents had lived in Mt. Elgon Region, Kenya

Source: Field Data (2021).

Respondents (308, 77%) who had lived in the area for more than 16 years had: broad history about the nature of land conflict in the area; had knowledge about the development of extremist tendencies in the area; experienced the worst periods and manifestations of homegrown extremism in the area and therefore based on the three aforementioned issues experienced the real pain of land injustices and were likely to hold more grievance than those who had lived for fewer years and at the same time had adequate knowledge to chat the best way forward to sustainable mitigation measures against homegrown extremism. In addition, number of years lived in a particular area comes with a sense of identity and entitlement to land rights.

Study findings on the number of years' respondents had lived in the study area are in agreement with Abiodun (2007) study on natural resource conflicts in Africa. According to Abiodun (2007), land is an important part of livelihood in most of Africa, in addition to having sentimental and cultural value. Africa, land's importance transcends economics into a breadth of social, spiritual and political significance. In this respect, residents of Mt. Elgon Region felt that it was grievously wrong to force them out of their ancestral lands and bringing "strangers". Their ancestors had been buried on that land; they themselves had been brought up on it and in turn had brought up their own children on it, too. This land was dear to them. The thought of parting with it was unthinkable. Iteyo (2009) writing on the spirits of the dead in African cultures, argued that belief in the spirits of the dead in African cultures is widespread. Spirits are believed to have more power than humans, but have less power than God. In the Luba thought for instance, as Tempels (1969) writes, there is belief that the dead fathers of the community still exist but in spirit form. After God in terms of force, he writes, come the first fathers, founders of the different clans. The ancestors constitute the most important chain, binding humans to God. They occupy an exalted rank, in that they are not regarded as the ordinary dead. These thus makes it difficult for communities to detach from the lands in which they have buried their relatives. The thought of forced eviction therefore feeds into grievance and extremism over intractable land use conflicts in Mt. Elgon region.

Findings on the number of years lived in the area are concurrent with Fearon (2001) study that, populations that are concentrated regionally, who populate not only cities but the surrounding rural areas, and who constitute the predominant population in their region, are far more likely to be engaged in sustained rebellion against the state than

dispersed or urban-based groups that have no regional base in which they are the predominant group demographically.

Groups whose ancestors lived in the region in which they now live, and who constitute the predominant population of that region, have a regional base. When groups that have a regional base face demographic pressure through internal migration, they become likely candidates for rebellion. Weiner (1978) refers to these groups as “sons of the soil”. Meanwhile, those minority groups whose ancestors arrived in the country since the nineteenth century will be called immigrants. Immigrants, are not likely candidates for rebellion. Nor are internal migrants who settle in the regions populated by sons of the soil. In as much as extremism in Mt. Elgon Region does not really manifest the face of immigrants, with both the Soy and the Mosop being indigenous groups, there is an element of entitlement to equitable access to land rights which emerged as a key source of grievance in the build-up to the conflict. Fearon (2001) explain why sons of the soil, but not the immigrants who settle in regions populated by ethnic others, are likely to be engaged in rebellion against the state.

The importance of territory for concentrated populations and the perceived threat to those populations by government-induced settlement policies would appear to support a grievance-based explanation for any political or military mobilization by groups that face territorial encroachments. Several analysts have already developed explanations linking sacral views of ancestral homelands to the susceptibility of war should those homelands ever become threatened by immigration (Fearon & Laitin, 2011).

Lopez Vazquez (2001) assumes that humans are genetically or culturally disposed to aggression over territory, and suggests that this disposition leads to both the creation of territorially bounded states and incendiary conflicts over their boundaries. From these

works the current study infers an explanation for the relationship of geographic concentration of ethnic groups and the likelihood of civil war namely, that territorial encroachment by a state on a regional population is a supreme grievance that makes rebellious mobilization more probable. Since the costs of these territorial disputes are often far higher than any calculation of the economic or strategic worth of the land in dispute.

To develop this argument, the current study advances that regional concentration has a characteristic akin to what we called “rough terrain.” For a state to identify rebels in a sea of their ethnic kin requires them to have good information about this population, and who among them are loyal citizens of the state. A regionally concentrated population is therefore like a minefield for a state, as its agents are subject to ambush and treason in seeking to establish order in a potentially rebellious region (Lopez Vasquez, 2001). At the same time, a regionally concentrated population is a boon to rebels, as they have easier access to food (available from the farms in the rural areas of their homeland), sufficient space for arms caches, and with high levels of information about the activities of the local population (relative to that of the state), an ability to monitor that population to assure themselves local support. Urban populations can secretly denounce rebels of their own ethnic group to authorities and avoid punishment for it; in the rural zones of regional bases, however, those who denounce rebels to authorities are more easily traced by rebel leaders. That rural populations cannot without a high probability of punishment denounce rebels who are fighting in their name helps explain why a regionally concentrated population with a rural base gives a strategic advantage to rebels. To this end, therefore, the current study argues that

number of years' residents lived play a catalyzing role in development and sustaining homegrown extremist groups.

4.1.5 Whether Respondents Had Migrated to Other Places Since Birth

Tied to the number of years' respondents had stayed in the study area, the study also sought to examine whether respondents had migrated from their homes since birth. The researcher considered this as a key variable in determining homegrown extremism in the study area. Data on the same were collected, analyzed and the results presented in Figure 4.5. Quantitative evidence in Figure 4.5 revealed that majority 372 (93%) respondents had never migrated from their homes since birth whereas only 28 (7%) respondents revealed that they had migrated to other places and came back.

These findings are significant for this study because they inform a sense of entitlement to the lands resulting from having lived in an area as old as one is. Secondly, having not migrated could be attributable to the current place of residence being adequately endowed in livelihood sustaining activities. This is because, one of the key reasons individuals do migrate is search for better opportunities and sources of livelihood elsewhere. Similarly, inability to migrate could be as a result of lack of resources to actualize the migration. This is because, moving from one place to another will usually require resources to settle and begin life anew in the new home area. The current study also opines that lack of "movement" could be attributable to lack of a competitive edge by respondents especially education-wise thus inhibiting respondents with opportunities for social and economic mobility. All the aforementioned factors eventually feed into feelings of grievance, injustice and extremism when challenged with threats of evictions. This could have informed the formation of SLDF and will also continue to inform extremist discourses in Mt. Elgon Region.

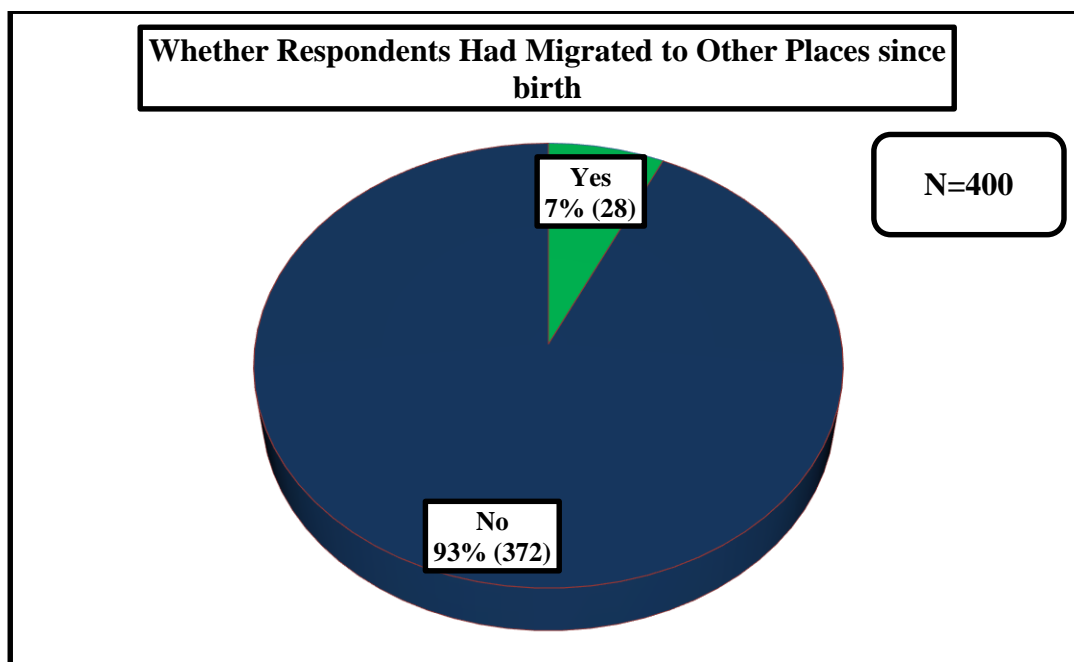


Figure 4.5: Figure showing whether respondents had migrated to other places since birth

Source: Field Data (2021)

The findings on whether respondents had migrated are in agreement with Fearon (2001) study. According to Fearon (2001), under conditions of low GDP, populations that are concentrated in a rural base are likely to become embroiled in a rebellion against state forces when threatened by state supported migration. These are “sons of the soil” rebellions. Meanwhile, migrants themselves, while they are almost equally likely as sons of the soil to be engaged in political protest, are far less likely to become embroiled in a rebellion against the state. The fundamental point is that states have a variety of incentives to support migrants when they face low-level pogroms by threatened members of the autochthonous population. If local police are unwilling or unable to cauterize inevitable local incidents, state forces ally with migrant militias to bring order. Under those conditions, autochthonous militias are likely to target the armed forces of the state. If they succeed, the army- facing informational deficits in distinguishing

rebels from non-rebels among the autochthonous population - is likely to respond through indiscriminate punishment. Such punishment has the effect of mobilizing a wider set of the autochthonous against the migrants and the state. This is the beginning of a violent spiral of ethnic war.

It has also been said that “the survival of indigenous cultures throughout the world is heavily dependent on protection of their lands” because removals of such communities from their lands often endanger not only their cultural values, such as language, link to their ancestors, sacred sites, but also the lives of their members (Kymlicka, 1995). In her final report on the relationship between indigenous peoples and their lands, Ms. Erica-Irene A. Daes, then Chairperson Rapporteur of the U.N. Working Group on Indigenous Populations, stated that the relationship between indigenous peoples and land has “various social, cultural, spiritual, economic, and political dimensions and responsibilities”. Indigenous peoples do not indeed claim just any land, but lands which have cultural importance for them. For indigenous peoples, lands are not only for providing food, medicine, fuel, grazing and browsing for livestock, fish and game, but also, and perhaps more importantly, lands have “non-market values such as ... water retention, inheritance value, aesthetic, shade, initiation sites, sacred areas, and the prevention of soil erosion, (which) are rated highly in (an indigenous) community”.

Indigenous peoples have indeed “a distinctive and profound spiritual and material relationship with their lands”. They “view their relationship with the land as central to their collective identity and well-being ... People and land and culture are indissolubly linked ... (lands express) the rights of ... communities to self-preservation ... The foundational right accorded to collective entities capable of bearing rights would be meaningless without a right to the continued possession and enjoyment of their land”.

Lands are simply “the *raison d’être* of indigenous peoples’ culture”. That alien activities on indigenous peoples’ lands undoubtedly can threaten the “way of life and culture” of such peoples, has also been emphasized by the Human Rights Committee.

The findings on number of years respondents had lived in the study area are supported by Manji (2022) who further argues that because sites such as graves have more than a symbolic value, the Maasai living within the Ngorongoro area close to the forest reserve of Karatu District (part of the Highlands of Tanzania) are challenging the ban which prevents them from gaining access to these forest lands. Not only are these lands important for grazing, particularly during the dry season, but also, and more importantly, the Karatu forests host grave sites and traditional medicinal plants. Overall study findings on whether respondents had migrated indeed feed into extremism given the level of grievance and possibility to convince these populations that indeed there is another home for them. All this uncertainty about their homes, the current study opines feeds into grievance and the risk of extremism in the study area and thus a determinant of extremism over intractable land-use conflicts.

4.1.6 Source of Income

The study also sought to examine respondents’ sources of income. Data on the same were collected, analyzed and presented in Figure 4.6. Quantitative evidence in Figure 4.6 revealed that majority 292 (73%) respondents depended farming as their source of income, 84 (21%) respondents depended on businesses that was largely dependent on the sale of agricultural products and only 24 (6%) respondents were in formal employment. These findings have significant implications for policy as they speak to Afrocentric issues with over 60% of Africa’s population practicing farming as the main source of livelihood. Therefore, should this source be challenged as is the case in Mt.

Elgon, this is likely to feed into grievance and conflict because the domino effect over lack of it translates to lack of income, food insecurity and thus an inhibitor to the attainment of SDGs.

The implication is that land is key source of livelihood in the area and therefore deprivation of land through eviction or any other activity informs development of grievance feeding into extremist tendencies. Humans need a number of essentials to survive. The absence of these needs creates an insecure man, whom as explained can no longer be sure of the future (Abaho, 2020). According to the renowned psychologist Abraham Maslow and conflict scholar John Burton, these essentials go beyond just food, water, and shelter. They include both physical and non-physical elements needed for human growth and development, as well as all those things humans are innately driven to attain. Human needs theorists argue that one of the primary causes of protracted or intractable conflict is people's unyielding drive to meet their unmet needs on the individual, group, and societal level. At the bottom of the human needs pyramid, is food. The current study argues that without access to land in the study area, access to food and income becomes a near impossibility and therefore feeding into already pre-existing tensions and conflict in the area. Human needs theorists offer a new dimension to conflict theory. Their approach provides an important conceptual tool that not only connects and addresses human needs on all levels. Furthermore, it recognizes the existence of negotiable and non-negotiable issues. That is, needs theorists understand that needs, unlike interests, cannot be traded, suppressed, or bargained for. Unfortunately, human needs are often destroyed during the conflict phase complicating the process of post-conflict recovery and grooming a fertile ground for fresh conflicts.

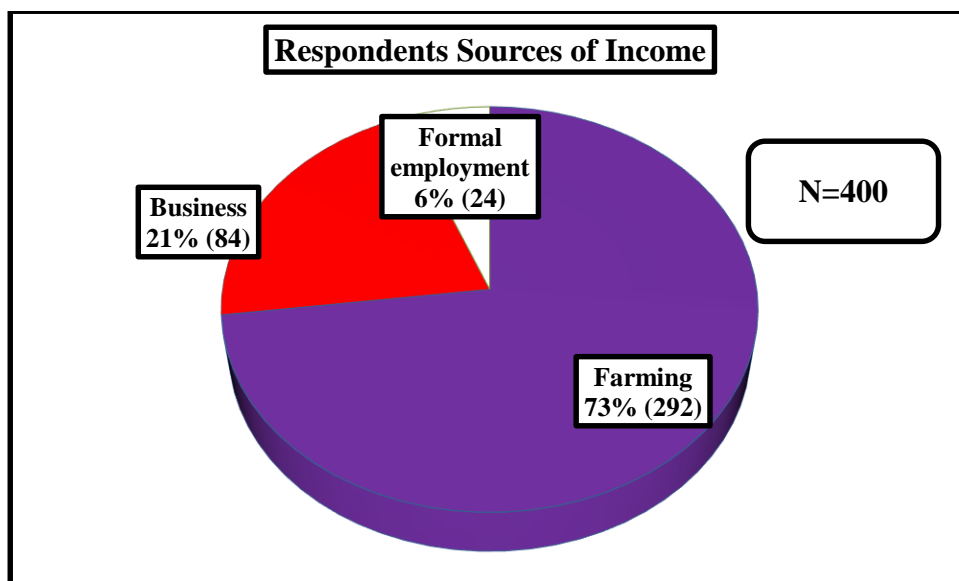


Figure 4.6: Respondents Sources of Income

Source: Field Data (2021)

Study findings on source of income are corroborated by Goldstein & Pavehouse (2009) study which observed that to put economic growth on a firm foundation, societies must meet the basic human needs of most of the population. Thus, people need food, shelter and other necessities of daily life in order to feel secure. improved nutrition increases the capacity to earn and produce, and the income earned provides the means to buy food. Having access to adequate food affects people's ability to participate in all spheres of economic, political and social life and to move out of chronic poverty. Without doubt, participation in all spheres allows human security to thrive and human focused development to take place. Such development can be a recipe in preventing violent conflict for it allows addressing the underlying issues in the course of the conflict while leaving room to address the conflict driving factors in the process of recovery.

Olaosebikan (2010) recommended that for the African continent to rid itself of conflict, there should be a deliberate focus on poverty eradication. This, the writer argued is attributed to the fact that a poor man who has been economically humiliated and

financially traumatized may not be able to act in his right senses. Humiliated, a poor man can steal, kill, maim and destroy. Unfortunately, just as dissatisfaction of basic needs can lead to conflict, so too does conflict destroy the existing basic needs infrastructure.

Despite the fact that basic needs are key in determining one's level of happiness, contentment and feeling safe, the condition in Africa gives a blurred image. The continent, according to Mentan (2014) has consistently remained among the top places for conflicts: despite the lack of basic social services, the military are often well financed and equipped. This image falls short of the visions of the post-independence African leaders such as Nyerere and Kaunda who called for a dignified life for the African through their philosophies of *Ujamaa* and humanism respectively. But this is not shocking for the African State borrows its history and existence from European politics of Administration that is rooted in Westphalian thinking which is parallel to the Pragmatic Africanacity philosophy that is the philosophical spine of this study.

These results emphasize the importance of country poverty and slow economic growth as predictors of civil war. These are country-level variables. The sense of outrage and mobilization described in this section reads like a "grievance" rather than an "insurgency" story. Yet what must be explained is why grievances related to land invasion into a rural population base have incendiary implications for rebellion, while other sorts of grievances do not.

Fearon (2001) adds that there is a substantive and a methodological answer to this question. On substantive grounds, policies that turn rural men into refugees make them natural recruits for insurgencies, as they have few other opportunities in life, especially if the country economy is poor. This helps explain also why sons of the soil wars tend

to last so long. With migrants occupying the homesteads of the rebels, rebels have little choice but to make rebellion their way of life, their career. With no chance to return home, the rebel band becomes the rebel's home. Under these conditions, high costs and low rewards for continuing civil wars are no longer deterrents. The theoretical answer here is that grievances may well be a necessary condition for rebellion, but since grievances are nearly ubiquitous, this isn't very much of a restriction. It is only certain types of grievance that motivate insurgency. The following decision nodes address the translation of grievance into insurgency.

Study findings on source of income are in agreement with Mwamvuneza (2018) study on *Girinka* as a strategy in post-genocide Rwanda. According to Mwamvuneza (2018), it is argued that genocide was planned, popularized through mass media by elites and effectively implemented by peasants. Being a farmer in the operative context of pre-genocide rural Rwanda meant low analytical skills, being uneducated, and higher levels of susceptibility to political manipulations of gullible citizens. The implication is that source of income is a likely determinant leading to participation in violent extremism. Individuals with low or little income will likely be manipulated by elitist narrative of division and hostility. On the contrary, individuals with stable sources of income will unlikely be subjects of manipulation by elites. During those 100 days in 1994, Tutsi and moderate Hutu were murdered mostly by their Hutu peasant neighbors and families. Genocide against Tutsi was made possible by the overwhelming receptivity and yes-response" of ordinary farmers (Bangwanubusa, 2009:23).

There is now a widespread and well-known body of quantitative social science research that posits a relationship between poverty and conflict (Collier *et al.*, 2003; Fearon and Laitin, 2003). A prominent theme in this literature and the associated policy discussion

demonstrates that, in addition to the traditional concept of a poverty trap, there is also a “conflict trap”. This is the notion that, once a country experiences conflict, it faces a reversal of economic development, which in turn increases the likelihood of future onsets of conflict. A further claim within the literature is that poverty is the principal underlying cause of civil war.

The burden of evidence mostly suggests that factors related to the economic opportunities for rebellion—such as poverty and low income, low or negative growth, natural resource dependence and remittance flows from diaspora groups have a greater impact on the occurrence of civil war than those associated with political grievance—such as inequality, state repression, ethnic fractionalization and low levels of democracy in a country.

Collier and Hoeffler (2002) argued that poverty increases the likelihood of civil war onset by making it easier for rebel groups to recruit fighters, because the economic benefits of joining a rebellion can outweigh conventional economic activities in impoverished societies. Fearon and Laitin (2003) add that poverty increases the likelihood of civil conflict, not through increasing opportunities for rebel recruitment, but rather because poverty is more generally associated with a weaker state—in terms of both financial and military capabilities. A weaker state, they argue, increases the likelihood of a rebel group’s success in a civil war. In both of these explanations, the process by which poverty or low income increases the likelihood of civil war rests upon the provision of greater incentive and opportunity to rebels. The view that poverty may also cause or exacerbate the grievance that drives rebellion, as argued by Gurr (1970), is given relatively little consideration in the recent quantitative studies of civil war.

However, it is important to note that, while poverty and inequality may be related, they are conceptually distinct. Poverty implies some form of deprivation, in terms of resources or opportunities, while inequality emphasizes differences between individuals or groups, which may or may not be linked to severe deprivation.

In parallel to poverty being viewed as an underlying cause of civil war, there are a number of studies that have addressed the impact of civil conflict upon economic conditions within the state—including levels of poverty (Collier, 1999; Elbadawi, 1999; Stewart, 2011). This reciprocal relationship between poverty and conflict has become known as the “conflict trap”. This is the notion that once a country experiences conflict, it faces a reversal of economic development, which in turn increases the likelihood of further conflict. To this end therefore, the current study argues that there is need for actors to address the threat on the source of income for respondents in Mt. Elgon- Land. Since this has spill-over implications on other arenas of life in addition to inhibiting social and economic mobility for the people of Mt. Elgon. Respondents deprivation of their traditional source of income seems to be feeding into extremism and thus a key player in perpetuating the intractable nature of the Mt. Elgon Conflict.

4.1.7 Level of Education

Level of education was considered a key factor in this study. This is because, education has influence on the choices individuals making such as participating in or desisting from extremism- homegrown or external. Mwamvuneza (2018) study advanced that there is untested general census in Rwanda that minimal or lack of analytical skills exposed ordinary masses to manipulative planners of genocide hence actively engaging unsuspecting citizens in the implementation of genocide. Taking cognizance of this, the

study sought to examine how levels of education as a variable is likely to play a role in homegrown extremism and intractable land use conflicts in the study area. Data on the same were collected, analyzed and the results presented in Table 4.2.

Table 4.2: Table showing respondents’ level of education

Level of Education	Percentage (Frequency)
No formal education at all	41% (164)
Primary Education	37% (148)
Secondary Education	16% (64)
Tertiary Education	6% (24)
TOTAL	100% (400)

Source: Field Data (2021)

Study findings in Table 4.2 revealed that a higher proportion 164 (41%) respondents had no formal education at all, 148 (37%) respondents had primary education, 64 (16%) had secondary education whereas 24 (6%) had tertiary level education. Study findings are not in agreement with conventional literature which shows that rural Afrocentric based radicalization into homegrown extremism involves more uneducated populations with the educated playing more managerial roles in the realm of homegrown extremism.

Study findings are not consistent with Horgan *et al.*, (2016) study of conventional Euro-American drivers of extremism which established that lone-actors to be more educated than solo mass murderers, nineteen percent had some level of postgraduate university education compared to the latter, where 24% had some degree of university education.

Liem *et al.*, (2018) compared lone-actor terrorists and homicide offenders and found the latter were significantly more likely to only be educated to a primary school level. Zeman *et al.*, (2022) reported 42% of their lone-actor sample were educated to at least a tertiary level. In an analysis of 1, 473 radicalized US citizens, LaFree *et al.*, (2018) found that 43.3% had a college degree. In contrast, in a sample of Northern Irish murderers, 43% had no GCE's (the equivalent of high school level examinations). Disaggregating suicide bombers from terrorists, Gill and Young (2011) report 32% of indicted terrorists had some college education compared to 50% of suicide bombers who had the equivalent of a high school education. Levels of education are markedly varied across these samples and most likely do not provide a reliable indicator of risk.

Corresponding data from Wachira *et al.*, (2010) assessment of the conflict in Mt. Elgon revealed that the level of unemployment in the District is high. This is as a result of high level of unskilled labor, which is not able to access employment in the formal sector, except on casual basis. Noteworthy, the study established that only 17% of those who join secondary schools' complete secondary education. In addition, there are many unskilled and unemployed youth who are either school drop outs or uneducated. The strain of access to work coupled with politicization of social and ethnic diversity has contributed to conflict in the region. In addition, this could be a vulnerability factor for exposure to radical and extremist narratives in the study area.

Østby *et al.*, (2019) study advanced that, over the past decade, the relationship between education and conflict has attracted increased interest and from policymakers and practitioners. Scholars within the fields of education, conflict studies, psychology, and other disciplines have also paid increasing attention to this topic (Burde, 2014; Gross & Davies, 2015). One of the most important recent books in conflict studies, Harvard

psychologist Steven Pinker's "*The Better Angels of Our Nature*", notes the importance of education in reducing conflict. Pinker (2012) highlights "the escalator of reason"—with education as a central component—as one of the most important "pacifying forces" of humanity's violent history (pp. 689–691). This view of education is not, however, particularly new. The preamble to the UNESCO's 1946 Constitution points directly to education's pacifying power: "Since wars begin in the minds of men, it is in the minds of men that the defenses of peace must be constructed."

To date, research on education and conflict has been inconclusive in terms of broader implications (Ishiyama & Breuning, 2012). This is for three reasons. First, research on education and armed conflict has predominantly been qualitative, involving practitioners and researchers "in the field." These studies have focused on understanding individual and highly contextualized cases. Second, there is a lack of comparable international as well as sub-national data on education, and education data are often missing in conflict-affected countries and conflict-affected regions of countries. Third, the relationship between education and armed conflict is complex, multifaceted, and multi-directional, with conflict both shaping education outcomes in negative and positive ways, and being shaped by education (Barakat & Urdal, 2009, p. 3).

Most of the arguments presented in the literature on education and conflict pertain to levels of education, or government investment in education. By levels, the implication is two things: (1) the aggregate amounts of schooling that individuals have and (2) the actual cutoff points in the education system (primary, lower and upper secondary, tertiary). What these propositions have in common (with few exceptions) is that higher levels of education are assumed to foster peace. This could be for one of three reasons:

First, higher levels of education imply greater human capital investments in a broader segment of the population, reducing grievances over exclusions from education and hence the motive to violently challenge the government. Second, larger numbers of individuals with more years of schooling attained generally increases the availability of alternative economic opportunities and reduces the attractiveness of joining a rebellion as a source of income. This raises the opportunity costs of engaging in violence. Third, greater levels of schooling signal that more people have received state-sanctioned curricular content, and thus normative ideas about the value of conflict may have changed. These arguments support the level of education among respondents in Mt. Elgon Region as a determinant of homegrown extremism.

Education levels can have both a direct and indirect effect on the grievances that may foment political violence. First, so-called relative deprivation theories posit that grievances arise when the gap between people's expectations and their actual situations worsens (Gurr, 1970). Second, government investment in education signals that it cares about the well-being of citizens, and higher spending entails that governments can make a direct and lasting positive impact on people's lives, directly reducing the level of grievances in society (Aoki *et al.*, 2002). Third, education spending can indirectly reduce societal grievances and hence conflict by spurring economic development and social equality (Thyne, 2006).

In the strand of the civil war literature focusing on the economic causes of war, education is framed as a factor affecting the opportunity cost of conflict (Collier & Hoeffler, 2004). Such factors relate to the structural conditions that may facilitate a rebel group's war against a state, of which an important aspect is the cost of rebel recruitment. Soldiers must be paid, and the cost of recruiting is related to their income

forgone by enlisting as rebels. Greater levels of educational attainment increase the opportunity cost of young people joining conflict, making rebel recruitment more costly and rebellion less likely (Collier & Hoeffler, 2004; Kuhn & Weidmann 2015; Lochner & Moretti, 2004). According to Collier and Hoeffler (2004), the implication of this is that policymakers should focus on male secondary school enrollment, since young men are the group from which most rebels are recruited. Following this logic, Barakat and Urdal (2009) argue that in countries with large potential pools of rebel recruits due to large young male cohorts, increasing education at any level will help reduce this pool considerably.

A third explanation for the pacifying effect of education levels is the creation of social and political stability through transmission of norms and preferences around the use of violence. Aristotle argued that education promotes a culture of peace—a collective preference for the nonviolent resolution of conflicts (Sargent, 1996). Lipset (1959) noted, “Education presumably broadens men’s outlook, enables them to understand the needs for norms of tolerance, restraining them from adhering to extremist and monistic doctrines” (p.79). In line with this, several scholars argue that higher educational attainment (levels) reduces the risk of political violence by encouraging political participation and the channeling of conflicts of interest through institutional pathways rather than through the use of violence (Alesina & Perotti, 1996). More recently, scholars have argued that education promotes social cohesion through learning how to work together peacefully, which in turn enables socioeconomic stability. Kuhn and Weidmann (2015) point out that public opinion and communication research has shown that “beliefs of less-knowledgeable and less-informed individuals are more susceptible to rhetoric, propaganda, and indoctrination” (p. 552). In this respect, Thyne (2006)

points out that indicators of adult education, such as secondary and tertiary enrollment, as well as adult literacy, should be of special relevance, as they indicate whether a government is able to provide an arena for the fostering of social cohesion among the individuals that are most likely to rebel against the state.

Education is generally expected to increase the opportunity cost of rebel recruitment, which in turn reduces the likelihood of rebellion. Socioeconomic inequality is among the factors frequently used to measure grievances, and is often seen as giving rise to conflict. Ferranti (2004) argue that education is in fact the main driver of socioeconomic inequality in a society since education plays a strong role in determining future life opportunities and trajectories.

4.1.8 Ethnicity of Respondents

In discourses of extremism, ethnicity emerges as a key determinant of violent extremism. There are numerous examples from the conflicts in Africa which have taken the ethno-nationalist dimension ranging from resource conflicts in Sierra Leone and Liberia, to the genocide against the Tutsis in Rwanda, to al-Shabaab attacks on non-Muslims in the Horn of Africa region, the Christian South and the Muslim North divide and *Boko Haram* in Nigeria and to the Anglophone-Francophone Ambazonia Crisis in Cameroon among others. Taking cognizance of the aforementioned, the current study sought to examine ethnicity in the study area as a key factor in the build-up of us versus them narrative which is a pre-requisite of conflict, hostility and violent extremism. To this end, therefore, data on the same were collected, analyzed and the results presented in Figure 4.7.

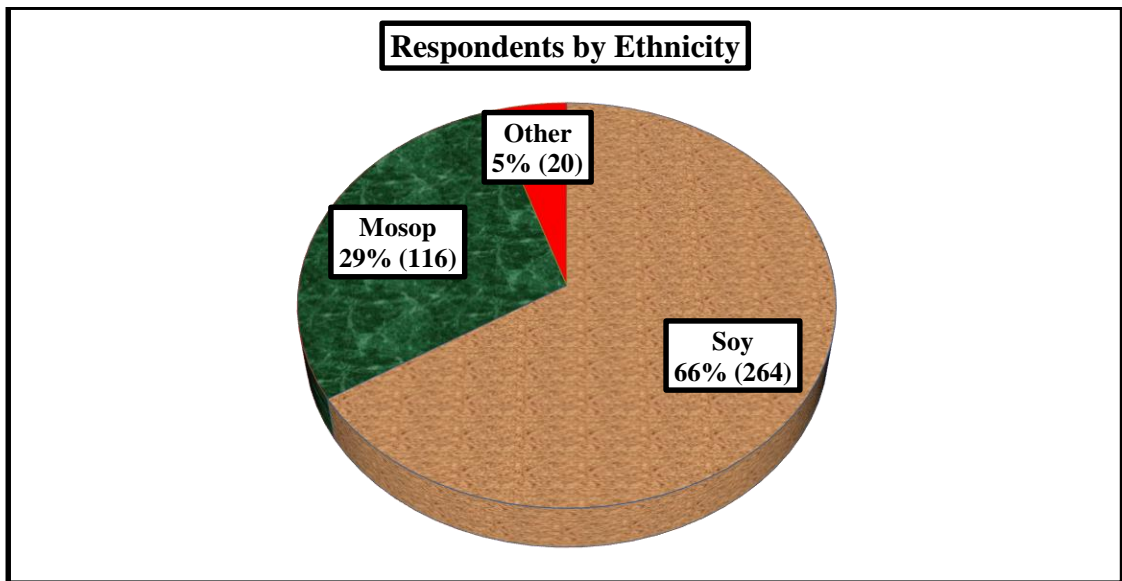


Figure 4.7: Ethnicity of Respondents

Source: Field Data (2021)

Quantitative evidence in Figure 4.7 revealed that majority of respondents 264 (66%) were of the Soy ethnicity, 116 (29%) were of the Mosop ethnicity whereas only 20 (5%) belonged to other ethnicities. Ethnicity is important for this study because it has played and continues to play a role on the politics of resource distribution and homegrown extremism in the study area. It has to be noted that some of the most violent conflicts in the African continent have taken the ethnic dimension- Rwandan Genocide 1994, Darfur Genocide, Ambazonia Crisis in Cameroon, Post-election violence in Kenya, Xenophobic attacks in South Africa among others and therefore, the current study opines that- ethnicity is and will remain a significant determinant in Afrocentric conflicts, especially where access to power, governance and natural resource distribution is involved and this will likely be made complex with surging populations, effects of climate change and deteriorating quality of land for agriculture.

Anchored on pragmatic Africanity philosophy, the current study argues that ethnicities and ethnonyms in African setting are complex. In African setting and discourses, belonging to an African race would be adequate in pursuit for Afrocentric ideologies of *Ubuntuism*, *Nkrumalism* and Julius Nyerere's socialism. However, understanding the African socio-economic and political architecture, Africa is further divided into predominant Muslim North Africa, West Africa, South Africa and East Africa. Even in the respective regions, heterogeneous formations exist. Partly, this could be attributed to colonialism. Even with the respective countries, there exist different ethnicities with diverse socio-economic and cultural orientations which have played a role in informing social cleavages and conflicts in Africa- in homogenous groups, these often stratifications spill over to clannism and clan politics. Mt. Elgon has been no different. Despite living in the same geographical area, ethnicities practice diverse socio-economic and cultural practices. These have been core determinants in informing homegrown extremism over intractable land-use conflicts in Mt. Elgon region.

Study findings on ethnicity are corroborated by Namtala (2019) in his book "*Collective Memory, Inter-ethnic interactions: The Politics of Becoming and Being 'Sabaot' in Kenya*" which opines that the Mosop are not Sabaot enough with the Soy being Sabaot proper- this, as a result of their contested ethnicity in the politics of becoming and being Sabaot has played a role in the extremist contestations in Mt. Elgon. Namtala (2019) sheds light on the role of collective memory in underpinning 'Sabaot' politics of identity in three recent time periods: 1944-1963, 1964-2008 and 2008-2018. He examines these three periods is examined from a constructivist perspective, in order to acquire better understanding of who the Sabaot and why has the Sabaot community had

violent conflicts with its neighbors? In addition, he interrogated why the community has become embroiled in bloody intra-ethnic violence in recent years. The study established that, it appears that, in liminal conditions, negotiation of ethnonyms involves performative acts of resistance to imposed ethnic identity labels. These acts of resistance have produced both unity and fracturing of identities among and within Sabaot communities.

Study findings on understanding why ethnicity is important for a study of this nature are corroborated by Namtala (2019) study which advanced that at the peak period of violent extremism in Mt. Elgon Region, the Soy led SLDF had an aim of killing Mosop people for intruding into phase III of the Chepyuk land. Namtala (2019) study advanced that SLDF had said “we will kill the Mosop people until a boy and a girl remain, become adults and then start a new family that would start constituting the Mosop Community afresh.” Of particular interest with regard to the aforementioned statement was the emphasis on a boy and a girl meaning these would be targeted possibly for not having been radicalized into the land issues and thus give birth to a new generation with little or no historical memory of the conflict in Mt. Elgon. This also reveals the magnitude of ethnicity as a determinant of extremism in the study area.

Lynch (2011) adds to this discussion by advancing that, the Mosop and the Soy are basically one community only divided by their geographical living area. This separation was the result of the colonial land policy of alienating African land to create room for the white settler farms. The Sabaot community had lived in the plains of what is now called Trans Nzoia County. The colonial government took away this land without compensation during the land alienation process in the colonization period. This caused the Sabaot to disperse to the moorlands and lowlands. Those living in the moorlands

became the Mosop and those in the lowlands the Soy. The two groups were separated by the thick forest reserve between the moorlands and lowlands. Over time, this separation in location created disparities in their social identities. As a result of their limited interactions with each other, they solidified their emerging different social distinctions.

Desperate environmental conditions caused them to adapt new distinct patterns despite their similarities in language and ancestry. This led the Mosop to become hunters and gatherers, foraging in the forest for food, while the Soy became farmers in the more arable lowlands during the colonization period. With the passage of time, the Soy and Mosop adapted and employed new methods to sustain their livelihoods other than farming and hunting and gathering although agriculture still remains a large part of their economy. Taking cognizance of the aforementioned formations and development of divisions between the two pre-dominant groups in the study area, the current study draws parallels with White (2009) study which advanced that most distinction of Hutu versus Tutsi came from their roles in society: Tutsis were herders of cattle, and Hutus farmed the land. However, the Belgians issued identity cards labeling people as Hutu or Tutsi based on the attributed features of both groups, and after independence, the government continued this practice, with the ethnicity of the father determining the ethnicity of the children. Ethnic distinctions throughout history have been manipulated and led to the carnage of some of the most destructive conflicts, ethnic cleansing, crimes against humanity and genocide in the world. The current study argues that the situation in Mt. Elgon has not been different and that ethnicity has been manipulated as a determinant of homegrown extremism in Mt. Elgon Region, Kenya. This can still be manipulated in advancing extremist agenda should the underlying issues of conflict in the study area remain intractable.

Study findings on ethnicity as a determinant of homegrown extremism are corroborated by Wachira *et al.*, (2010). According to Wachira *et al.*, (2010), four main communities occupy Mt. Elgon District. Official Government sources give population structure along language community lines as follows: Soy, Ndorobo, Bukusu and Teso. The distinction between the Ndorobo and the Soy is linguistically misleading. Indeed, members of the so-called Soy sub-tribe often tend to refer to themselves as Sabaot, to the exclusion of the so-called Ndorobo. These distinctions are only helpful to the extent that they entrench non-existent linguistic differences, for the so-called Soy and Ndorobo are strictly linguistically speaking the same language community. To appreciate this, a brief look at the various names by which the Sabaot communities in Mt. Elgon are known by will help a great deal. The following names are to be found- Mosop, Ogiek, Ndorobo, Soy, Kony, Somek, Sabaot, Pok and Bongomek.

The names Mosop, Ogiek and Ndorobo refer to the same cluster of people. These are the pastoralist people who live up north in the higher parts of the Mountain. The name Mosop is a Kalenjin adjectival word used for higher ground. In distinction to this is the word Soy, which is used to refer to lower lands. In this context, therefore, the Mosop and Soy are one and the same people. The only distinctive factor is that the people who live in the higher ground are pastoralists, while those in the lower grounds are agrarian. The choice has been made necessary and obvious by the relief of the two places. The lower one is friendlier to agrarian activity while the higher one can only support pastoralism (Wachira *et al.*, 2010).

The name Ndorobo is commonly used for the Mosop people. It has been borrowed from the Maasai, where it is used to refer to ‘an economically and socially disadvantaged people’. It was in the past used derisively and disparagingly and may suggest elements

of ‘primitiveness.’ The same word is therefore used to refer to such a people among the Maasai in other parts of Kenya and in Tanzania. The Kikuyu also have their own ‘Ndorobo.’ The name Ndorobo, therefore, has no linguistic distinctiveness and certainly does not linguistically differentiate between the Mosop and Soy people of Mt. Elgon District. It is, however, significant in defining their relative social disadvantage as contrasted with other Kalenjin communities.

Over the past two decades, another name, the Ogiek, has found common usage in referring to the Mosop people. It is a name which has most likely been introduced into common usage by Mosop intellectuals so as to subsume them into the Ogiek community of Molo in the Rift Valley, for purposes of establishing a common and expanded bargaining platform in matters that touch on what are today commonly called indigenous people – and who are perceived to be threatened by other peoples. Once again, therefore, the name Ogiek does not linguistically differentiate between the Mosop and Soy people. In point of fact, similarities between the Mt. Elgon Ogiek and Molo Ogiek are of questionable validity. Therefore, the current study argues that it is such contestations to situate themselves as Sabaot that may have been a determinant informing the conflict in Mt. Elgon with the Soy Sabaot also perceiving this as an opportunity to protect “their” land as the more indigene community.

Lynch (2011) examined the politics of belonging on Mt. Elgon in Western Kenya, and associated occasions of communal violence. Situated on the country’s geographic, economic and political periphery, Mt. Elgon has been troubled by periodic bouts of violence at the moment of independence in 1963, the return to multi-party politics in 1991, and, more recently, from 2005 to 2008. This actually points to the mutating ethno-cultural dynamics of the Mt. Elgon conflict. The first two conflicts pitted ‘local’ Sabaot

against Luhya neighbors and display striking similarities to occasions of violence between self-declared autochthons and more recent ‘migrants’ in central and western Africa—where an objection to ‘guests’ who seemingly seek to assert themselves in the home of their ‘host’ has been of central importance (Scopa, 2006, p.5). By contrast, more recent violence has pitted Sabaot-speaker against Sabaot-speaker, with all protagonists casting themselves as ‘sons of the mountain.’ The next section discusses study findings on ethnicity based on intra-ethnic and inter-ethnic relations in Mt. Elgon Region. The discussions highlight the development of extremist tendencies at both inter-ethnic and intra-ethnic levels. The current study argues that these should be taken into consideration as they could replicate in current and future extremist contestations within the study area, in particular, if the land issue remains unresolved.

4.1.8.1 Sabaot and Bukusu Relations

The conflict in Mt. Elgon Region has been characterized by the long struggle by the Sabaot against the historical injustices occasioned by the disinheritance of their ancestral land in the wider Trans-Nzoia region by the colonial government without any form of compensation by successive governments. Initially, the Sabaot were situated in the Bungoma County in Western Region of Kenya. Although they share similar cultural ties and practices with the neighboring Kalenjin community in the Rift valley, the Sabaot were administratively grouped together with the groups with whom they did not share common ties (Simiyu, 2008). Bungoma County was mainly dominated by the Bukusu who were the majority in numbers, with the Sabaot being a minority. As some of the informants in the research noted, the problems between the Bukusu and the Sabaot began during the resettlement programme in the Trans-Nzioa County after the white settlers left. The Bukusu had strong national leadership with people like the late

Masinde Muliro who could negotiate on their behalf while the Sabaot lacked such caliber of leadership.

Therefore, the Bukusu got a bigger share of land allocation than the Sabaot despite Sabaot's claim on Trans- Nzoia as their ancestral land. Coupled with this, as expressed by the informants, most of the development in the Bungoma District was directed to the Bukusu dominated areas. An example was given of opening up maize buying centres in Kaptola, Kwiroro, Kibingei and Kigul which were along the boundary but on the Bukusu side despite the fact that the maize was being brought from Mt. Elgon. This made the Sabaots to transport the maize from far distances using donkeys. In addition, the grading and tarmacking of roads was done on the Bukusu dominated side which perhaps explains why there is no tarmac road in Mt. Elgon. The Sabaot therefore felt that the Bukusu were deliberately marginalizing them on ethnic lines.

Due to the feeling of marginalization, the Sabaots demanded to have an administrative district established for them. Initially, they demanded that the district be carved from parts of Bungoma District and parts of Trans-Nzoia District (which was in Rift Valley Province). In this way, the Sabaot felt that an administrative district would rectify the imbalances and grant them a chance to be in control of their resources and affairs. The Mt. Elgon District was as a result created in 1993 from Bungoma District since a hiving off from Trans-Nzoia would require a constitutional amendment to alter the provincial boundaries.

However, the ethnic relations between the Sabaot and non-Sabaots in Mt. Elgon district have been strained. The Sabaot community has harbored the perception that Mt. Elgon exclusively belonged to them and thus the need to get rid of the "foreigners" and reclaim their land in the District especially the Bukusu who are seen as economic competitors

in terms of access to land. This has therefore accounted for the clashes and aggression against the Bukusu as evidenced in the 1992 elections linked clashes and the 2006-2008 conflict. This ethnic rivalry has been evident during the general elections where each of the communities has taken different political affiliations thus creating antagonism. For example, the Bukusu in 1992 were mainly supporters of FORD Kenya while the Sabaot were supporters of KANU. In 2007, the Bukusu were supporters of PNU while the Sabaot were supporters of ODM party. Such political antagonism has aggravated the ethnic tension which has resulted into violence.

4.1.8.2 Soy and Dorobo Relations

Although the Soy and Dorobo share a lot in terms of cultural practices, their lifestyle settlement patterns as well as sharing of resources have contributed to conflict among themselves. In addition, there have been rivalry and conflict among the different factions of Soy clan that are affiliated to different politicians. All these have contributed to the ethnic dimension of the Mt. Elgon conflict. Both Dorobo and Soy lay claims and accusations that the other is favored by government in the land allocation. This was evident during the research as informants from either clan separately reiterated that the other clan was the cause of the conflict as they benefited more from government support than the other. Firstly, the Dorobo were dissatisfied with the move to include the Soy in the Chepyuk settlement scheme which, according to Dorobo, was meant to be a compensation for giving up their inhabitancy in Chepkitale. By 2004, the Dorobo “had only one councilor, one chief and four assistant chiefs in a district with an MP, eleven councilors, sixteen chiefs and forty-two assistant chiefs” (Simiyu, 2008)’. It is for this reason that there was a common proposal by the Dorobo informants during the research that Mt. Elgon District be divided into two districts with one covering Cheptais and Kopsiro Divisions and the other Kaptama and Kapsokwony Divisions.

In this regard, the Dorobo's preference is for the region they mainly occupy to be included in the Kaptama- Kapsokwony side of district. In this way, the Dorobo feel that they would stand a better chance of managing their own affairs. In addition, the Dorobo felt underrepresented in the land allocation committees as well as sidelined in the delegations that were petitioning the then President Moi for land allocation (Simiyu 2008). On the other hand, the Soy were dissatisfied with the government's plan to include the Dorobo in Chepyuk Phase III since, according to one Soy informant during the research, it was the Soy leaders that petitioned the then President Moi to allocate some land specifically for the Soy. In addition, the Soy felt that Dorobo benefited a great deal in Chepyuk Phase I and II and so should have no claim in Phase III. Further, the political antagonism between Kapondi and Serut created sectarian politics and factions within the Soy clan. Each clan accused the other of including their political allies in the land allocation process at the expense of the opposing political side. Each faction viewed the other as the hindrance to realization of their land rights especially in Chepyuk Phase III. In addition, Serut was accused by the opponents of including the Dorobo in Chepyuk Phase III so as to gain political support whereas according to Soy they did not deserve it. This therefore explains the target and attacks by SLDF (which mainly composed of Soy youth) on Soy members who were sympathetic to the plight of Dorobo and also supporters of Serut.

Study findings on ethnicity as a determinant are corroborated by Commission on Human Security (2003) report which advanced that identity is widely recognized as one of the most important factors that underlie compelling conflicts. Many conflict ridden and post-conflict countries are often characterized by features of mistrust and high levels of social distance among the different groups. Bearing this in mind, it is necessary

for conflict prevention and post-conflict recovery efforts to foster an environment that cultivates a culture based on tolerance, cooperation and fairness. This is necessary in order to demystify images of “we” and “them” that may have in the first place led to conflict and prevailed during the conflict years. Maslow in McLeod, (2007), without doubt defended the need for social relations and a sense of belonging—this anyway creates a fair imagination of safety of the being. The relevance of social relations goes beyond the individual to cater for the whole society. After all, the individual is part of the wider social network. This is confirmed in Avruch & Mitchell (2013) who elucidated that when sociologists or anthropologists discuss basic human needs, the focus is almost always beyond the level of the individual, on basic Human Needs connected to the functional requirements of the larger cultural system.

Exclusion is notable is a source of insecurity and so is access to power and resources. Indeed, Swedish International Development Agency (SIDA) (2017) documented that patterns of marginalization and exclusion are critical in understanding future conflicts. The Agency expressed that exclusion especially when political is often a curtailing factor to long-term economic development and thus a trigger for conflict. For Maslow, it is not political but social exclusion that hampers the realization of social security and affects the individual’s self-esteem and attachment to a social group.

Médard (2009) with regards to ethnicity advanced that at the heart of the Mt. Elgon conflict is the Chebyuk area, which covers 10 km² carved out of the forest reserve and converted in the 1970s into a farming settlement by the State for the Kalenjin-speaking people of Mount Elgon, who form the group called Sabaot. The invention of the Kalenjin ethnonym came about ten years before the term Sabaot came into being in

mid-1950s. The success in using this name might be understood in relation to the territorial affirmation of a minority, both in terms of land and administration. Political rivalry with the neighboring Bukusu, a sub-tribe of the numerically larger Luhya ethnic community, led to inter-ethnic tensions and resulted in the creation of an electoral Region for the Sabaots (Elgon) from 1963 and later on, in 1993, a district (Mount Elgon) which are co-extensive. The constituency brought together the Bok community of Cheptais Division to the west, the Kony community of Kapsokwony Division to the east, and the Chepkitale Division from the top of Mt. Elgon, which is claimed by the “Ndorobo” community. Also part of the Kalenjin speaking communities of Mt. Elgon are the Bongomek, who come from the Bungoma region to the south and the Sabiny (or Sebei), who come from the northern slopes of Mount Elgon in Uganda.

By the end of 1980, rifts within the united front of the Sabaot became evident with a dissident group insisting on a separate “Ndorobo” or “Ogiek” identity (terms usually describing hunters and gatherers, used in this case to refer to pastoralists) to claim indigenous rights to land. Just like the unity in Kalenjin ethnicity championed by President Moi was denounced by a section of Sabaot leaders, advocates of Ndorobo ethnicity charged that the term Sabaot served first and foremost the interests of land grabbers, “land eaters.” The political importance of the various Sabaot sub-tribes, including the Ndorobo, took momentum at that time and translated into a conflict over land that is currently tearing them apart in Chebyuk. Though the current conflict marked the end of the consensus on Sabaot ethnicity, the Sabaot Land Defence Forces (SLDF), a militia group put together at the beginning of June 2006 in the area, chose to use the term, thereby declaring that a united Sabaot front still benefited some people. Chebyuk, the Promised Land, became cursed when conflict over land caused the implosion of a

larger alliance along the lines of Sabaot ethnicity, even though this level of ethnic mobilization did not disappear altogether. Far from putting an end to ethnic categorization, this conflict was a testimony of the renewed success of increasingly exclusive ethnicity.

The conflict under study is a cog in the wheel of ethnicization of violence. In Mt. Elgon, people therefore end up identifying themselves as Bok, Ndorobo among others. Those who do not subscribe to this thinking, generally those who are moderate, are eliminated or forced to flee. The banner of ethnicity was used by various actors to mobilize support. This was demonstrated since independence through statements by Kalenjin leaders who maintain that Kalenjins, an oppressed minority, have a historical right in the Rift Valley Province, or by Sabaot leaders who say that the Sabaot, an oppressed lot within the Kalenjin minority, have an ancestral right over Mount Elgon. Redress of “historical injustices” thus demanded mask the strategic dimension of these identity affirmations, which must be understood as part of the competition for State power and State resources, which translates from top to bottom into electoral fights and land conflicts.

It is important to note the diversity in status of the occupants of land in Chepyuk at the time. Some appeared on the original lists of beneficiaries of the land distribution program while others did not. During the initial period, land distribution was quite inequitable (from one acre to over 50 acres. One acre equals 0.4 hectares). The first to arrive in Chepyuk were either from Chepkitale, higher up in the mountain (they are the ones that are today called Ndorobo or Mosop), or from areas below the forest reserve (Bok, Kony, Bongomek, and Sabiny collectively called Soy).

It is widely accepted that autochthony’s appeal stems from the suggestion of an obvious (and even natural) association with the land and associated presumptions regarding the

rights and positions that should be enjoyed by 'local' citizens. Unfortunately, the corollary is that those who have 'come from elsewhere' 'foreigners', 'migrants', 'outsiders', 'aliens', or 'allogenes'—do not enjoy such naturalized claims; no great step of reasoning or emotion is required for 'others' to be painted as second-class citizens who should not enjoy equal access to local resources or elected office, be able to determine political outcomes, or even be able to enjoy local residence. The link between this exclusionary brand of politics and inter-communal violence is well established. On the one hand, the ability of 'ethnic entrepreneurs' to exploit the language of belonging 'as a means to exclude fellow citizens from access to resources, especially land' (Roniger & Green, 2007, p. 729), and to raise questions of 'who can vote where', 'who can stand candidate where' and 'who could or could not participate in a project new-style' (Ceuppens & Geschiere, 2005, p. 389) has been shown to have an immediate impact on perceptions of difference and competition in terms of identity, rights and futures. On the other hand, the instability of autochthonous claims has been shown to prompt an 'implicit discursive and performative connection between clarity and purity', with common employment of historical narratives of victimization helping to legitimate violence against ethnic 'others' (Dunn, 2009, pp. 123, 124).

Geographical distance is obviously important, but distance can be applied to a variety of concepts as well. One can also apply the concept of distance to ethnicity. While less clearly measurable than geographic distance, ethnic distance constitutes the sense of group identity that an ethnic or national group feels with respect to one another and to other groups. An ethnically homogeneous rebel group with a clear sense of group identity, therefore, exhibits narrow ethnic distances, whereas an ethnically diverse group possesses great ethnic distance. This study demonstrated how ethnic distance

affects the organization of rebellion. Distance can also be measured ideologically. This section demonstrates that indeed ethnicity has played a role as a determinant of homegrown extremism resulting from perceptions of relative deprivation in the study area.

4.1.9 Housing Structure

The study in an effort to examine the determinants of homegrown extremism in Mt. Elgon Region sought to look at the existing housing structures in the study area. For a long time, housing has been a cornerstone of human needs and thus an important determinant of conflict of any nature and at any level. Data on housing structure were collected, analyzed and the results presented in Figure 4.7.

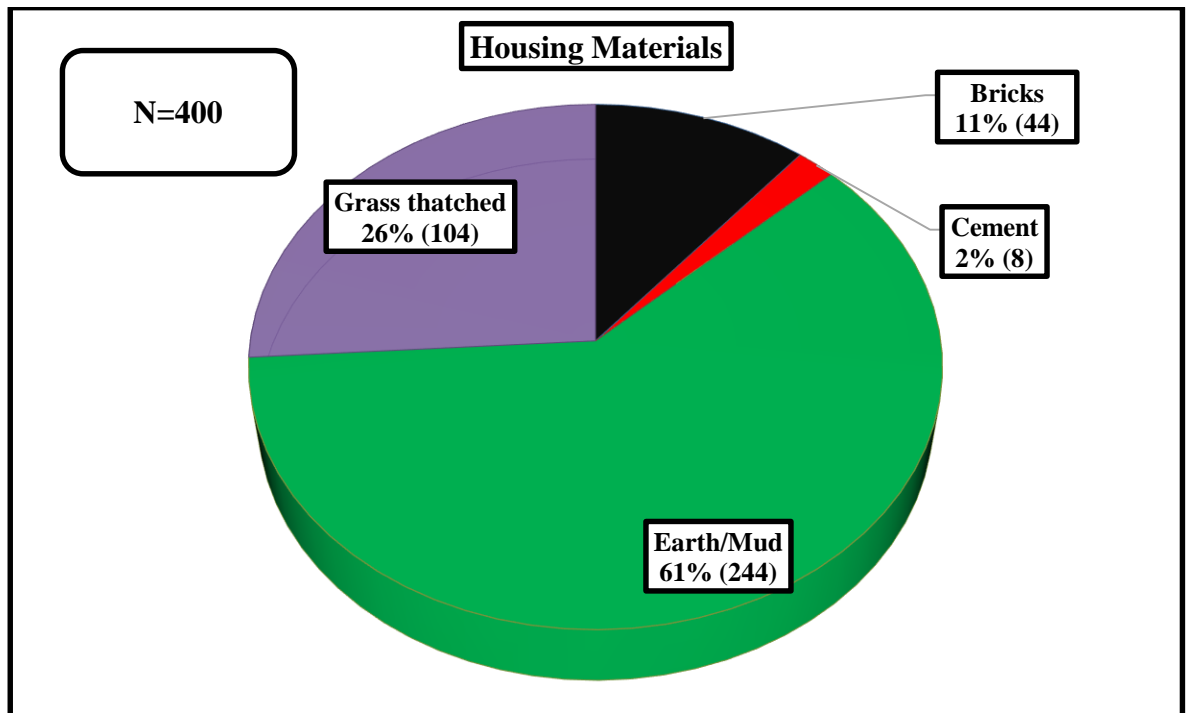


Figure 4.7: Housing Structure in Mt. Elgon Region of Kenya

Source: Field Data (2021)

Quantitative evidence in Figure 4.7 revealed that majority 244 (61%) of respondents lived in structures made of mud, 104 (26%) respondents lived in grass thatched houses, 44 (11%) respondents lived in brick houses here as only 8 (2%) respondents had cement houses. It is also important to point out that there was no single observable house in the study area made from bricks or cement apart from the few government structures- classroom blocks and dispensaries. The findings of the current study on housing depart from the traditional notion of housing as a human need. This study interrogated housing in two folds. First, housing material used was looked at as an indicator of poverty levels. With majority of respondents having mud houses, which are usually made from soil, required little or no expertise as well as minimal labor. Secondly, housing structure was used as a measure of temporary habitation in the area. With majority of respondents not having any proof of land ownership in an area that has been volatile for almost four decades, this could be indicative that, like nomads, populations in Mt. Elgon are always ready to migrate in the event of any conflict. The findings on temporary residence, could be attributed to the mini-violence in late 2018. This period saw thousands of households depart to “safer” areas on the lower side of the Mt. Elgon following the mini- reign of terror, the government through the Ministry of Interior and Coordination of National Government effected a 6 months long dusk to dawn curfew.

In addition, respondents also revealed that such temporary structures would not pose much challenges to rebuild due to availability of earth material with majority of the households having roofs made from aluminum. This was attributed to aluminum being difficult to torch down as had been witnessed during the conflict. In Laboot area- in the moorland, for instance, during government eviction programs, houses are usually torched down by the security enforcing agencies. To this end, housing in the study area

plays a key role in adapting to the temporary circumstances that the residents in the study area live under. The current study makes a significant contribution to knowledge in terms of housing which for a long time has been looked at as a human need and a factor in conflict. The current study looks at housing as an indicator of hostility, non-permanence and a determinant of homegrown extremism over intractable land-use conflicts in the study area.

4.2 Determinants of Homegrown Extremism Over Intractable Communal Land Use Conflicts

This section sought to interrogate determinants of homegrown extremism over intractable land-use conflicts in the study area. Among the items interrogated were: whether respondents had a land problem; identity as a determinant, politicization of land issues, boundaries, forced eviction programs, land dispossession and redistribution, land tenure insecurity and the culture of *Laibonism* among other variables. These are presented and discussed in subsequent sections.

4.2.1 Whether Respondents Had Experienced a Land Problem

This sub-section sought to examine whether respondents had experienced a land problem. Data on the same were collected, analyzed and the results presented in Figure 4.8. Quantitative evidence in Figure 4.8 revealed that majority of respondents 392 (98%) had a land problem in the study area whereas only 8 (2%) had not experienced a land problem. Further interrogation through a key informant interview with a community elder revealed that land was in fact the “only problem” in the study area. This, the researcher alludes that land was described by respondents as the only problem because, to most of them it was a source of livelihood without which meeting basic

needs would be problematic. The following is an account of the key informant interview.

Kwa mtu ya mlima Elgon, shamba tu ndio kitu ya maana. Hii ndio shida kubwa kabisa. Hata wale waliamua kupigana kupitia SLDF- ilikuwa tu mambo ya mashamba. Leo hii kukatokea vita hapa mlima Elgon, ni shamba tu. Serikali haijatokea sawasawa kutatua hii shida ya mashamba. Miaka karibu hamsini, watu wanaishi kama maskuota hapa

To the people of Mt. Elgon, land is a valuable resource. It is the biggest problem here. Even those who decided to fight through the SLDF, land was their sole motivation for participating in the conflict. Most of these people have lived as squatters for over 50 years here (Interview with Community Elder in Sasuri Location on August, 18 2021).

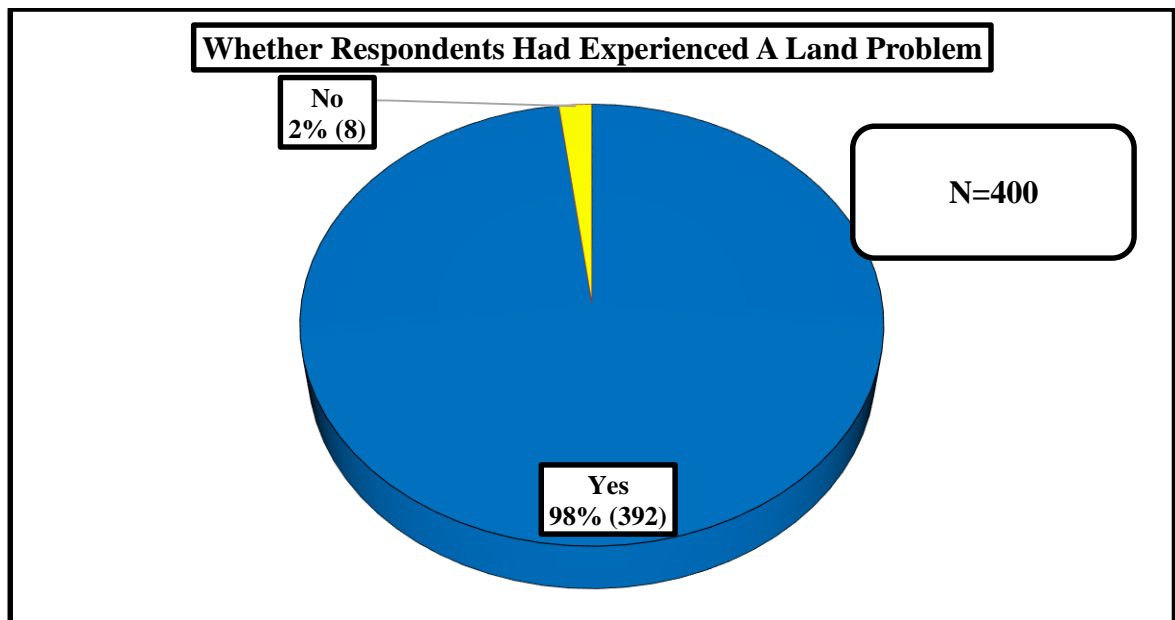


Figure 4.8: Whether Respondents had experienced a land problem

Source: Field Data (2021)

Arising from a key informant interview, it was evident that respondents had a land problem which feeds into grievance and extremism in Mt. Elgon Region, Kenya. These findings are a negation of the pragmatic Africanacity philosophy which this study is anchored on and where land is held so dear by African communities. These findings are

corroborated with Tafira (2015) article entitled “*Why land evokes such deep emotions in Africa*”. The article argues that land remains an emotive issue throughout the African continent. Indeed, African personhood and “being” revolve around earth and all that walks on it, the heavens, the waters and all that live in it, the natural landscape, the atmosphere and livestock. The colonizers brought with them a Euro-American perception that land was a commodity to be purchased and sold. Of course the legal justification in the form of laws, particularly English common and Roman-Dutch laws, was used to legitimize the commoditization of land.

Tafira (2015) article added that contemporary debates on land redistribution in Africa always privilege the production aspect. This, regrettably, is due to a lack of understanding about what land means to Africans. The departure point therefore is an African perspective that enables a broader definition and understanding of land as linked to being and identity. The belief that land stands for production of agricultural commodities destined for the market is perverted. The primacy of the market and private property, which is the core of capitalist thought and logic, is contrary to the African worldview. Unlike Euro-American considerations, the African views life and what it is constituted of as a totality.

To Africans, land is neither a commodity nor an individual possession. It does not belong to humans but is a gift from God. Land is understood as embracing the ecological, cultural, cosmological, social and the spiritual. The juridical considerations which are ingrained in social systems result in values, norms and observances that protect natural resources, the environment and wildlife. This is the reason for taboos and strict injunctions that forbid environmental destruction, wanton and indiscriminate cutting down of trees, defiling of sacred sites, pollution of sacred pools where water

spirits give life in lieu of water, and transgressions that are said to offend the earth. Of course there is divergence between European jurisprudence and African land laws. The former views land as a private property, a commodity, which underlies the ambition to colonize nature where man rises above it and exploits it to state his greedy impulses. African land laws debunk the idea of ownership. Instead land is a natural endowment that can neither be bought nor sold. African land tenure is not based on ownership but on use and access. Since Africans have common rights to land, communal rights override individual rights, which are subsumed to the overall communal good. For Africans land is everything. Depriving one of land means robbing them of their personhood, being and identity - in other words their full humanity (Tafira, 2015) and thus a factor that feeds to extremism in the study area.

Study findings on whether respondents had a land problem are not consistent with Chikaire *et al.*, (2018) study which advanced that land is an important resource for any country's socioeconomic development because it supports the livelihood of nearly everyone. The importance of land to a country's development is emphasized by the fact that most of the population derives their livelihood from land through activities, such as farming, livestock production, industry, construction and other activities. To smallholder producers, land is an asset of enormous importance for billions of rural dwellers in the developing world (Cotula *et al.*, 2006). The eradication of hunger and poverty, socio-economic stability, and the sustainable use of the resources depend largely on how people, communities and others gain access to land. The livelihoods of many, particularly the rural poor, are based on secure and equitable access to and control over these resources. To them, land is the source of food and shelter, the basis for social, cultural and religious practices; and a central factor in economic growth.

Land is vital for poverty reduction whereby about 80% of most rural households rely on it for the survival of present and future generations (ECA, 2009) through agriculture, which provides the means of livelihood and economic sustenance for the majority of the populations. Farmers and pastoralists who are the main agricultural practitioners, make significant contributions in meeting the nutritional needs of the country and thus contributing to food security (Obioha, 2008).

Bob (2010) adds that poverty is characterized by the inability of individuals, households or communities to command sufficient resources to satisfy a socially acceptable minimum standard of living, while inequality refers to a state of social organisation in which access to resources and opportunities is unevenly apportioned. Ownership and control of land and related resources are often associated with influence in decision making and power to affect outcomes. Bob (2010) illustrates that ownership, like all real rights, consists primarily of a relationship between a legal subject and a thing or legal object, encompassing complete and absolute control over the thing concerned as well as possible rights and capacities over it. Bob (2010) further asserts that land tenure is a key factor in any economy since it confers property rights and defines access to and control over land assets, including natural resources that exist in or on the land. Additionally, it confers rights in relation to the manner in which people own, occupy and transact land. This also entails decisions pertaining to residential and business development, agricultural production and mining, and the use of other natural resources. These findings are a negation of the Pragmatic Africanacity philosophy on land ownership and point to relative deprivation and frustrations which inform the development of extremist tendencies in the study area.

4.2.1.1 With whom Respondents Had Experienced the Land Problem with

In addition, the study sought to establish with whom respondents had experienced a land problem with. Data on the same were collected, analyzed and presented in Table 4.3. Quantitative evidence in Table 4.3 revealed that majority 220 (55%) of respondents had experienced a land problem with members of another community, 104 (26%) the respondents with a government institution, 52 (13%) respondents with a neighbor whereas only 16 (4%) respondents had actually experienced a land problem with a relative. From the results, it is important to note that majority respondents indicating having a land problem with members of other communities has implications for this study. These are discussed in subsequent sections.

Table 4.3: Table Showing Whom Respondents had a land problem with

With whom did respondents have a problem with	Percentage (Frequency)
Relative	4% (16)
Neighbor	13% (52)
Government Institution	26% (104)
Member of other communities	55% (220)
TOTAL	100% (384)

Source: Field Data (2021)

First, Chepyuk I and II had been allocated to resettle members of the Mosop community with little regard to resettlement of the Soy community yet the latter are the majority in numbers. Secondly, Chepyuk III which was meant to address the grievances over perceived favouritism was initially meant to be given to the Soy yet again it was shared

between the two communities. Thirdly, as a result of mismanagement of all the three settlement programs, members of the Soy community perceived this as an unfair practice and this led to the formation of the SLDF. This led to an us versus them attitude between the two communities, yet the governance structures of the day ought to have managed this situation better in a way that extremist feelings would have been avoided. The current study also opines that the Soy may have felt they were more indigenes than the Mosop and thus the question why the latter were “favored” on land allocation may have sufficed leading to the carnage of the 2006-2008 carnage of war which to date has not been addressed. These may play or may already be playing a role in shaping grievances and feeding into extremism in the study area.

Study findings are corroborated by Were (2018) who advanced that endemic inequalities in the country as a cause a threat to prosperity and security. The author noted that the pursuit of livelihoods shrouded with deprivation is a rehearsal to social tensions and genocidal tendencies. Such degeneration is discernible in existence overt social tensions between “us” and the “them” in this case reflected in the widening gap between the haves and have-nots. These cleavages further cut into ethnic configurations in the country. It is, therefore, possible to discern elements of fear of the unknown, envy, stereotyping, discrimination or sheer ignorance about the “other.”

Replicating study findings on with whom respondents in the study area had experienced a land problem with, Van den Broeck (2011) advanced that grievances over land-ownership in South and Central Rift pit mainly the settler communities and the local indigenous communities. The settler communities are perceived to have acquired the ancestral land that should be in possession of the local host and thus indigenous communities (Van den Broeck, 2011). This has been amplified by the apparent

prosperity exhibited by the settler community that has been interpreted to have been attained at the expense of efforts and resources belonging to the locals.

Were (2018) advanced that, discrimination has, however, been practiced in terms of sale of land to non-indigenous communities willing to buy property outside their home areas. This has been witnessed in Counties comprising the former Western and Nyanza Provinces. In addition, dehumanization in Kenya is advanced partly through the inbuilt stereotyping that is characteristic of the Kenyan social fabric. Quite a number of them tend to be demeaning to members of the target group and may turn lethal if uttered in politically charged contexts: they have long fingers, you need only 50 bob to get their votes; they can only work as watchmen, *domo-domo*, they only know how to keep cows or they are simply lazy). To be referred to as a settler or buyer supposedly delinks one from ancestral ownership of the land, which is the dominant criterion advanced by host communities. Local versions of settler or buyer are even more demeaning or implying temporary ownership for example, *abakuli* in Luyia dominated areas or *wanunuzi* in indigenous Waswahili dominated areas. All these variations point to the emergence of social cleavages between groupings in the society and may have played a role in previous carnage of conflicts and the makings of future conflicts should the land issue continue to be mismanaged in the study area.

Wafula (2019) whilst making reference to the Mt. Elgon Conflict established that the Sabaot have over the years consistently been viewed as a war-like community of cattle rustlers by their neighbors. Again, stereotype attributes such as industrious or lazy, warlike, backward, primitive, aggressive, gentle, intelligent or ignorant, receptive or antipathetic were assigned to different groups. To illustrate this, non-Kalenjins living in these settlement schemes have over time been regarded as foreigners or *bunot*,

meaning strangers and have never been accepted as residents. In addition to being referred to as *bunot*, non-Kalenjin communities settled in Rift Valley are generally referred to as *madoadoa* (non- indigenous populations).

The term “indigenes” describes native dwellers of an area or people with specific rights based on their ancestry or their historical ties to a region and who have a common cultural uniqueness. Indigenes are commonly referred to as “son(s) of the soil” or “landowners”, implying that indigenous people demonstrate three components, ancient bonds (their common roots), lineage (their blood connection), and territory (their geographical location). The term “settlers” refers to “strangers” or “visitors” or “non-indigenes” (, who have relocated or settled in a region or geographical location that is not their place of origin. Settlers are referred to as non-indigenes and are most often regarded as second-class citizens because they reside outside their ethnic group. Indigene-settler mentality increases the placement of ethnic members as leaders who tend to display intolerance, injustice, and partiality in the distribution of resources and to promote unfair discrimination among the minorities. In this regard, Nwagwu (2016) points out that indigenes and settlers are the foundations of the stubborn ethnic problems engulfing.

Freeman (2005) and Friedman (2011) have directly linked the commission of genocide acts to relative deprivation in countries like Yugoslavia, Sri Lanka and Rwanda. This can also be applied to the Genocides committed in Cambodia, Germany or Armenia. For example, the gradual deprivation amongst the Serbs and the decline of the Serbian economy played a significant role in motivating genocide acts against the Yugoslavian minorities. Similarly, the Rwandan genocide against the Tutsi has been attributed to economic shifts that disfavored the Tutsi since pre-colonial times to the 1990s; a period

of religious implementation of structural adjustment programs that strained the ability of the state to manage the ensuing ethnic discontent. The Hutu reaction to Tutsi invasion from Uganda was as a result explainable in economic terms rather than the simplistic ethnic hatred.

In addition, Mitra and Ray (2010) model inter-group conflict in which one group is predetermined as the aggressor and the other as the victim. Their model predicts that the resources of the victim should unambiguously increase the likelihood of violence between the two groups as violence is at least partially assumed to be undertaken for the purpose of extracting resources from the victim's group. These theories predict that for purely material reasons, resources held by potential victims increase the likelihood of their being attacked.

Others scholars focused on the role of the resources held by potential victims in generating dislike among those who have less, even when these resources cannot be appropriated. Relative deprivation theories and theories of the relationship between inequality and conflict argue that when potential victims have more than potential attackers, an increase in the resources held by potential victims can generate violence. Gurr (1970) argues that disappointing comparisons with others in the same society can inspire rebellion. Scott (1977) explains agrarian rebellions through dissatisfaction with growing inequality that did not meet norms of agricultural societies, and Sen (1973) points to inequality as a key driver of rebellions. More recently, Chua (2004) studies the role of unequal economic and political power held by "market dominant minorities" and resentment of relatively less well-off majorities in fueling ethnic conflict. In response to dissatisfaction, individuals may respond violently in order to change the distribution of power.

4.2.12 Whether Respondents Had Solved the Land Problem

The study sought to establish whether respondents who had land problems had solved the problem. The current study taking cognizant of the fact that conflicts being resolved or unresolved could form the basis for grievance and extremism with the latter creating a platform for mobilization such as was the case of SLDF and thus having solved the problem sufficing as a determinant in homegrown extremism over intractable land-use conflicts in Mt. Elgon region. Data on the same were collected, analyzed and the results presented in Figure 4.9.

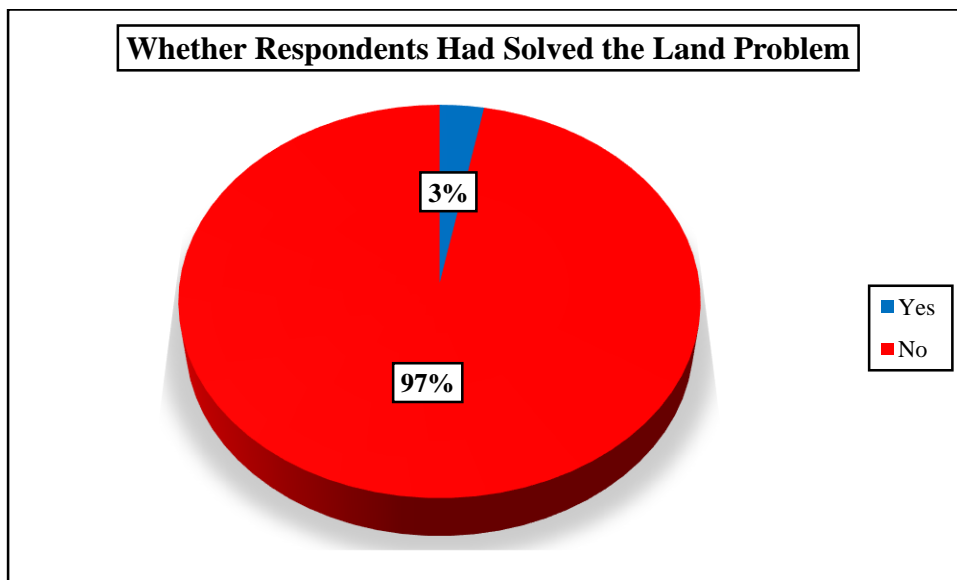


Figure 4.9: Whether respondents had solved the land problem

Source: Field Data (2021)

Quantitative evidence in Figure 4.9 revealed that majority 388 (97%) respondents had not solved the land problem. Only 12 (3%) respondents indicated that they had solved their land problem. The current study opines that 388 (97%) respondents indicating not having solved the land problem speaks to the fact that no attempts have been made to address the underlying causes of the conflict in Mt. Elgon. From the findings it would

be difficult to dispute grievance over land as a determinant homegrown extremism in the study area. To this end, there is need for all relevant actors to expedite their attempts in solving the seemingly “impasse” state of the land issues in Mt. Elgon without which, current latent extremism and future full blown extremism would be inevitable. This impasse around land could create a fertile platform for ethno-nationalistic mobilization.

4.2.2 Causes of Inter-Communal Land Tensions Over Land

The study sought to examine determinants of homegrown extremism that related to socio-economic aspects in the study area. Data on the same were collected and presented in Table 4.1.

Table 4.1: Percentage of Respondents agreeing with causes of Inter-communal land tensions in Mt. Elgon Region, Kenya

No.	Item Description	Agree	Neutral	Disagree
a	Political leadership and political manipulation E.g. Inconsistent government policy	58% (232)	31% (124)	11% (44)
b	Lack of women involvement in peace processes in the area (to mean patriarchy)	3% (12)	87% (348)	10% (40)
c	Land grabbing/Insecurity of land tenure	96% (384)	1% (4)	3% (12)
d	Competition over land resources among the Sabaot/Land scarcity	64% (256)	27% (108)	9% (36)
e	Historical memory and narratives on intra-Sabaot disputes	37% (148)	61% (244)	2% (8)
f	Political dominance of one group over the other	61% (244)	12% (48)	27% (108)
g	State failure to expedite the Sabaot land problem	95% (380)	2% (8)	3% (12)
h	Culture of <i>laibonism</i>	4% (16)	76% (304)	20% (80)
i	Perceived marginalization of the Sabaot community/ Declining state presence in the area	92% (368)	8% (32)	0% (0)

j	Marginalization of land allocation	90% (360)	10% (40)	0% (0)
k	Government favoritism/corruption in land allocation/Cronyism	97% (388)	1% (4)	2% (8)
l	Forced government eviction programs	100% (400)	0% (0)	0% (0)
m	Availability of SALWs	17% (68)	76% (304)	7% (28)
n	Boundary lines	91% (364)	9% (36)	0% (0)
o	Land dispossession and redistribution	89% (356)	8% (32)	3% (12)
p	Tenure insecurity and lack of land documentation	97% (388)	3% (12)	0% (0)
q	Land is a source of ancestral identity	56% (224)	33% (132)	11% (44)
u	Electoral campaigns and politicization of land ownership/Ethno-nationalist politics/Politics of ethnic identity	63% (252)	27% (108)	10% (40)

Source: Field Data (2021)

Study findings in Table 4.1 are discussed separately in subsequent sub-sections.

1.2.2.1 Identity/Community Related issues

Regardless of context, humans have a fundamental need to create a sense of belonging, meaning, and control over their lives, and challenges to this sense of self and one's identity has the capacity to create significant distress. Social identity has been identified as one key contributor to violent extremism in terms of initiating, participation and sustenance and finally departing extremist tendencies (Charkawi *et al.*, 2020). Taking cognizance of the fact that extremism discourses are characterized by two sides that usually take the form of us versus them, the current study sought to interrogate the role community related issues and identity may have played and continues to feed into intractable conflicts in the area. Data collected and analyzed revealed that majority 224 (56%) respondents agreed to land being a source of identity, 132 (33%) were neutral

whereas 44 (11%) disagreed. Study findings on identity were corroborated during FGD discussions with male victims in Sasuri location.

Sisi watu wa Soy tumeonewa, tumetengwa sana kwa mambo ya mashamba ukifuata historia tangu Chepyuk Settlement 1970.

The people of Soy, we have been neglected on land ownership in Mt. Elgon. Even you as a researcher, if you follow up on this issue since the establishment of the Chepyuk settlement schemes in 1970, you may establish that the Soy people have not been favored in the scheme (FGD with male victims, Sasuri Location, August 18, 2021).

Ilibidi juu ya hiyo kutengwa kama watu wa Soy tujiunge na SLDF angalau kuona kama kupigania shamba zetu ingetufaidi. Lakini wapi? Serikali ilipendelea mandugu zetu wamosop.

There came a time when as a result of neglect over land issues, we the people of Soy decided to seek an alternative means to pursue land justice, that is the SLDF. Through the SLDF, we thought we would attain some justice. The Government over the years has been seen to favor our brothers- the Mosop. (FGD with male victims, Sasuri Location, August 18, 2021)

Sisi na Wamosop ni ndugu moja, tumeishi kama mandugu tangu zama za kale, tunaongea lugha moja. Kutoka kitambo, walikuwa wakikosa Chakula walikuwa wanateremka huku chini na wangerudi juu wakiwa wamejaza vikapu.

The fact of the matter is, us and the Mosop are one people. We have co-existed as brothers for a long time. From the old days, when they lacked food, they used to come downhill to the Soy with food baskets and we would ensure that they went back up the mountain with plenty of food, and that's how close we are. (FGD with male victims, Sasuri Location, August 18, 2021)

Majority 224 (56%) respondents indicated that land is a source of ancestral identity.

The current study taking cognizant that, at its peak, the carnage of the Mt. Elgon conflict in 2006-2008 saw the formation of two ethnic armed extremist groups with mutually incompatible goals. The SLDF, which was predominantly a Soy led group with the goal

to defend eviction from “their” lands by the government. On the other hand, the Mosop formed the MDF which aimed at helping the government in fighting the SLDF while at the same time fighting to promote the government’s stand on the eviction program that mainly targeted the Soy ethnicity. The current study points out that this is an important finding not only to the current study, but also a significant contribution to studies and policies involving different ethnicities on issues of land distribution in the Global South. And because land is the predominant source of livelihood in this part of the world, like the manifestation in the formation of two mutually opposing groups, this is likely to play out largely in the Global South especially in areas characterized by historical land and resource injustices. The challenges of population explosion and climate change are likely to fuel such conflicts. In land conflicts involving ethnic groups, the current study argues that the emergence of different “competing” ethnicities- autochthons, migrant communities and ancestral land owners will definitely pose challenges to peace, security and development actors.

The findings of this study on identity and land issues are consistent with Simiyu (2008). Simiyu (2008) advanced that the institutionalization of the forest was never welcome by the locals. To the residents of Mt. Elgon District, the Mt. Elgon ecosystem was ‘theirs’ by right and government’s by might. Residents of Mt. Elgon District contend that the land under controversy was their God-given heritage that could not be taken away from them. According to the members of the Sabaot community interviewed by this study, the protected areas were once their pasture land, water sources, and fertile farmland besides other uses. The land therefore offered a perfect ecosystem for the community’s mode of production and indigenous knowledge. For these reasons, there was a continuous encroachment and exploitation of the forest by the community. The

community also faulted the government's move to gazette the forest as neglecting their traditional and long-term *de facto* rights to exploit the forest resources.

Increasingly, however, the current study notes that a growing number of scholars have shifted their attention to the "sons of the soil" literature to highlight the cultural dimensions of conflict, and how they inform people's identity and sense of belonging with regard to land use, access or ownership (Boone, 2017; Mitchell, 2018). Here, land is negotiated as a form of identity, often tied to lines of ancestry that is comparable to modern understandings of citizenship. There is an emotional context entrenched within the historical significance of land and how it is attributed to individuals who are born into a shared community (Lonsdale, 2008; Boone 2012). When this affective connection is threatened through land grabbing, climate change, political take-over and among other forms- then the threat against that shared community's identity of land, autonomy and/or security is met with popular outrage (Boone, 2017).

Boone (2017) adds that the Sons-of-the-soil (SoS) terminology, developed with reference to conflicts in South Asia, has been used to describe some of Africa's most violent or enduring conflicts, including those in eastern DRC, northern Uganda, the Casamance Region of Senegal, and southwestern *Côte d'Ivoire*. In this case, Boone (2017) tends to ask whether Africa is echoing South Asia where land scarcity has been a driver of conflicts between indigenous land owners and in migrants. This however, seems not to be the dominant case in the area because of homogeneity of the ethnic groups- both being Sabaot. However, the current study advances that even in homogenous groups, cleavages tend to appear. In the case of Mt. Elgon, the Sabaot are a homogenous group sharing a common language and aspects of culture, however, in terms of existence, the distinctions manifest in their ways of lives and geographical

locations. It is the Soy “indigenous” who protested who at the time of conflict felt that “immigrants” Mosop were “invading” their lands and thus carrying the “Sons of the soil” tag into the conflict. In this study, the researcher argues that with increasing populations and impacts of climate change, even the groups previously considered as homogenous, cleavages will likely occur based on the clans and families that people come from in contestations of resource distribution and this will likely pose new threats to the peace, security and development realm.

Classic SoS theorists identify two structural drivers of ethnic conflict over land: land competition among farmers, and ethnic heterogeneity due to in-migration (Boone, 2017; Fearon & Latin, 2011). Fifty years ago, most scholars took these factors as virtually absent in rural Africa. They would have not been surprised by the relative rarity of SoS conflict over land. Yet demographers, economists, and land tenure scholars tell us that the old image of Africa as a continent of ethnically homogenous village communities surrounded by vast expanses of open land is largely obsolete. Decades of research work have shown rural-to-rural migration to be a phenomenon of major importance in many parts of contemporary Africa, starting in the mid-twentieth century (if not before). In fact, the structural conditions thought to set the stage for SoS conflict are present in many rural settings.

The findings of the current study are in agreement with Fearon and Laitin’s (F&L) (2011) influential study of civil war which suggested that sustained in-migration to farming regions and rising land scarcity could ignite SoS conflict. In F&L’s influential model, SoS and in-migrants compete over land “on the frontier,” in settings where the state is weak or absent. In zones of smallholder farming in Africa, however, land tenure relations do not play out in the anarchic state of nature that is the implicit backdrop to

the F&L model. Instead, land competition between autochthons and migrants is structured by public-order institutions land law and territorial administration and state coercion. This means that immigration to farming zones, and the land competition between SoS and migrants that may result, takes place on structured playing fields, where hierarchical power relations are structured by institutions that are enforced by the state. Land tenure institutions vary across space, and these variations are key in explaining the presence or absence, scale, spatial distribution (location), and triggering of large-scale SoS conflict.

In recent years, there has been a growing interest among scholars to examine the intricate relationship between identity and territorial affinity, and how they recursively interact to influence conflict over land (Lonsdale, 2008; Medard, 2008). In writing about what he calls the “sons of the soil” claims in Kenya, Lonsdale (2008) observed that: To be ‘sons of the soil’ (it is always sons) is only one and, in terms of historical depth, not the most convincing means to make a claim on the Kenyan state. It tends to rest on recently acquired or ideologically constructed rights. In the 1920s white settlers, beneficiaries like the Sudanese of arbitrary state favor at the expense of others more native than they, resented being termed immigrants by the British government (Lonsdale, 2008: 308).

This informs us about the complex relationship between identity, territory, and citizenship claims, and how they interact to generate conflict over land (Oduntan, 2015). For some Kenyan communities, one cannot separate land from the people because of the dialectic and existential pull the two exert from one another. “Autochthony,” as a local understanding of land conflict in Kenya, describes the close bond of citizens born in a certain geographic area, the same as their ancestors, and have

a shared identity claim to the land (Kameri-Mbote & Kindiki, 2008; Médard, 2008). Territorial identity of certain populations, especially in rural agricultural lands, often revolve around ancestral claims, and such claims are more significant to such populations than any land laws (Keller, 2014). The problem is that the claims of territorial identity rooted in ancestral claims create a sense of land entitlement or ownership and subsequent politicization of inter-group cohabitation, more so during election periods. Those who “do not belong” to the acclaimed territories therefore become vulnerable to the politics of eviction which the national and local elites incite.

The challenge of advancing the “autochthony” rationale over land ownership in Africa, particularly in Kenya, is that such claims shift depending on political context and perceived gains and losses. While “autochthony discourses appear to provide a sense of primal security and certainty” (Dunn, 2009: 114-115), the sub-division of the already numerous ethnic groups in Kenya makes it difficult to honor such claims (Médard, 2008; Akoth, 2018). This illustrates that although “autochthony” may serve as a means to claim land ownership, the question of identity remains a deep-rooted barrier to the enactment of land policies that are inclusive and respectful of people’s shifting sense of identity. This is because of the “ethnic appeals” that not only characterize socio-political landscape in Kenya, but also incentivize conflict over land.

Consistent with this perspective, scholars such as Horowitz and Klaus (2018) have observed that “appeals to ethnic grievances can encompass multiple logics, connecting to feelings of economic and political powerlessness stemming from the inability to secure land, alongside the belief that the victory of an ethnic patron will produce material benefits related to land, employment, or security” (Horowitz and Klaus, 2018: 5). While the narratives of autochthony have increasingly become a common

explanation of conflict over land in Kenya, other scholars have warned about its traction in African contexts. Precisely, scholars such as Dunn (2009) argue that “the growing multiplicity and contingency of identities available to persons in the contemporary world can produce a daunting sense of uncertainty about people, places, events and even cosmologies” (Dunn 2009: 121).

The findings of this study on identity reveal mixed outcomes with Charkawi *et al.*, (2021) study in a survey of Australian Muslims on whether identity was associated with susceptibility to supporting violent extremism. Charkawi *et al.*, (2021) study canvassed belonging, religiosity, violent dispositions, experienced racism and reported strong senses of perceived injustice, alienation and anger. Overall, the study revealed that the greater the sense of belonging and religiosity, the greater the rejection of violent dispositions against the West and its allies. The inverse of this, as revealed by the findings of the current study suggests that a sense of non-belonging is associated with increased support to radicalization.

The findings of the current study on identity reveals that interpreting threats against oneself and one’s neighbors through the prism of group identity can then work to further solidify this group identity and the boundaries between it and “out-groups,” exacerbating out-group bias and facilitating hostility and further violence between the groups in an ongoing cycle. Fink & Hearne (2008) study advances that, a good starting point for thinking about the role of identity in initiating participation in violent extremism is to recognize the fundamental need humans have for belonging and meaning—and social groups are central to “our sense of ‘who we are’.” This need for group belonging can cause people to engage in violence to defend their group and its superiority, especially in response to real or perceived threats.

This explains why individuals may turn to “fundamentalist, ethnic revivalist, and populist nationalist groups” such as those manifested in the study area-SLDF, MDF and PRM in particular to mitigate uncertainty about their place in the world, fusing their individual identities with the identity of the group to gain a reassuring sense of certainty and clarity. Ideally, though radicalization is often seen “as an ideological process, in reality, it is a social process” with the socio-economic environment and grievances likely to radicalize an individual or groups into extremist and violent extremist tendencies whereby a connection with the group through one’s social networks drives adherence to the ideology rather than the other way around.

Fink & Hearne (2008) add that identity plays a key role in sustaining participation in violent extremism groups. As an individual’s identity becomes fused with the group identity, they tend to become increasingly isolated from others in their life minimizing the presence of alternative influences as their extremist group membership becomes the dominant dimension of their identity. In addition, an individual will often experience feelings of empowerment, efficacy, and sense of purpose but also decreasing moral ambiguity and even moral disengagement. This fused identity and commitment to the group’s values can facilitate a willingness to engage in pro-group but anti-social behaviors like violence. Participation in violence, however, brings with it a great deal of stress and trauma, and strong identification with the group can also ease the worst of these psychological effects by helping individuals make sense of this violence.

Finally, given the strength of and functions served by a fusion with group identity, leaving a violent extremist group can be incredibly difficult (Fink & Hearne, 2008). Not only does isolation from outside influences diminish the number of possible paths out of a group, but even if one is successful in defusing identities, the process can

involve the restructuring of the self and the meaning of past actions, bringing to the surface questions and moral ambiguity that can be painful to deal with. This insight suggests that intervention strategies should not focus entirely on the extremely challenging work of deradicalization but rather on desistance or disengagement from such groups. The authors found that many Northern Irish militants had left their respective groups and stopped participating in violence while not shedding their “militant activist identity” with this identity acting as a common thread between their former participation in violence and their present participation in nonviolent forms of activism. Although elements of the extremist group identity may linger, individuals will gradually begin to find alternative identities and groups to attach to and identify with. Additionally, a diminished threat context can open up space for individuals to explore other identities, and a shift in the socio-political context, whereby community members start viewing the extremist identity in a more negative light, can re-shape current or former extremists’ understandings of their identity.

Although participation in violent extremism is often thought of as ideologically driven, it is better understood as driven by a need for identity and belonging. This finding has important implications for interventions aimed at disengagement. By holding social identity front and center, community members and policy-makers can craft interventions that focus on addressing this core need, rather than on targeting a few “bad apples,” which feeds into the group’s threat perception, reinforcing their exclusionary identity and purpose. The most fruitful way forward is to support those involved (or potentially involved) in violent extremism in cultivating other “pro-social identities through access to pro-social activities and groups,” as these other identities can eventually take the place that the extremist identity might otherwise—or once did—

monopolize. While social networks can be the initial impetus for participation in violent extremism, they can also provide the way out. The current study argues for the cultivation of pro-social identities as a pathway to peaceful coexistence, but begs the big question of how can pro-social identities be created in areas enveloped in grievances such as Mt. Elgon? The current study opines that, the starting point would definitely be in addressing the land question in the study area.

To this end, therefore, there is need to turn groups away from violence. First and foremost, activists, practitioners, and policy-makers need to take seriously the basic human need for a strong sense of identity, belonging, and meaning that motivates individuals to participate in these groups in the first place. Interventions can use this insight to instead seek out alternative group identities for these individuals that can fulfill this need in more positive ways. Furthermore, the finding that less threatening conditions facilitate the receptiveness of those involved in extremist groups to other “pro-social” identities and social connections suggests that, counter to mainstream thinking, militarist counterterrorism strategy—which only heightens the siege mentality of these groups—is not compatible with these more holistic approaches to addressing violent extremism.

Although cultivating pro-social identities can be an effective approach to moving individuals away from violent extremism, the exposure to different perspectives and reinterpretation of past or present violent activities that it entails are also precisely what can make this move so difficult. Effective interventions therefore need to be attentive to the psychological toll this disengagement process can take on individuals as they confront the trauma of violence in a way they were protected from doing earlier. One particularly promising way forward is to foreground the role of “formers”—individuals

who have previously disengaged from violent extremist groups and know intimately the struggle such disengagement entails—in supporting those who are contemplating a similar exit.

1.2.2.2 Politicization of Land Issues

In Kenya, violent conflicts have always manifested during political periods, usually during general elections when land is often used by the political class as a pathway to incumbency. With bloodshed in the study area- as is with the rest of the country over land mostly occurring in active political engagement periods, that is, during general elections and referendum such as in 1992 general elections, 2005 referendum campaigns and the 2007 and 2017 general elections. The study sought to interrogate the role the elites and political class play in discourses of homegrown extremism in the study area. Data collected and analyzed revealed that majority 252 (63%) respondents agreed to politicization of land issues as determinant of homegrown extremism in the study area, 108 (27%) were neutral whereas only 40 (10%) disagreed. These findings were corroborated with FGD discussions.

Ikikuja kwa uchochezi, ni ukweli na situ hapa Mt. Elgon, wanasisia huchocha vita kila mahali. Hapa Mt. Elgon kwa ile vita kubwa, wanasisia walichochea sana. Na sit u wanasisia wa chini, hata wa juu walichochea.

When it comes to incitement, the political class have played a role, and it is not just in Mt. Elgon that politicians incite violence but the rest of the country. Also, as in the case of 2006-2008 conflict, it is not just the local politicians but also elite politicians may have played an indirect role in fueling tensions. (FGD with male victims, Sasuri Location, August 18, 2021).

Wakati wa siasa ukifika, utawaona na mandege wakikuja na kujifanya wanagawa vyeti, hii kudanganya wananchi ndio kuchochea vita sasa. Kuna haja gani ukuje kupeana vyeti gushi?

When the political campaign period comes, you will see them coming with choppers and pretending to give us land titles. This is the biggest

form of incitement to violence, according to me. (FGD with male victims, Sasuri Location, August 18, 2021).

Mimi kupigana nilipigania mashamba ni kwa sababu wanasisia wa pande yetu walikuwa wameniahidi tukishinda vita tutapata mashamba. Kwa hivyo, shamba ilikuwa zawadi.

On the part of participating in violence in the past, I did participate because the politicians had promised as parcels of land as gifts in the 2005 referendum process. (FGD with male victims, Sasuri Location, August 18, 2021).

Study findings on politicization of land issues in the study area were corroborated with Alao (2007) study which advanced that politicization of natural resources has made resource wars take complex forms, making them dominant scholarly discourse from the late 1990s. Alao (2007, p.5) avers that natural resources–fueled conflicts have remained one of the very controversial and topical issues of the post–Cold War era, especially with the protracted nature of the conflict, the rise of armed groups exploiting natural resources for their self-determination and the survival of illicit armed groups and criminal networks, in addition to the role natural resources play for the state in regime and authority consolidation. This is especially true for nation states in the Global South–Kenya, Nigeria, Liberia, Sierra Leone, Congo DRC and Burundi among others. As a matter of fact, when compared to the rest of the aforementioned states, it is evident conflicts over natural resources in Kenya is extremely marginal with the latter states reduced to an almost equivalent of failed states. To this end, the current study points out that policy makers in Kenya to take into serious consideration the need to expedite emerging conflicts of land and natural resources which have been earmarked to shape extremist discourses in the next two decades.

Study findings on the role of political environment are corroborated by Simiyu (2008) study which advanced that the conflict in Mt. Elgon has to a great extent involved

influential politicians from within the District. Political leaders during the Kenyatta, Moi and Kibaki regimes served to exploit their very own communities and used the land question to exploit communities for votes. A study by the National Council of Churches in Kenya (NCCCK) reveals that the 1990s saw an advent of pluralist politics rupture the relative stability of Mt. Elgon District as identity politics redefined inter-ethnic relations. The Bukusu were mainly pro-opposition while the Sabaots were keen to maintain the status quo in supporting the ruling party KANU. During this period, ethnic rivalries came to the fore as the Soy-Ndorobo, Sabaot-Bukusu clashes broke out in Mt. Elgon thereby causing massive displacements. It is acknowledged that rivalry between the Soy and Ndorobo communities were also heightened during the 1992 clashes. The clashes witnessed in 2006 and 2008 between the two communities were triggered off by the approval of a list of about 1,732 squatters to be re-settled in Chepyuk Phase III.

At all administrative levels, State agents used their position to favor some people at the expense of others, depending on political influence, financial means and personal interest. Moreover, when the local MP was in government, as it was the case for John Serut from 2003, he could use his influence and expect support from State apparatus. In some instances, political leadership and administration would cross arms in others they would collaborate which made it easier to mismanage State apparatus: the land could be sold instead of being freely distributed and sold to people other than those officially targeted, the landless. Collusion of interests was identifiable under Kenyatta, Moi and Kibaki, even though under the latter an apparent will to change came into play and there was supposedly less political interference in the land redistribution exercise.

However, President Kibaki was no doubt more sensitive to pleas for land from his Kikuyu clients and followers than to protests by the Sabao, who were also hoping to benefit from Serut's allegiance to his government. Thus, the fact that almost all MPs who were elected in Mount Elgon were Bok worked in favor of the community during land distribution, although it should be stressed that there were rival factions and unstable personal political ties within the Bok community. With the end of an agricultural frontier in Chepyuk, Mt. Elgon politicians were left with no land to redistribute to safeguard the allegiance of their clients. Nevertheless, land remained at the heart of political mobilization and it is upon this crest that Fred Kapondi rode and was elected in the 2007 parliamentary elections on an Orange Democratic Movement (ODM) ticket against John Serut, who vied on a Party of National Unity (PNU) ticket. The political transition was therefore directly linked to the land crisis. Beyond the land platform, ODM and Kapondi's victory was due to massive displacement of residents and to the fact that the SLDF, with which he was associated, had taken control of the ground. The political transition was also more a result of terror than democracy.

A politicized social identity is essential to the theme of terrorism. This is because it produces an imagined political protest community, which Sageman (2017) holds as the first step in the turn to violent extremism. Perceiving the state as oppressive, together with out-group aggression, can lead to some people considering themselves as defending the idea of the collective community. Violent extremists claim to represent and defend such a community. This self-categorization, into a warlike social identity means that some turn to violence to protect this imagined community (Sageman, 2017). It is for this reason that some individuals in the West have ascribed their attacks to violent extremist groups, despite no direct link or contact with them. Such individuals

self-categorize with an imagined community, by way of the internet and other technological means (Sageman, 2017).

Land conflicts specific to Africa have also centered on the politics of natural resource extraction and unbalanced rent sharing between the elite and ordinary citizens. At the core of these studies is the assumption that a handful of corrupt rent-seeking elites play a central role in determining who enjoys most of the rents from natural resources (Ovadia, 2013). This duality-based relationship between elites and citizens is hierarchal and exists as a vertical dependence system, meaning citizens do not have the power to question the imbalances of sharing natural resources. For the most part, these arguments subscribe into the “resource trap” and “resource curse” themes, establishing the connections between natural resource abundance or scarcity and the likelihood of violent conflict over land (Carmignani & Chowdhury, 2010; Frynas *et al.*, 2017). Whereas the elites keep the predominance of natural resources under their control to maintain power, these arguments suggest that violence is more likely to erupt amongst citizens who have less access to such resources or more to gain from them.

In Kenya, the post-colonial era mainly saw the “elite capture” of property rights. The land that had been occupied by white settlers, particularly the British, were acquired by the postcolonial regime of Jomo Kenyatta (1963-1978) and eventually sold to national elites who gained control of the property ownership structure (Kanyinga, 1998; Okoth-Ogendo, 1989). The trend was continued under Daniel Arap Moi’s regime (1978-2002), known for distributing public lands for political purposes. Land regimes therefore became connected to post-colonial national politics in Kenya, with successive governments becoming reluctant to transform land regimes in a manner that would address irregular land allocations over the years. This is because land rights have

become instruments of structuring political relationships, connecting elite “landlords” in various regions to the central state. This link of interdependency is captured by Boone (2011) observation, suggesting that “the direct tie between central state agents and land users often persisted over time through relations of indebtedness, patron clientage, and/or access to land in the absence of official titles... and that these past and ongoing relationships provided a historical and political if not legal basis for Rift Valley politicians’ claims to prerogative over land allocation in the present and near future” (Boone 2011: 1313). This may explain why national elites seeking electoral support repeatedly manipulate land-tenure relationships to influence land-related grievances in some parts of the country such as the Rift Valley, as witnessed during the 1992, 1997, and 2007 elections (Boone, 2011).

In short, post-colonial land-tenure regimes have been manipulated by varying national elites to influence ethnic conflict, to illegally distribute public lands such as forest land for personal interests and political gains, and to stifle the operations of land institutions (Okoth-Ogendo, 2002). And, as Klopp (2000: 15) puts it, “one might say that Kenya was founded by successive acts of land grabbing, and hence, land grabbing is as old as Kenya itself, if not older.”

Study findings on politicization of land issues are corroborated by Boone (2011) study which advanced that political dynamics of land conflict in Kenya revolve primarily around the politicization of land-related grievances by political elites and the struggles to control the state machinery, which, for the most part, oversees the institutions of land governance and property access (Boone, 2011). The result of this is that whoever controls the state machinery has the ability to partially influence the opportunities associated with land ownership, including the organization of people’s concept of

territoriality through “spatial ordering” (Sikor & Lund, 2009). This is because “the process of seeking authorizations for property claims also has the effect of granting authority to the authorizing politico-legal institution”. For instance, following independence, “Kenyatta used the former settler land as patronage to solidify his support and build alliances, and many former loyalists became prominent in the new KANU government” (Klopp *et al.*, 2000: 16). This, in part, explains why the politics around land rights and land ownership have become a common theme in Kenya’s electoral processes, as historically rooted grievances and claims over the need to recapture land in the “lost” territories often resurface (Mwita *et al.*, 2017).

Having access to senior political leadership is, in this regard, seen as a potential means or authority to undo the perceived injustices surrounding historical land allocations and/or acquisitions because political leadership serves as “the ‘contract’ that links property and authority” (Sikor & Lund, 2009: 1). Indeed, targeted killings and evictions in areas such as Rift Valley have been attributed to the politicization of historical grievances by political elites. The findings by the Akiwumi Report on tribal” clashes in Kenya provides important details to this end. Put differently, “the process of seeking authorization for property claims also works to authorize the authorizers and, at the same time, institutions underpinning various claims of access—hence catering for particular constituencies—undermine rival claims to the same resources” (Sikor and Lund, 2009: 1-2).

Although Kenya adopted a new Constitution in 2010, which provides the ground for the implementation of the National Land Policy through institutions such as the National Land Commission (NLA), increased politicization of these institutions means that they are likely to make politically motivated decisions. Yet, the 2007-2008 post-

election violence is a stark reminder of the risks associated with the politicization of land ownership.

Study findings revealed mixed outcomes with Horowitz & Klaus (2020) study which sought to examine whether politicians exploit ethnic grievances in Rift Valley, Kenya—a region where a long history of conflict over land has sharpened ethnic tensions. Studies of conflict-prone settings claim that political leaders can increase electoral support by appealing to perceived ethnic grievances (Horowitz & Klaus, 2020).

The findings on politicization of land issues are agreement with Boone (2017) study on the danger that is displacement of communities from what they consider their ancestral homes. The research revealed that nearly one-third of ethnic civil wars since 1945 have been “sons of the soil” (SoS) conflicts that pit indigenous populations against internal migrants. Despite important differences across SoS conflicts, many share a common trait as they often escalate during elections. Using insights from fieldwork in *Côte d’Ivoire*, Ghana, and Indonesia, Boone (2017) study shed light on the causal dynamics that link elections and diverging levels of SoS conflict. The study established that the severing of patronage networks and the shifting balance of power towards migrants create fertile contexts for political elites to instrumentalize local grievances. Elections are thus more likely to produce violent SoS conflicts when elites at both the national and local levels are able to mobilize supporters by playing upon these grievances, often through the politicization of citizenship and/or the ethnicization of the local sphere. The study findings and discussions have indeed demonstrated the role politics politicization of issues feed into grievance and thus a determinant in extremism.

4.2.2.2.1 The Role of the 2005 Referendum vis a vis BBI Referendum in Mt. Elgon Conflict

Following the 2005 Referendum on the Constitution of Kenya, John Serut- a leading politician in the district is reported to have been extremely annoyed that his side had lost the referendum. He is reported to have bought some 14 guns and placed them in the hands of hired youth. Their brief was to eliminate some carefully targeted people, who had frustrated the referendum in the district. In addition, during an interview with community elders, they argued that the Building Bridges Initiative (BBI) of 2018 clamor to create new constituencies in the Luhya dominant Bungoma County while neglecting the Sabaot side was a proposal that respondents in the study area were not impressed with as this would further perpetuate marginalization of the Sabaot. Among the proposals was the Luhya Bungoma to get additional constituencies with the Sabaot Bungoma only getting two- Kapsokwony and Cheptais. These, the community elder alluded during the interview that the people of Mt. Elgon perceived as perpetuation of marginalization.

Study findings on politicization of land issues are further corroborated by Namtala (2019) study which argued that the 2010 constitution redefined the districts created up to 1992 as devolved units called counties. The former Bungoma district established in 1962-including Mt. Elgon district of Sabaot created in 1963- were constituted in Bungoma County. To the Soy Sabaot elites, this provision of the constitution appeared to have taken them back to pre-1993 dates when they were discriminated minorities who shared the same district with the Bukusu. In 2009, prior the promulgation of the constitution, Wilberforce Kisiero, a Bok, had petitioned the Interim Independent Electoral Commission (IIEC) to transfer Mt. Elgon and Cheptais Sub-county to Trans-Nzoia County. The Ndorobo/Ogiek elites opposed the petition by Kisiero and other Soy

elites. They argued that if that was to happen, the non Mosop Sabaot would be too numerous thus further marginalizing the Mosop Sabaot. To the Mosop, it was better for both Sabaot groups to be dominated by the Bukusu in Bungoma than the Mosop Sabaot to be overwhelmed by the non-Mosop Sabaot in Trans-Nzoia. This points to latent animosities that exist between the Soy and Mosops in the study area, who were the focus of extremism in this study.

4.2.2.3 Boundary Lines in Mt. Elgon

Several lines of inquiry have been provided as potential explanations for land conflict in Africa. One such explanation associates land problems within colonial legacy, emphasizing pre-independence (re)distributive land policies (Blanton, *et al.*, 2001). The core argument here is that, if land conflicts continue to persist in Africa, it is largely because of the restructuring processes that accompanied the social, political and economic policies, of which land governance plays a central role. This section sought to interrogate whether boundaries are a determinant of homegrown extremism in Mt. Elgon Region of Kenya. Data collected and analyzed revealed that majority 364 (91%) respondents were in agreement, 36 (9%) were neutral whereas none of the respondents disagreed with the boundary issue as being a determinant in the Mt. Elgon Conflict.

A primary example of this is the continued use of state borders created by colonial occupiers in an effort to administer territories without taking into account previously existing land traditions (Boone, 2012; Klaus, 2017). Consistent with this perspective, Yamano and Deininger (2005:1) also observe that “in many African countries, formal institutions for land administration were often simply superimposed on traditional structures without a clear delineation of responsibilities and competencies, implying that they lack both outreach and social legitimacy.” In essence, such practices are

believed to have contained communities to specific geographic areas (Khadiagala, 2010).

4.2.2.6 Forced Eviction Programs

The study sought to establish whether forced eviction programs by the government played a role as a determinant of homegrown extremism in the study area. Data on the same were collected, analyzed and the results revealed that 400 (100%) respondents revealed that forced eviction programs were a determinant in homegrown extremism over intractable land use conflicts in the study area whereas as there were no disagreements with this. Respondents also revealed during FGDs that it was the manner in which these eviction programs were carried out that was not humane.

Hata hivi miezi mbili haijaisha wamekuja kutuchomea nyumba ati tuhame hapa, sasa twende wapi? Nimezaliwa hapa na sijahama tangu nitoke. Niambie hapa si nyumbani.

Even two months are yet to pass since they came with trucks to burn and destroy our crops and houses. Where should we go to now after the evictions. We were born here and have never lived elsewhere. How is this not my home? (FGD with male victims, Sasuri Location, August 18, 2021).

Walikuja wakachoma chakula na kukatakata vitunguu. Mwaka ujao (2022) hatutakuwa na chakula juu walichoma chakula ilikuwa karibu kuvunwa. Kama unaweza andika, ambia serikali itutafutie Chakula ya msaada.

When they came, they did not only force us out of our lands, they also burned our food and cash crops including onions, cabbages and potatoes. In 2022, there will be hunger in Mt. Elgon, if you can, please reach out to the government and ask them to consider food aid for us. (FGD with male victims, Sasuri Location, August 18, 2021).

Itakuaje leo ukuje utuchomee nyumba na chakula halafu tuskie hii mashamba imepeanwa kwa askari wa GSU bila hata sisi waathirika kuhusishwa. Sisi tumedhalilishwa kabisa. Je hii ni haki kweli?

How will it be possible that they came to burn our crops and houses and yet you hear that the same piece of land we were evicted from has been allocated to the GSU without consulting us the affected populations who have tilled those lands for decades? Is this right? (FGD with male victims, Sasuri Location, August 18, 2021).

Arising from the qualitative findings gathered through FGD discussions, the current study points out that the evictions are conducted by government agencies with little or no regard to the existing laws and adherence to human rights, those, are a cause of grievance and likely to feed into extremism. Forced evictions constitute gross violations of a range of internationally recognized human rights, including the human rights to adequate housing, food, water, health, education, work, security of the person, freedom from cruel, inhuman and degrading treatment, and freedom of movement. Forced evictions are often linked to the absence of legally secure tenure, which constitutes an essential element of the right to adequate housing. Forced evictions share many consequences similar to those resulting from arbitrary displacement, including population transfer, mass expulsions, mass exodus, ethnic cleansing and other practices involving the coerced and involuntary displacement of people from their lands and communities.

FGD respondents also argued that the government should honor the cutline that was established and also respect the title deeds they say were issued to them after the cutline was placed. They also argued that they had built houses and other developments on the land and that they would be disadvantaged were they to be moved from the land. They also argued how the same lands they were evicted from were allocated to the GSU. A

number of residents of Cheptais depend on Mt Elgon Forest for cultivation of crops as they take care of indigenous trees and also keep bees for honey. However, the government banned forest cultivation, saying a number of farmers had taken advantage of it to engage in illegal logging, charcoal burning and hunting of wild animals in the forest. Forest rangers have been destroying crops, arresting trespassers and torching houses constructed by the community.

In many instances, victims of forced evictions are those belonging to specific groups of the population: the poorest, communities facing discrimination, the marginalized and those who do not have the clout to change the decisions and designs of the project leading to their displacement. It is often their very poverty that subjects the poor to displacement and resettlement and being perceived as targets of least resistance. According to the Special Rapporteur on adequate housing, “forced evictions intensify inequality, social conflict, segregation and ‘ghettoization’, and invariably affect the poorest, most socially and economically vulnerable and marginalized sectors of society, especially women, children, minorities and indigenous peoples.”

Discrimination is frequently a factor in forced evictions. Discrimination means any distinction, exclusion or restriction made on the basis of various grounds which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise of human rights. It is linked to the marginalization of specific population groups and is generally at the root of fundamental structural inequalities in society. Those at heightened risk of forced eviction are often placed in such situations on account of discrimination. For instance, those in informal settlements or otherwise lacking security of tenure are often marginalized groups. Additionally, racial or ethnic groups could be targets of forced eviction specifically because of their race, ethnicity or religion.

Minorities often face forced evictions as a consequence of discrimination, conflict or ethnic cleansing, or because they constitute a socially excluded, destitute or marginalized part of society. Such forced evictions have been condemned by the Human Rights Committee, the Committee on the Elimination of Racial Discrimination and the Committee against Torture. For instance, the Committee against Torture found that State acquiescence to the violent forced eviction of an ethnic minority community amounted to cruel, inhuman and degrading treatment. Similarly, the European Committee of Social Rights alluded that forced eviction, when coupled with State complicity in measures resulting in the violation of human rights of vulnerable groups, including racial minorities, amounts to an aggravated violation of the right to adequate housing. It considered that such cases are so egregious that complaints involving such forced evictions should be expedited and require the urgent attention of all Council of Europe member States.

The current study points to the fact that, in Mt. Elgon, given their already complex relationship to access land, forced eviction from their “ancestral” homes impacts and violates the right to food. Food being a basic human need, its access or lack of it will have a domino effect on other spheres of life. Lack of it, will likely feed into grievance and escalate social tensions and feeds into extremism.

4.2.2.6.1 Forced Evictions Violate Right to Food

With millions of people chronically undernourished, the number of hungry people in the world remains unacceptably high. The right to adequate food is understood as the right to have physical and economic access to food or the means to procure it, including by producing or purchasing it. Forced evictions can undermine the enjoyment of the right to food by depriving people of their access to the means to procure food. For

example, forced evictions can lead to hunger and malnutrition when such evictions deprive people and communities of their land, water and other resources on which they depend to produce food that they eat or sell. Evicted people may lose access to jobs or social protection schemes if they are relocated far from jobs or deprived of social entitlements as residents of an area. This may leave them unable to buy food thus feeding into grievance and extremism in the study area.

The minimum human rights principles applicable to large-scale land acquisitions or leases, developed by the Special Rapporteur on the right to food, prohibited forced evictions that are not consistent with international human rights standards. The FAO Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security emphasize that all forms of land, fishery and forest tenure should provide guarantees against forced evictions, including in the context of expropriation which seems to have been glaringly absent from all eviction programs in the study area- majority which have followed unstructured patterns by the government agencies tasked at implementing and enforcing them. Only the police have been present in the eviction programs.

4.2.2.6.2 Forced Evictions Violates Right to Land

Indigenous peoples enjoy the protection not only of general human rights standards, but also of standards specifically applicable to them. These standards recognize the distinctive cultural relationship that indigenous peoples have to their lands and protect them from displacement. The United Nations Declaration on the Rights of Indigenous Peoples states that indigenous peoples enjoy special protections to ensure that actions that result in dispossessing them of their lands are prevented or remedied. In this

context, indigenous peoples cannot be forcibly removed from their lands without their free, prior and informed consent and after agreement on just and fair compensation and, where possible, with the option of return. These principles have been reaffirmed by the Committee on the Elimination of Racial Discrimination.

4.2.2.7 Land Dispossession and Redistribution

Almost tied to forced evictions is land dispossession and redistribution of those lands.

Data on land dispossession and redistribution were collected, analyzed and the results revealed that majority 356 (89%) of respondents were in agreement, 32 (8%) were neutral and 12 (3%) were in disagreement. Data on land dispossession and redistribution was corroborated with qualitative data obtained from FGD discussions.

Mimi tangu nifurushwe, sina nyumba, naishi hapa kwa rafiki yangu na familia yangu tangu tufukuzwe kule juu.

I am a victim of forced displacement, that there is my former house. For now, I am living with my family at my friend's place since I was forcefully evicted. (FGD with male victims, Sasuri Location, August 18, 2021).

Hapa Mlima Elgon, kwa sababu ya kufurushwa, Iko wale walikuwa wanaishi kwa mapango kwa sababu ya kukosa ama kuharibiwa nyumba.

Here in Mt. Elgon, as a result of forced evictions by the government, there are people living in caves but you may never get to here this. (FGD with male victims, Sasuri Location, August 18, 2021).

Kwa ile shamba kidogo ilifaa tupewe, serikali imepea KDF. Sijui ni kututisha ama? Sasa mashamba inazidi kuwa ndogo, na sisi tunaonezeka kila siku.

On the parcels of land that we have traditionally used to plant and evicted, the government has allocated portions of it to the KDF. Increasingly, the parcels of land we have been contesting for are becoming smaller. (FGD with male victims, Sasuri Location, August 18, 2021).

Tulifukuzwa kama mazao ndio imefika kuvunwa. Saa hii sina Chakula kabisaa. Walifyeka vitungu yote. Sina Chakula yangu mwenyewe. Walikharibu investment yenye ingenipea laki tatu elfu.

Imagine being evicted from a parcel of land with crops that are almost ready for harvest and with all the investment. I do not have food for my family. The police came and destroyed my investment of almost three hundred thousand shillings. (FGD with male victims, Sasuri Location, August 18, 2021).

Farell *et al.*, (2021) study advanced that land dispossession has serious consequences on the livelihoods and food security of those who have lost their land. Making reference to *Côte d'Ivoire*, Farell *et al.*, (2021) study advanced that problems are particularly acute where the conflict displaced hundreds of thousands of people and involved the burning or destruction of thousands of homes. When people returned, they often had few possessions left and had been unable to profit from cash crops or stockpile food crops while displaced. Many expressed grave concern about sustained food insecurity should they continue to be unable to access land now occupied illegally.

Kariuki & Ng'etich (2016) advance that there are various laws in the country empower the government to declare certain areas as protected areas. This could be, for example, due to environmental concerns as in the case of the Mau Forest. This is also another manifestation of land grabbing. The declaration of such areas as protected areas is done without due regard to the individuals and communities who derive their livelihoods from such areas. The Ogiek ethnic community, for example, have been forced out of the Mau Forest which has been their habitat for over 150 years. Their forceful removal from the forests puts their hunter-and-gatherer-livelihood at risk. Outside the forest, they have to start new and different livelihoods.

The Endorois case offers a classic case of land grabbing by the government through gazettelement of areas as protected. The Centre for Minority Rights Development and Minority Rights Group International filed a complaint against the Government of Kenya before the African Commission on Human and Peoples' Rights. It argued that eviction of the Endorois from their ancestral land around Lake Bogoria, the failure to adequately compensate them, the destruction of their pastoral livelihood and violation of their religious and cultural rights, amounted to violation of free practice of religion, the right to property, the right to take part in the cultural life of a community, the right of people to freely dispose of their wealth and natural resources and the right of people to economic, social and cultural development as provided in the African Charter. They sought restitution and compensation for loss suffered. The Government was found to have violated their cultural, religious and property rights. However, the government is yet to honor the communication by the Commission clearly showing the government's outright and illegal dispossession of communities without regard for their livelihoods.

4.2.2.8 Historical Memory of Conflicts

Memory of collective wrongs and atrocities suffered in the past from another nation or ethnic group often burdens a present conflict with strong resentment and makes it appear as a historical repetition or redress. Only when national memory has been "cooled" and sacrosanct historical places and symbols has lost some of their mobilizing force, may human relations between the enemy communities be restored (Jedlicki, 1999). Quantitative evidence on historical memory revealed that majority 244 (61%) of respondents were neutral, 148 (37%) were in agreement whereas 8 (2%) were in disagreement with the role of historical memory as a determinant of conflict in the study area.

Each side in a conflict has a different construal of the origins and development of the conflict. Collective memories of past conflicts play an important role in maintaining intergroup violence. For instance, the collective memory of violent events may serve to justify current violence and may help perpetrate and refuel new violence. The reconciliation and conflict resolution literature suggests that addressing the past and acknowledging the harm done by the in-group are crucial for establishing peaceful relations. However, in order to address the past efficiently it is necessary to understand how groups construe the past of intergroup conflict, and how memories of the past influence current conflict.

Collective memory has been a powerful tool of manipulation by leaders and elites to justify and lead groups into collective action. Collective memories not only inform understanding of the present, but they also shape expectations for the future and serve to justify an in-group's current actions. In some instances, to justify political claims, the memory of events is invoked many years after the event took place.

Collective memories of conflict portray the in-group as the victim and focus on in-group suffering and victimhood. Portraying oneself as a victim serves to legitimize current negative actions against outgroup members as well as to establish the in-group's morality and legitimacy. Threat, fear, and delegitimization of the opponent embedded in collective memories of violent conflict lead to perceiving the adversary as extremely threatening. Consequently, each group is likely to perceive their acts of violence as a response to threat or as provocation by the outgroup. As each group has the right to self-protect, retaliation in response to provocation is considered justifiable. Within this framework, collective memories of past victimization evoke the need to engage in defensive violence, that is, to attack the opponent first in order to defend oneself. Even

if the in-group is viewed as responsible for violent acts, the in-group's positive image is not threatened if these acts are perceived to be in response to the outgroup's provocation.

Certainly, motives and arguments drawn from history play an important, if not crucial role in most conflicts between nations or ethnic groups, and they usually make those conflicts much more difficult to resolve than they would be if only definable interests of the present generation were at stake. There seem to be two ways in which a vivid historical memory fans the flame of current animosities. First, it does so through the process of sanctification of some historical events that transforms their dates, places, actors and relics into powerful symbols, and the stories into unifying myths. Secondly, a memory of collective wrongs and losses suffered in the past from another nation, but also an awareness, however dim, of one's own nation's responsibility for wrongs done to other peoples, burden the present conflict with strong resentments and make it appear to be either a historical repetition, or a historical redress.

"Memory" is understood here both in the literal and metaphorical sense. In fact, the two meanings are hardly distinguishable. A strictly personal remembrance of events that affected a large part of one's generation or national community is usually widened and modified by later acquired knowledge and interpretations, influenced as they are by recognized authorities, whether political, religious or educational, and enforced by mass media. Consequently, "collective memory" means a complex of beliefs, shared by at least a part of the national community and relating to a given segment of the national history. The community (especially its intellectuals) can, of course, produce several rival "collective memories" resulting in contradictory narratives, although one of them is as a rule prevalent. Obviously, these "memories" may easily transcend the

chronological limits of individual or, for that matter, generational memory (Rousso, 2002).

Studies dedicated to the historical memory of wars and conflicts show the selective role of the past in the reproduction of the present and the future (including the characteristic of most wars and conflicts of the 20th and 21st centuries – trauma). Trauma of the past can serve as a basis for the social practices, designed on the habitual (in everyday life) memory of wars and conflicts, which is expressed in memorials, monuments, days of remembrance and commemorative practices, museums built and established as part of the narration linking the traumatic past with the present (Miller, 2019). Consequently, individual traumatic memories can be socially institutionalized and lived year after year, gradually becoming a part of the individual and collective identity. At the same time, trauma (memory) is closely related to the armed conflicts, the study of which has allowed developing the concept of a traumatized society. The incomplete list of such societies includes Afghanistan, Bosnia and Herzegovina, Chechnya, the Democratic Republic of the Congo, Eastern Ukraine (Donbass), Eritrea and other territories (Maercker & Hecker, 2016). The term “traumatized society” is also used by many experts in relation to those groups that have either already experienced historical trauma or are still in the process of living in the aftermath. This plays a role in feeding into grievance and informing extremism in the study area especially given the fact that land issues remain by and large within the study area.

4.2.2.9 Marginalization of the Saboot Community

Tajfel *et al.*, (1971) examined ethnic groups and identified categorizations such as in-group and out-group. The authors explain that an in-group individual is an individual from an ethnic group who decides to identify emotionally as a member of another ethnic

group. They further explain that an out-group individual is an individual who decides not to identify with any ethnic group other than the indigenous group during smaller ethnic group interactions. Quantitative evidence revealed that majority 360 (90%) respondents agreed to marginalization of the Sabaot community, 40 (10%) were neutral whereas this item received 0 (0%) responses- with no respondents disagreeing to marginalization of the Sabaot, the current study opines this is indeed a determinant of extremism in the study area. Study findings on marginalization were corroborated with qualitative data collected during a key informant interview with a community elder in Cheptais.

Hapa Bungoma County, mtu kutoka jamii ya Sabaot ameendelea kutengwa. Hata baada ya serikali ya majimbo. Ni mbaya sana mimi kusema hata tangu zama za kae, ilibidi wengine watu tubadilishe majina ya pili ili tupate nafasi kwa serikali, ili watoto wetu wapate bursaries n ahata wajane wetu wanahangaika kupata vitu ambayo wajana wote wanafaa kupata. Katika serikali ya kaunti ya Bungoma, mtu wa Sabait kupata kazi ama nafasi ya biashara ni ngumu zaidi.

Here in Bungoma County, the Sabaot community in general remain deeply marginalized. It is sad that some of us had to change our second names to compete for opportunities from way back in the 1980s. We have to do that for our children to get bursaries and even for widows from our communities to access widow benefits. It becomes worse when relating with the County Government where it is difficult for our people to get opportunities for work and business. (Interview with Community Elder, Cheptais, August 18, 2021)

Study findings on marginalization of the Sabaot community as a determinant in homegrown extremism are corroborated by Simiyu (2008) study. Simiyu (2008) alluded that another factor that fuelled the conflict in Mount Elgon was perception of marginalization among the Sabaot in relation to the Bukusu in the County. The Sabaot community for long had felt marginalized by the Bukusu in terms of access to job opportunities in the Bungoma County Council. To escape the perceived

marginalization, the Sabaot community demanded a district of their own while the Bukusu living in the heart of Mt. Elgon opposed the idea of curving out a new district for the Sabaot. The debate over the creation of district for the Sabaot engendered animosity between the two communities. To solve the problem, President Moi granted the Sabaot their own district in 1993. Soon after the creation of Mt. Elgon District, the Bukusu therein began to feel marginalized (Simiyu, 2008).

Study findings on marginalization are corroborated by Wafula (2019). Wafula (2019) study established that it was evident that provision of social services and infrastructural facilities still lay at an infant stage. During the field visits it was clearly observed that key roads such as Masaek-Kipsigon and Kopsiro-Chepyuk are in deplorable conditions. Thus, there is almost complete lack of infrastructure, including no paved trunk road system. These clearly demonstrate that the area is not easily accessible and remains impassable during the rainy seasons. Furthermore, there are increasing concerns that most households in the area have no electricity or power grid, only a handful of public water and sanitation systems, and the complete absence of social infrastructures throughout Mt Elgon. The significance of such circumstances is that the entire region remains trapped in economic isolation. With the prevailing marginalized circumstances on the other hand, those recruited into militias, their membership served as a ready-made ticket to wealth.

The implication of these findings on marginalization reveals the need for state security agencies to focus on addressing homegrown causes of extremism as a pre-cursor for sustainable peace in the Global South. This is with respect particularly to the Oxford Research Group (2012) report on the generic context of the *Boko Haram* violence which

established that, the effect of poverty on health and education in northern Nigeria was striking, if not alarming. The report added that, In Borno State, the birthplace of *Boko Haram*, only 2% of children under 25 months had been vaccinated; 83% of young people were illiterate; 48.5% of children did not go to school. Another report, by the National Bureau of Statistics in 2010, found that literacy rates were much lower among states in the North, and that 72 percent of children around the ages of 6–16 never attended schools in Borno State, where *Boko Haram* was founded. With regards to poverty index, the top five states (that is, the poorest) are all in the northern areas. Forest (2012: 56) observed that *Boko Haram* had an entrenched sense of victimhood and now perceived the state as both the main persecutor of ‘true’ Muslims and the major obstacle to ‘true’ Islamic reform.

It is worth pointing out that the reality is that relative deprivation could be deep rooted when the causes of the deprivation are not given the attention it deserves by the respective state agencies. The implication therefore is, the longer it takes to address the causes of the deprivation, the more the grievance and intractability to the issue at hand and the more the possibility of the issue mutating into a narrative for violent extremism- just like the Mt. Elgon land issue which at the time of writing this thesis has spanned into its fifth decade with almost zero progress and effort reported over the last decade in terms of coming to its conclusive end. The tragedy is that, across the period of the conflict, population in the area has significantly grown, the effect of climate change has also affected agricultural productivity and chance is that as the dynamics of the conflict keep changing, they will continue feeding into grievance between the Sabaot and the state, within the Sabaot and between the Sabaot and other ethnicities in the area. There is therefore for the government to expedite addressing the issues are they currently are.

The meaning of relative deprivation can be gleaned from the works of its finest exponents. In his book “*Why Men Rebel*”, Ted Gurr (1970) argued that people become dissatisfied if they feel they have less than they should and could have. Over time, such dissatisfaction leads to frustration and then rebellion against the (real or perceived) source of their deprivation. Elsewhere, Gurr (2005: 20) argued that structural poverty and inequality within countries were “breeding grounds for violent political movements in general and terrorism specifically.” Drawing on his studies of relative deprivation and conflict in Northern Ireland, Birrel (1972:317) contended that group tensions develop from a discrepancy between the “ought” and the “is” of collective value satisfaction. Similarly, Davies (1962) argued that the occasion of political violence is due to the insupportable gap between what people want and what they get; the difference between expectations and gratifications: “this discrepancy is a frustrating experience that is sufficiently intense and focused to result in either rebellion or revolution” (Davies 1962:5). The crux of all these works is that violent actions flourish within a context of sustained grievances caused by relative deprivation.

Some scholars affirm that ethnic categorizations can be a tool for discrimination to promote mediocrity, denying the qualified access to opportunities for employment, well-timed promotion, and placement in a position of authority because of their place of birth and identity. Favoring in-groups rather than out-groups is derogatory and a sign of feeling threatened. Peng *et al.*, (2021) state that the perception of derogation occurs when the views of the in-group are perceived by the out-group as hindering or obstructing the objectives of the in-group. It could be stated that in-group and out-group categorization and marginalization may advance indigene-settler problems.

A study by Bradbury & Kleiman (2010) revealed that diverse factors make individuals vulnerable to radicalization. A key factor Bradbury and Kleinman (2010), highlighted was that individuals harboring a sense of marginalization embrace a narrative of victimization. Marginalization is based on most notably ethnic and religious identities. Therefore, individuals belonging to a certain ethnic or religious group may perceive themselves as marginalized, hence be driven to protect the groups they belong to, as identified by Botha (2014). This sense of marginalization thrives in circumstances where a sense of national identity is lacking. In Kenya, ethnic and religious identity have often been politicized to achieve political advantage. For instance, amongst the coastal communities narratives of political and economic marginalization have been repeatedly disseminated thus providing an entry point for radicalization. Apart from the collective identity, Odhiambo, Onkware & Leshan (2016) explained that deficiencies in individual identity creates vulnerability; individuals in search of their personal identity have been seen as easy targets for radicalization. From the data and discussions presented, the current study advances that marginalization of the Sabaot community has indeed played a role and feeds into the “complex whole” of homegrown extremism over intractable land-use conflicts in the study area.

4.2.2.10 Land Tenure Insecurity

Secure tenure is one of the factors of ensuring sustainable economic development. With secure tenure, the universal call to end poverty and protect the planet is attainable. This will eventually spill over to world peace as well. Since its perception is a key justification that provides incentives for investment in land resources and therefore an impetus for attaining the Sustainable Development Goals (SDG). To this end, the current study sought to examine land tenure as a determinant of homegrown extremism

in Mt. Elgon Region of Kenya. Data collected and analyzed revealed that majority 388 (97%) of respondents agreed to land tenure insecurity, 12 (3%) were neutral whereas none 0 (0%) of the respondents disagreed to lack of tenure insecurity as a determinant of homegrown extremism.

Given that many people in Africa are dependent on subsistence farming, land tenure security is essential for their economic and humanitarian development (Lemmen *et al.*, 2010). Accessibility to land and assurance of land rights are the cornerstones of livelihoods in developing countries (Owoo & Boakye-Yiadom, 2015). Lacking access to land and facing the fear of eviction, poor people are unable to take advantage of social, economic and civic opportunities. Secure land rights are crucial to improve living conditions among the population and to promote investments in sustainable land use.

Wakhungu *et al.*, (2008) add that in the aftermath of the early 2008 post-election violence, it became clear that issues related to land tenure were perceived by many experts as key to understanding the root causes and dynamics of conflict. Indeed, the “Kenya National Dialogue and Reconciliation” process identified land reform as key to long-term peace and reconciliation, and the proposed “Truth, Justice and Reconciliation Commission” was mandated to examine historical land injustices, and the illegal or irregular acquisition of land, especially as these relate to conflict or violence.

Study findings on land tenure insecurity are a negation of Harbitz *et al.*, (2009) study which advanced that having a document that verifies one’s identity is fundamental for any citizen to be able to access rights, benefits, and services. Having a legal identity is increasingly important for any person who interacts with the public sector and society in general. Legal identity is understood to be the combination of factors that enable a

person to access rights, benefits, and responsibilities; that is, the legal registration and documentation of name, personal data, date of birth, and unique identification, whether in the form of biometric data or a unique identifying number. To be undocumented means to be denied opportunities and possibilities to exercise civil and social rights. Lack of legal identity are considered to have a direct effect on possibilities and opportunities for full participation in social, political, and economic life. Lack of documents was found to have economic and financial implications and to be a determining factor in the cycle of poverty.

Study findings on lack of tenure insecurity are corroborated by a number of writers on the causes of conflicts in Mt. Elgon Sub-county and drew conclusions. The Kenya Land Alliance (KLA) (2004), a non-profit and non-partisan umbrella network of civil society organizations and individuals committed to advocacy on land laws and land reforms summed the conflict as the “result of a failed resettlement programme.” The Kenya National Human Rights Commission (KNHRC) (2008), viewed the violence in terms of issues revolving around rights of tenure. KNHRC’s view can be summed by describing the land as “ours (Sabaot) by right and theirs (government) by might”. Another scholar, Simiyu (2008), asserted that the conflict was a result of “militarization” of land based conflict” as a result of tenure insecurity.

4.2.2.11 Culture of *Laibonism*

The study also sought to establish whether the culture of *Laibonism* had played a role as a determinant of extremism in Mt. Elgon region. Data analyzed revealed that 16 (4%) of respondents were in agreement, majority 304 (76%) were neutral and 80 (20%) were in disagreement. These findings are not consistent with Simiyu (2008) study which established that another cause of the conflict in Mt. Elgon was the long history of

conflict and inter-ethnic warfare among the Sabaot and neighbouring communities, manifested mainly as cattle rustling. Simiyu (2008) argued that the Sabaot community and their Sebei cousins in neighbouring Uganda had a tradition of militancy. This culture contributed to militarization of intercommunity disputes turning even simple conflicts into wars. Intra-clan rivalry among the Sabaot also fuelled the conflict. The Mosop clan, for instance sponsored, the Moorland Defence Force while the Soy clan formed the SLDF. This entrenched culture of violence and militancy among the Sabaot encouraged the youth to join militia groups in order to protect perceived clan or ethnic rights (Simiyu, 2008).

The institution of the *Laibon* is still very strong in both Mosop and Soy areas. The *Laibon* is a traditional religious leader who is believed to possess spiritual powers. The people believe that the *Laibon* communicates with God and that he is God's messenger. It is the lot of the *Laibon* to be reclusive and mysterious. Few have seen him. Fewer still have ever heard him speak. Even when he communicates 'God's message' to the people, he does so only through a respected council of elders. But what he says is not open to question or defiance. You question or defy the *Laibon* at your own peril.

Only two *Laibons* have been active in recent times, *Laibon* Psongoywo in Cheptais region (Soy) and *Laibon* Sangula, in Mosop representing each of the two sub-ethnicities. The two *Laibons* have been struggling for supremacy over each other – a struggle that would seem to underline the fact that the Mosop and Soy people are essentially one people. These two *Laibons* would appear to have been very active in the 2006 – 2008 armed conflict. *Laibon* Psongoywo is reported to have prepared SLDF militias with traditional blessings before they went out to war. He is reported to have administered

upon them potent concoctions that ‘made them wild.’ He was arrested at the height of the military operation and later released.

One way or the other, the *Laibons* must be part of the solution to the conflict. They have strong hearing and following. They cannot be ignored in any meaningful dialogue that seeks a lasting solution to the conflict. Moreover, there is need to appreciate that the *Laibons* perceive their institution as under siege by alternative centres of power – such as the provincial administration, councilors, members of parliament and allied political institutions. It is important that this institution continues to enjoy some level of recognition and respect, even in a modernising world. The *Laibon* is best brought over as an ally in the search for peace, rather than being ostracised as an enemy to be defeated.

The highest ritual leader among the Sabaot was called *Worgoondet*. Some clans called him *Oloibon*. The singular form was *Worgoondet/oloibon* while the plural form was *Worgoik/ Laibon* (Kimkung & Espinosa, 2013). His duties were performed through dreaming. They inspired the warriors during war time and during raids, though physically, they never took part in the wars or raids. They were rewarded with cattle obtained from the raids. His office was hereditary. In essence, this signified a society that was prepared for both internal and external conflicts.

Most of all the militia employed oath taking and spiritual guidance from the *Laibon*, their spiritual leader. Special charms were given which were believed just like for the Maji Maji Rebellion and the Mau Mau Rebellion, both of which agitated against their loss of independence, the former during the institution of colonial rule and the later during the decolonization process. The aim of the charms in both groups was to give the fighters protection from the bullets and give them supernatural strength to fight. For

the SLDF, Oloo (2010:167) rightly observes that the oath and charms gave confidence and psychological boost and this he says explains why many young people joined the group. It also bound them to the cause of the SLDF. This is further confirmed by a quotation of Namwaya in *The East African Standard*, 27 August, 2007, of one member of the militia saying; “What has given us supernatural powers is God. We have even got to know who the members of the special anti-insurgency security squad are through God’s powers”

This probably is gotten from the culture and military history of the Sabaot. As Weatherby (1962) puts it, the powers held by the prophets in this community were mystic and hereditary. This they transferred to the SLDF. The young men were encouraged to enrol since they would enjoy the mystic protection and be invincible. The *Laibon* was also able to predict what to expect in operations and how to avert danger (Simiyu, 2007:29).

4.2.4 Contribution of Local Political Leadership

The study sought to interrogate the contribution of local leadership as a determinant in of homegrown extremism over intractable land-use conflicts in Mt. Elgon region. Data on the same were collected, analyzed and the results revealed that majority 232 (58%) were in agreement that political leadership had played a role, 124 (31%) were neutral whereas 44 (11%) disagreed. The current study takes cognizant of the role political leadership has continued to play in conflicts in Africa- these include Rwandan Genocide of 1994, South Sudan Civil War, Kenya’s post election violence among others.

Study findings on contribution on political leadership are corroborated by Wachira *et al.*, (2009) study which advanced that leadership and governance has perhaps never

failed the test as it has done in Mt. Elgon District. In a point of fact, the conflict can be subsumed to be simply and squarely the result of failure in leadership. From the very outset, the question of land, which is at the heart of the conflict, was handled irresponsibly and even indiscreetly by those who were privileged to be in positions of leadership. The study recommended that as part of a search to an enduring solution, leadership shake-up will require to be done in such a manner that the people's faith in political and administrative leadership can be restored. To underscore their findings in this regard, the study recommended an examination of how the various tiers of leadership have contributed to the conflict. The subsequent sections document a historical account on the role of political leadership in the land question in Mt. Elgon region.

Study findings on the contribution of political leadership are corroborated by Brosche' (2014). Brosche' (2014) study generated several conclusions about the importance of government conduct and how state behavior contributes to the prevalence of violent communal conflicts. It established that when governments act in a biased manner – favoring certain communities over others – interactions between central and local elites as well as among local elites are disrupted. Unconstructive elite interactions, in turn, have negative effects on three mechanisms that are crucial for communal cooperation. First, when the regime is biased, communal affiliation, rather than the severity and context of a violation, determines the sanctions that are imposed on the perpetrators. Second, government bias leads to unclear boundaries, which contribute to violent communal conflicts by creating disarray and by shifting power balances between the communities. Third, regime partiality distances rules from local conditions and restricts the influence of local actors who have an understanding of local circumstances. The

study also reveals why a regime acts with partiality in some areas but not in others. The answer to this question is found in the complex interplay between the threats and opportunities that a region presents to the regime. Taken together, the findings have important implications for the prevention and management of communal conflict.

Elfverson (2017) further added to the discussion on the contribution of local leadership. When the central government is biased in relation to a conflict, or has certain interests in a specific outcome, this will impede conflict resolution in several ways. First of all, if it intervenes in the conflict, the government may act in a way that upsets the local power balance and increases the grievances of the disfavoured group. Second, the primary parties are less likely to be able to trust each other and to negotiate an agreement to their conflict if they perceive that the government is biased or has a strong interest in a particular outcome. If the parties believe that the government is not willing to guarantee or uphold the agreement they reach, they will not be able to trust each other enough to resolve their conflict. Third, the government may prevent other actors from mediating in the conflict, or undermine their efforts (Elfverson, 2017).

Elfverson (2017) found that if the conflict involves a group that is represented in executive power (“positive bias”), government intervention reduced the risk that the conflict re-erupts within five years. The study suggested that this is because in these cases, intervention will support the side that is already the strongest side in the conflict; in other words, the intervention will reinforce the dominance of one side, making it less likely that the other group is able to challenge it again. However, in conflicts that involve a discriminated group (“negative bias”), government intervention instead increased the risk that conflict re-erupts. In these cases, intervention will seek to repress the discriminated group and thereby upset the local power balance. It may also be that

security forces in such cases acts in a more destructive way, compounding local grievances and undermining local conflict management mechanisms, while interventions in conflicts involving politically important groups are allocated more resources and therefore better able to prevent renewed violence. Comparing the two situations to each other, recurrence following state intervention is more than two times more likely in a conflict with negative bias than in one with positive bias. The findings suggest the need to pay more attention to how security forces act during interventions, as well as investigating the broader implications of government bias for peace beyond the mere absence of violence.

Fearon (2001) added that autochthonous population were usually threatened by state intrusion. Its leaders fear demographic suicide (with the concomitant loss of representational power), and this is the point where they organize the autochthonous population into self-help militias. Weiner's (2015) classic book on Sons of the Soil claims that there will be political turmoil "when migrants of one or more ethnic communities are economically successful, in apparent contrast to the lack of success among the native population of another ethnic group". This political awakening by the autochthonous population might be considered the opening point of our basic model of insurgency. Here members of the minority group decide whether or not to become rebels.

Under the authority of the Carter Commission, British colonial authorities moved whole peoples from their original homes in Trans Nzoia without any regard to how and where they would settle. While some went into the forest and into the Moorland around the forest, others gravitated southwards to the area around Cheptais. They became variously the Mosop and the Soy. Others still found themselves squeezed in parts of Western

Province, around Bungoma, Kaimosi Forest and in Nyang'ori area. The Tiriki community of the Luyia was probably a derivative of the Terik, formerly of Mt. Elgon. Others crossed over to Uganda where they have lived as the Sebei.

Another group moved to Trans Mara (Kilgoris). The Carter Commission of 1932 failed the Kony people in at least two fundamental ways: First, it moved the Mosop people into the Moorland without consideration that at the altitude of between 11,000 and 12,000 feet above the sea level, the area was too cold for productive work of any significance. Secondly, while they were promised monetary compensation, this did not go beyond writing on paper. It was also to be argued that they had been moved to alternative land and that they should therefore forfeit any monetary claims.

The Mt. Elgon community –the Kony, Sabaot, or Ndorobo-Mosop – were not represented at the Lancaster House independence and constitutional talks. And yet land was a very key question in the talks. It was wrongly assumed that they were the same as the Maasai people, hence the name Elgon Maasai. Since Maasai leaders attended the talks, the British wrongly understood that the 'Elgon Maasai' were also represented. Whatever the case, the Lancaster House talks did not address the plight of the dispossessed and the displaced. The Maasai leaders at the talks, including John Keen, Stanley Ole Oloitipit, Justus Ole Tipis and William Ole Ntimamah, did not, in case, sign the Lancaster House Constitutional agreement. Mt. Elgon leaders are of the view that they would not have signed either, as in the view of the educated elite from the community, 'the agreement left their people disinherited dispossessed and displaced'.

The first post-colonial government of President Jomo Kenyatta, for instance used the land formerly held by white settlers for patronage in order to solidify political support. The trend continued and intensified in the successive regime of Daniel Moi between

1978 and 2002. As this tendency flourished, the government adopted the policy of allocating squatters land only after several petitions and lobbying by their leaders. This personalized approach dependent on the President's good will created an 'artificial' land scarcity and made political patronage the surest way to access communal land (KLA, 2004). State monopoly of land allocation in the District was yet another cause of the conflict. Land allocation by the government created what Robert Simiyu terms as 'supply-induced scarcity' of land.

To woo voters, political leaders promised to settle their supporters if elected. As an electioneering strategy, local politicians mobilized their supporters to threaten, burn or evict supporters of their opponents so as to gain numerical advantage in the event their opponents' supporters fled violence. In 2007, for instance, the supporters of Fred Kapondi encouraged a state of anarchy by threatening Serut's supporters who finally fled the district prior to the December 2007 elections. The latter lost the seat to the former (Simiyu, 2008).

4.2.4.1 Settlement by the Kenyatta Government

The Jomo Kenyatta Government attempted to address the land question among the Mosop between 1965 and 1971. Poor management of the project sowed the first seeds of what has contributed to the present problem. In the first instance, the initiative shows signs of insincerity on the part of local leaders behind the initiative. The quest for land was initiated by the then Member of Parliament, the late Daniel Moss. In asking for the land from Mzee Kenyatta, Moss said that there was need to move the Mosop/Ndorobo to more hospitable and agrarian land. It was strongly expressed that they needed to be drawn into 'modernization'. That they should participate in agricultural activities and

send their children to school, while also enjoying other modern conveniences such as hospitals, roads and allied infrastructural facilities.

Land was initially identified in Nakuru and in Uasin Gishu districts. But Mosop/Ndorobo elders turned it down. They were eventually settled in the lower parts of Mt. Elgon in 1971 in what is referred to as Phase I of the settlement. Further land was excised in the early 1980s. About 500 Mosop/Ndorobo families were settled in what has gone down as Chepyuk Phase I about 4000 acres of forest land were excised for this purposes. Each family got between 15 and 20 acres of land. In the second phase, each family got 5 acres. But, although commonly spoken about on the ground, the following things are rarely told about, or acknowledged in official circles:

The political leadership that asked for this land had hidden political and economic agenda. Politically, the Kony/Sabaot leaders saw a good opportunity to beef up their numbers in this area. This would enable them to boost their numerical strength in local government politics against the Bukusu and Teso. The Mosop/Ndorobo were initially ill-placed for agrarian activity. This led to their being taken advantage of by the agrarian Soy and other peoples. Some Mosop/Ndorobo sold their land to the Soy or to outsiders, including Bukusu, Teso and even to government officials in the then Bungoma District. Others allowed members of these other communities to lease their land in whole or in part, for pittance consideration.

Some Government officials were in fact direct beneficiaries of this land, as were the political leaders who had asked the Government for excision of the land. Land ballots were reportedly bought from government officials in Bungoma for an average of 10,000.00 shillings per ballot. At least 300 parcels are believed to have been acquired in this manner.

There was major failure on the part of Government, giving as the officials did, letters of allocation and ballots to up to three people for the same parcel of land. A significant number of the Mosop/Ndorobo returned to their former habitation in the forest, where they continued with their former pastoralist and hunter-gatherer activities. No proper survey of land, moreover, had been done. Land demarcation was therefore quite arbitrary. This paved way to easy dispossession on part and sometimes even on the entire piece that one was entitled to. This happened widely when the Mosop/Ndorobo received agrarian assistance from their Soy brothers in exchange for a portion of their land, or temporary cultivation rights. Some Soy converted these temporary cultivation rights to permanent land occupation.

4.2.4.2 1988 – 1999 Land Surveys

Land surveys eventually took place between 1988 and 1989. The process was driven by the provincial administration, under the stewardship of Mr. Francis Lekoolool. They established that apart from a few original Mosop/Ndorobo immigrants, others who held or lay claim to the land in the settlement scheme were the Soy who had been invited to work in the Mosop/Ndorobo land in exchange for a portion of land or farming rights, government officials who had corruptly obtained land, local elites (including traditional elites and opinion leader families) who had received disproportionately large portions. There were also those people who are known in Kenyan parlance as ‘land grabbers’.

Even at this point the surveyors and government administrators are reported to have given land to themselves, to their families and friends and to sundry outsiders who obtained land corruptly. Where the surveys should have helped a great deal, they served largely as one more nail in the reputation of government in the eyes of the original Mosop and Soy communities. But significantly, the Soy people would appear to have

benefited in all transactions up to this point, leaving the Mosop feeling oppressed and bitter.

4.2.4.3 Mismanagement of Chepyuk Phase III: Apex of Discord

Chepyuk Phase III has been the seedbed of atrocious conflict. It is at once a tale of greed, deceit and poor project management. It is important to note the following: Chepyuk III was initially occupied illegally. The Mosop/Ndorobo having been the official beneficiaries of Phases I and II, Soy leaders also wanted something that was officially theirs from the start. The Soy began by illegally moving into the controversial forest area that is known as Chepyuk III. There were no administrators, no government, no law and order. People simply moved in and hived off for themselves as much land as they were able to hive off the forest and lay claim to. There was no formal government recognition of their presence on this land, for a long time.

In 2001, Soy leaders visited and petitioned the then President Daniel arap Moi to formally recognize them as the owners of this land and to give them title deeds. They were led by the present Member of Parliament for Mt. Elgon, Mr. Fred Kapondi, who was then the District Kanu Chairman for Mt. Elgon District. Government yielded to their pleas. The land was to be surveyed and each family allocated 2.5 acres.

All the anomalies that had informed allocation in Phases I and II replayed themselves in Phase III. But they were even more sharply defined at this stage. Claims of nepotism, political interference, corrupt acquisition by government officials and allocation to outsiders and disrespect for the standard allocation of 2.5 acres have been cited. This derailed the process. Once again there were several people laying claim to the same parcel of land.

Besides, local Soy and Mosop/Ndorobo leadership fanned the fire by demanding on each side that the entire Phase III land should be exclusively given to their 'community'. The Mosop/Ndorobo even recommended that if this was not possible, then the Phase III scheme should be scrapped altogether and that the land reverts to its forest status.

Government had only 1732 plots of 2.5 acres each. This was way below the 7000 landless persons looking for settlement. Provincial administrators and local elders vetted the 7000 persons for allocation. They identified 866 Soy and 866 Mosop/Ndorobo for allocation. The remaining more than 5000 people were not happy. They would later be a critical part of the ensuing atrocious armed conflict.

Some of those who had invaded the Phase III area before formal government recognition had amassed huge acreage. The names Patrick Komon Yego and Laibon Psongoywo have been commonly cited. Such persons are reported to have resisted survey and allocation of 2.5 acres. They would also play a leading role in the armed conflict. Before taking up arms, the disaffected people went to court to seek an order stopping the survey and allocation. They included those left out of the 1732 allottees as well as the large land holders. Although they are said to have gotten the court order, government disregarded the court order and went on with the survey and land allocation anyway.

Upon completion of allocation, government engaged in forceful eviction from Phase III of all who had not been allocated. Reports have it that government officials burnt down houses and destroyed other property in the eviction exercise. There were perceptions of disregard for the rule of law by government and general feeling of bitterness and anger among the displaced Soy people. The Sabaot Land Defence Force (SLDF) was born, ostensibly to fight for the rights of the displaced people.

4.2.4.4 The Task Force

The Government appointed a task force with the mandate of establishing who the genuine claimants to Chepyuk III were in order to resettle them. The Task Force was led by Joseph Kaguthi, a respected former Provincial Commissioner in Nairobi and Nyanza provinces. From the onset, it was unlikely that the Task Force would result in successfully addressing the problem of Land and hence the conflict in Mt. Elgon. The Government's definition of terms of reference for the Task Force ignored the root cause of the conflict. It made no efforts to find out why things had not worked in Mt. Elgon settlements. It instead gave a prescription in a fairly insensitive manner. A more informed approach would have begun by establishing the anatomy of the conflict before deciding on the way forward. As it is, the assumption would seem to have already been made that the problem simply rested in establishing who the legitimate would-be settlers were and thereafter go on to settle them. This was likely to throw up more controversy and conflict rather than peace. To date, and based on the tasks that led to the establishment of the taskforce, the over 7000 beneficiaries still await this settlement.

4.2.4.5 Voting Patterns among the Sabaot

The clearing and settlement of the Chepyuk area cannot be dissociated from the political history of the Elgon parliamentary constituency which was created in 1963 in favor of the local MP Daniel Moss, one of the rare Kalenjins who supported Kenyatta's Kenya African National Union (KANU) from inception. Moss' support for KANU is explained by the fact that the Bukusu, rivals of the Sabaot, with whom they then shared a district, supported Kenya African Democratic Union (KADU). Kenyatta's rule in Kenya and Moss' term as MP for the Elgon constituency went hand in hand (1963–1978). Moss belonged to the Bok community (the most numerous sub-group) just as the other MPs who succeeded him in Elgon constituency: Wilberforce Kisiero (1979–

1992), John Serut (1998–2007) and Fred Kapondi (from 2007), except for Joseph Kimkung (1992–1998)—an ally of Gideon Moi, President Moi’s son—who belonged to the Kony sub-group. These different parliamentary mandates had an impact on the ground in Mount Elgon through the renewal of political patronage, land distribution and redistribution.

These findings are consistent with Fearon & Laitin (2000) study which advances that frustrations resulting from group inequalities are not sufficient to cause violent communal conflict. The outbreak of violence depends crucially on the existence of elite level entrepreneurs that foment the process of grievance formation and group mobilization. Fearon & Laitin (2000) add that the exclusionary political legitimacy of the state and the zero-sum character of the political competition also create elite incentives for fomenting communal violence. In the patrimonial state, the amount of resources directed to local strongmen, political elites and ethnic leaders is dictated by the weight and importance of the constituencies that these intermediaries represent, as well as the ability of the local patrons to “deliver” these constituencies in the competition for political power. The alignment between political loyalties and ethnic divisions thus give political elites inside and outside of power strong incentives to exploit communal divisions and instigate communal violence to further their own agenda.

In the competition for scarce resources local elites look for low-cost strategies to mobilize their own communities, and in turn appeal to ethnic solidarity, regional identity, indigenous claims to land, or other communal divisions to secure resources for themselves and the group (Arriola, 2009). Putting the blame for the predicament of their ethnic following on other groups, or portraying other groups as threats to their own

legitimate economic privileges, facilitates the competitive mobilization of their own ethnic constituency (Bates, 2008). While the political manipulation of ethnicity helps to entrench the power of the political elites within the system, it also increases the risk of ethnic tensions and communal conflict. In this context, armed conflict between communal groups in Sub-Saharan Africa becomes one expression of the intense struggle over resources not only among these groups, but also the elites that represent them.

Mt. Elgon, however, did not exist in a vacuum. It lay against broader tableau of national politics. There was no more important issue in 2005 than the referendum on the adoption of a new constitution, while in 2007 was the general election. Aspirants to political office harped on the high value attached to land to woo a support base, often deliberately or unwittingly inciting communities against each other over land ownership. More specifically, the political antagonism between Kapondi and Serut created sectarian politics and factions within the Soy clan.

Each clan accused the other of including their political allies in the land allocation process at the expense of the opposing political side. Each faction viewed the other as the hindrance to realization of their land rights especially in Chepyuk Phase III. For instance, Serut was accused by the Soy group of including the Ndorobo in Chepyuk Phase III so as to gain political support whereas according to Soy they did not deserve it. This therefore explains the target and attacks by SLDF (which mainly composed of Soy youth) on Soy members who were sympathetic to the plight of Ndorobo and also supporters of Serut. The 2006-2008 conflict certainly has added more to a deeply essential, conflictual, painfully lived form of ethnicity.

Study findings are corroborated by Kahl (2006). Kahl (2006) suggested that state elites may exploit existing environmental pressures and incite intergroup violence as a way of crushing opponents. On the basis of their ethnicity elites manipulate fighters to take part in fighting, for example by using the other side as scapegoat and creating in and out-group cleavages. Recent studies have asked why elites resort to violence, yet many overlook the process and dynamics of mobilizing violence. Klause & Mitchell (2015) study advanced that land grievances can give rise to violent mobilization when leaders frame elections as a threat to the land security of supporters or an opportunity to reclaim land or strengthen land rights. Conversely, land grievances are ineffective when citizens do not believe that elections signal a credible threat to their land security or an opportunity to strengthen land rights. Grievances based on land insecurity shape a preemptive logic of violence, while grievances based on competing land claims often shape an opportunistic logic of electoral violence. Land grievances provide political leaders with a valuable tool to mobilize electoral violence among ordinary actors. They become effective tools for mobilizing violence only when leaders convince their constituents that elections signal an imminent threat to land rights as well as an opportunity to strengthen rights. In this scenario, violence becomes a defensive strategy to pre-empt eviction or an opportunistic strategy to seize land or ensure the victory of a preferred candidate. Land grievances are a key part of the mobilization process because they enable political leaders to invoke both ideational and material motives and meanings. Land becomes a rallying cry to protect the community against rival groups and is held as the prize in exchange for eliminating rivals. Yet other sources of grievances where livelihood and identification are bound – such as water, housing, or employment– may also serve as a rallying cry. Study findings and discussions indeed

point to the role politics has played in catalyzing the risk of extremism over intractable land use conflicts in the study area.

4.3 Chapter Summary

This chapter presented and discussed findings for the first specific objective of the study which sought to examine the determinants of homegrown extremism over intractable communal land-use conflicts in Mt. Elgon Region of Western Kenya. The chapter was divided into two core sections which extensively cover the socio-demographic variables of the respondents and the determinants “proper” of homegrown extremism. In the section on socio-demographic variables, it emerged that the following variables were supported as determinants that fed into grievance and extremism in addition to some strongly supporting the Pragmatic Africanacity philosophy and deviating from traditional Euro-American determinants. Gender, land ownership, age of respondents, number of years lived in the study area, whether respondents had migrated to other places since birth, source of income, level of education, ethnicity and housing structure were interrogated and supported the first research question as determinants of extremism in Mt. Elgon Region of Western Kenya.

In the second section that interrogated the determinants proper of homegrown extremism over intractable land-use conflicts in Mt. Elgon Region of Western Kenya, study the results supported and demonstrated that indeed a number of variables were and remain determinants of homegrown extremism in the land question in Mt. Elgon Region. These include: the role of political leadership (232, 58%); land tenure insecurity (Strongly supported- 384, 96%); historical memory of the conflicts within and among the Sabaots; Culture of *Laibonism*; Perceived marginalization of the Sabaot community (Strongly supported- 368, 92%); Forced government eviction programs

(Strongly supported- 400, 100%); Disputed boundaries (Strongly supported-364, 91%) and land as a source of identity (224, 56%). The results demonstrated that these determinants have played and will continue to play a role in feeding into grievance and extremism over intractable land-use conflicts in Mt. Elgon Region and thus the need to address them in an effort to manage the risk of extremism. Overall, the determinants presented help explicitly situate the relationship with homegrown extremism and intractable land-use conflicts in Mt. Elgon Region of Western Kenya. The results are also in tandem with the Africanacity philosophy upon which this study is anchored on. The next chapter presents and discusses findings for the second specific objective of the study.

CHAPTER FIVE

THE RISK OF HOMEGROWN EXTREMISM OVER INTRACTABLE COMMUNAL LAND USE CONFLICTS IN MOUNT ELGON REGION OF WESTERN KENYA

This chapter presents findings for the second specific objective of the study which sought to investigate the risk of homegrown extremism over intractable communal land use conflicts in Mt. Elgon Region. The chapter presents empirical findings within an area that is scarce in discourses and literature on homegrown extremism in both the Global North and Global South. That is, scientific risk assessment of extremism which could be adopted for use in an effort to mitigate the risk extremism poses to both global and national security architecture. The chapter is divided into five core sections namely: attitudinal, contextual, historical, protective and demographic risk factors. Factors (a term derived from mathematics) usefully suggests that more than one is required to produce a given result. Academic literature strongly suggests that violent extremism has many causes and cannot be predicted by one variable alone (Allan *et al.*, 2015). Each of these factors are examined and discussed independently although the cumulative results are used to predict the risk of homegrown extremism in the study area. The results and interrogations are presented and discussed in subsequent sections. The chapter ends with a summary.

In measuring the risk of homegrown extremism in the study area, the study borrowed and adopted from the risk factor items of the VERA-2R. The VERA-2R focuses on terrorism motivated by extreme ideologies (Hart *et al.*, 2017). The VERA-2R comprises items that are divided into five categories. These are: Attitudinal risk items

which comprise beliefs and attitudes- rejection of society, it's values and ideology justifying violence; Contextual and intent risk items such as access to extremist material and having direct contact with violent extremists; Historical and capability risk items such as early exposure to militant ideology, paramilitary, explosives training; Protective risk-mitigating items such as shift in ideology or vision of the enemy and rejection of violence to obtain goals and demographic items which examine the socio-demographic factors of age, gender and marital status as risk factors for homegrown violent extremism. There are three ratings of low, medium and high, with protective and risk-mitigating indicators being scored in reverse with low indicating no change, moderate indicating some positive change and high indicating a significant positive change. The final decision is made based on a weighing of all the available evidence, including the findings from the risk and protective indicators (Pressman & Davis, 2022). The subsequent sections, drawing from empirical findings presents and discusses findings based on each risk item.

5.1 Attitudinal Risk Factors (beliefs and attitudes- e.g. rejection of society and its values, ideology justifying violence; Attitudes and beliefs of oppression and marginalization/injustices)

This section presents and discusses findings on attitudinal risk factors. Borrowing from the VERA-2R and drawing from empirical primary data in Mt. Elgon Region, this section sought to interrogate the beliefs and attitudes of respondents in the study area towards: oppression and marginalization by the state over land equitable access to land; rejection of societal goals and values as well as their ideologies in justifying violence as a means of solving intractable land conflicts in the study area. Data on attitudinal risk factors were collected, analyzed and the results presented in Table 5.1.

Table 5.1: Percentage of Respondents Agreeing with Statements on Attitudinal Risk Factors for Violent Extremism in Mt. Elgon Region of Kenya

A. Attitudinal Items	Agree (3)	Neutral (2)	Disagree (1)
A.1 Sometimes I feel like violence is the only way out of the land problem in my area	77% (308)	19% (76)	4% (16)
A.2 Land is a cause of injustice and grievance in my area	97% (388)	2% (8)	1% (4)
A.3 I know who is responsible for the land injustices befalling me	70% (280)	25% (100)	5% (20)
A.4 I must admit that those responsible for my land injustices are evil in nature	54% (216)	32% (128)	14% (56)
A.5 I am willing to do everything including fighting and even dying for my land rights	46% (184)	43% (172)	11% (44)
A.6 Land injustices make me feel like I am not Kenyan enough	73% (292)	27% (108)	0% (0)
A.7 Land injustices make me full of hatred and frustration	73% (192)	27% (108)	0% (0)
A.8 Being together with those who face land injustices like myself makes me feel relieved	36% (144)	51% (204)	13% (52)
OVERALL SCORE	66%	28%	6%

Source: Field Data (2021)

5.1.1 “Sometimes I feel like violence is the only way out of the land problem in my area” “A.1”

Quantitative evidence presented in Table 5.1 on attitudinal factor number 1 “A.1”-

“Sometimes I feel like violence is the only way out of the land problem in my area”

revealed that majority 308 (77%) respondents agreed with the first attitudinal factor, 76

(19%) were neutral whereas 16 (4%) were in disagreement with the first attitudinal factor. The current study advances that with the majority 309 (77%) respondents agreeing to attitudinal factor number 1 “A.1” is attributable to a number of issues. First, the feeling that violence is the only way out could be as a result of a four decades (1970-date) long quest for land justice using all legal avenues to little or no avail. This study opines that over 50 years of perceived oppression and marginalization over land injustice is a trajectory to the accumulation of grievance and a likely catalyst to extremism in the study area. It has to be pointed out that resulting from administrative calculations and miscalculations, such accumulation of grievance in the twenty sixth year led to the formation of the SLDF, in this study referred to as a violent extremist group whose core objective was to protect their land resources from being allocated to other communities.

Secondly, resulting from this context of historical marginalization over land, the perception and belief that violence could be used as a language of last resort to solve their grievances. Communities believe that attempting to remove their perceived sources of oppression in an aggressive manner could be one of the considerations to get the concerned stakeholders (especially the government of the day) to fast-track the management of land injustices in the area. However, the usage of violence unsuccessfully in the carnage of the 2006-2008 violence would present a significant barrier. Taking into account the 2006-2008 unsuccessful experience, the current study argues that in as much as violence would be an option- members of the community would unlikely participate in it like in the past. This however, does not imply that the risk of grievance among the community members would subside as they would continue holding, encouraging, condoning, supporting and justifying the need for

adoption of extreme means to achieve land justice in the study area. Tied to this, members of the community having past experience of resorting to the criminal justice system and use of alternative dispute resolution mechanisms to no avail, would present motivation enough towards employment of violence in pursuit of land justice in the area.

The last argument the current study advances in relation to attitudinal factor 1 “A-1”, could be attributable to accumulation of issues beyond solely land as an agenda of injustice. This is because, beyond the carnage of the 2006-2008 conflict, there were massive human rights violations by state agencies such as torture, forced disappearances and sexual and gender based violence which to date remain unresolved. At the time of data collection, respondents in an FGD reported continued and persistent violation of human rights in the area which adds to the number of issues that previously dominated the Mt. Elgon injustices agenda. The following excerpt gives an account of issues during an FGD:

Sisi watu wa Sabaot tumedhulumiwa na serikali kwa miaka mingi. Utaelezaje unyama wa kuchomea na kuharibu chakula ya watu ambao hawana mashamba. Na mimea ambayo inakaribia kuvunwa?

We have had our rights violated by the government state security agencies who work for those above. How best would you describe an act where food and cash crops are burned, slashed and destroyed? Crops that are just around harvest period. This is very inhuman. (FGD with male victims, Sasuri-Cheptais, August 18, 2023).

Findings from FGD excerpt reveal that respondents in the study area have witnessed their crops- onions, cabbages and maize slashed and burned- by law enforcement agencies, most of the times when they are almost ready for harvest. At the point of slashing, the implication is that households in the study area have already invested a lot of resources in capital, fertilizer and labor. Secondly, given that these households

already live as squatters, the implication is that as a result of this damages in their farms, households are likely to go hungry and struggle getting food and sustaining their meagre sources of livelihoods. The current study opines to the view that “a hungry man is an angry man.” With households in the study area already exposed to land injustices and human rights violations following and in the aftermath of the 2006-2008 war, persistent violations through slashing and burning as revealed in the FGD findings feed into grievance and the risk of extremism and the feeling epitomized in attitudinal factor A.1.

Si mara ya kwanza huwa wanakuja kutufurusha, saa ingine huwa tunaona ni uchokozi ya kuangalia vie tumejipanga waone kama tunaweza zusha fujo. Sijui nani huwa anawatuma lakini mara kwa mara sisi hufukuzwa hapa kinyama.

It is not the first time that the police officers come just to evict us from our lands, sometimes we actually feel it is provocation by them just to see if we are planning attacks similar to those of SLDF. But they have to be humane even in the face of eviction for we have nowhere to run to as a home. (FGD with male victims, Sasuri-Cheptais, August 18, 2023).

Similarly, from the FGDs, findings revealed that in a number of occasions, households had been allocated farming space by the Kenya Forest Service (KFS) only for them to be displaced from the allocated properties and dispossessed of all farm inputs. Respondents also agreed to being displaced from contested properties and those lands specifically allocated to the Kenya Defence Forces (KDF) and the General Service Unit (GSU). The current study argues that this kind of dispossession feeds into the somewhat already complex whole in search for a sustainable solution thus feeding into grievance and extremism. This dispossession of large tracts that previously “belonged” to community members also contributes to feelings of grievance and the risk of extremism in the study area.

Wanaturusha kinyama kila mara na bila sababu. Saa hii tunaskia iko mashamba imepeanwa kwa GSU. Hii mashamba wanapea GSU ni ile

tumekuwa tukipigania, je ni haki hiyo kweli. Sisi ni wakenya kama wale wengine.

We are always evicted from our homes for no reason. It is actually sad to overhear that part of our land has been given to the GSU to set camp. Why are they setting a camp? We are not interested in fighting the government but we are committed to getting land in a peaceful manner. (FGD with male victims, Sasuri-Cheptais, August 18, 2023).

FGD findings also revealed that portions of the contested property had already been allocated to the GSU for the establishment of a GSU camp. It is prudent to point out that such allocations have been effected without consultation with members of their communities. Especially, with the belief that this land rightly belongs to members of their communities, the current study argues that such acts also feed into grievance and the risk of extremism in the study area.

The findings of the study on attitudinal factor number 1 (A.1) are in agreement with a study by Vukcevic *et al.*, (2021) which opined that another trait-like feature that could serve as a potential precursor of radicalization into violent extremism (RVE) is Social dominance orientation (SDO). Vukcevic *et al.*, (2021) defined SDO on the basis of social dominance theory is a “general attitudinal orientation toward intergroup relations” that reflects a preference for in-group dominance and the extent to which one believes that his/her group should be superior to out-group members.

SDO is a dimension underlying social or ideological attitudes and values. A conceptual link between SDO and RVE stems from the notion that their joint core features are lack of empathy, discriminatory attitudes, aggression, vindictiveness, and the readiness to support and justify the use of coercion or violence toward others, specifically out-group members. Therefore, attitudinal orientation or dominant values regarding intergroup relations and group dominance could be expected to be predictive of one's readiness to

promote and potentially engage in aggressive acts toward out-group members (Pratto *et al.*, 1994).

SDO was shown to be the central individual differences variable that predicts acceptance or rejection of various ideologies relevant to group relations and related behaviors (Pratto *et al.*, 1994). It was shown that SDO is related to racism and nationalism, sexism, support for military programs, opposition to women's and gay and lesbian rights (Pratto *et al.*, 1994), intergroup violence (Henry *et al.*, 2005), as well as bullying behavior. Moreover, findings show that SDO is not a mere effect of prejudice and discrimination against ethnic and racial outgroups, but their causal predictor (Kteily *et al.*, 2011). Therefore, it seems that the potential of SDO in accounting for individual differences in proneness to RVE could lie in the shared values of striving for power and self-interest found in both constructs.

The findings are also corroborated with Stankov *et al.*, (2010) study that relies on the psychological concept of Militant Extremist Mindset (MEM) as an output measure as it relatively comprehensively captures the mindset of those prone to RVE. Stankov *et al.*, (2010) describe MEM as a pattern of beliefs, feelings, thoughts, and motivations that can be aroused under certain conditions and lead to violent behavior.

The MEM is thought to capture individual differences in acceptance of radical and extremist ideology as well as the extent of radicalization in the general population (Stankov, 2018). It captures three dimensions of radicalization: (1) Proviolence: reflects justification, acceptance, and advocacy for the use of violence in the context of revenge or redemption; (2) Vile World: captures the belief that something is seriously wrong with the world in which we live, that today's world is miserable and evil, and (3) Divine Power: summarizes strict moral principles and belief in divine power, God, and

paradise as a justification for the use of violence. The authors of MEM argue that taking all three factors into account is necessary to understand radicalization. Justification and advocacy for violence in the case of a strong belief that the world is an unjust and evil place followed by feelings of threat and danger are thought to lead to a higher probability of engaging in violence while seeking justification for such actions (Stankov, 2018).

Overall, study findings on attitudinal factor number 1 “A.1” align with studies on violent extremism which have continued to demonstrate that feelings injustices and grievance are a driver towards acts of extremism. In as much as previous literature has focused on conventional terrorist groups, the current study, therefore adds to existing knowledge and argues that injustices would also suffice for homegrown extremism.

5.1.2 “Land is a cause of injustice and grievance in my area” “A.2”

On attitudinal factor number 2 “A.2”- “Land is a cause of injustice and grievance in my area” quantitative evidence revealed that majority of respondents 388 (97%) agreed to land being a cause of grievance, 8 (2%) were neutral whereas 4 (1%) were in disagreement with the second attitudinal factor. Based on the findings on attitudinal factor number 2 “A-2”, the current study advances that indeed land injustice accounts for injustice and grievance in the study area.

In terms of rank, the current study notes that this particular attitudinal item ranked first and received the highest number of responses among other attitudinal items. The implication is that, land injustice ranks at the apex of the sources of grievance in the study area and as such a matter that needs to be looked into very urgently. This is because, without expediting the process of access to land which at the time of this study had existed for over five decades- there is a likelihood of the conflict being infiltrated

by other dynamics that may escalate levels of grievance and consequently heighten the risk of extremism. The present injustice over land is likely to have already been compounded a number of factors.

First, demographic pressures. The current study using pragmatism advances that the population of Mt. Elgon in former Bungoma District at the time of the onset of the conflict has risen by over 350% in the last 5 decades. The implication in terms of conflict is that today, it involves more people, more actors and at least three generations, which an overwhelming majority continues to succeed their former generations in the squatter dorms of Mt. Elgon Region. This also implies that former generations especially the aging generations continue to radicalize the younger generations on issues of land injustices they have continued to face as a family and or as members of the Sabaot community. Demographic pressures also mean that there is growing demand for land for farming to support their livelihoods with an overwhelming majority of the rural community depending of land as a core resource. In all these generations, evidently as deaths occur among the members, members of these communities continue to bury their dead in these squatter dorms. This implies that with more relatives buried in these lands, the remaining generations are unlikely to disconnect from these contested spaces. These findings were corroborated during a key informant interview with a community elder in Kamarang village.

Sisi tumeongezeka kwa idadi maradufu. Hatuna hata mashamba ya kupand mimea yetu. Sasa serikali ikitoa ilani eti. tuhame na hao tu ndio walituhamisha kutoka mashamba yetu kule juu. Hiyo serikali moja tu ndio hutupea vyeti ya kuzika watu wetu. Nini inafanyikia watu wa Sabaot. Kwani sisi si wakenya?

(Our numbers have gone up, we even do not have lands for supporting our livelihoods. So, when the government asks us to relocate yet it is the same government that moved us here, it is the same government that gives us permits to bury our relatives here. What is happening to us? Are

we less of Kenyans? (Interview with a community elder in Kamarang Village. 02/12/2021)

Secondly, deterioration of land quality- combined with the first factor, means that the people of Mt. Elgon are now exposed to possible food insecurity which emerged as a hot topic issue during FGD discussions as respondents pleaded with the government to respond into their food situation. With food being a basic human need, unmet food needs are likely to feed and catalyze feelings of grievance and compound the land problem in the study area. Thirdly, adverse effects of climate change mean that factors external to the conflict will also influence the management of this conflict negatively. This implies, despite Mt. Elgon being a productive area, crop yields are likely to decline as a result of climate change effects and food insecurity will be on the upsurge- given that they are only allowed to till lands on limited spaces in the contested area. Indeed, Cilliers (2008) study advances that Africa will experience widely different effects from climate change in the coming decades that will strain the ability of the environment to support local populations under current developmental conditions. Some areas of the continent are likely to become warmer and drier, and thus experience more frequent and severe droughts close to major population centres. Other parts of the continent may experience widespread drought and potentially famine without proper government intervention, or experience more extreme rains, which could also adversely affect crops and food security.

Study findings on attitudinal factor number 2 “A.2” are consistent with Botha & Abdile (2017) study on economic circumstances as a reason for joining *Boko Haram* which revealed that poverty, lack of employment opportunities, being frustrated with life, lack of education and Yobe State having one of the highest poverty and unemployment

levels were categorized as important factors contributing to people's decision to join *Boko Haram*.

The findings of the study on attitudinal item "A2" align with World Bank (2018) report which advanced that perception of injustice at the hands of the state is suggested to be a strong motivation, along with a sense of frustration with the state. These grievances toward the state may revolve around elite corruption and perceptions that the state is illegitimate. Members of social groups who feel marginalized or excluded experience such grievances most acutely. The narrative offered by some violent extremist groups of an egalitarian and moral order, marked by justice and fairness, may appear to be an attractive alternative. Experience of violence, persecution, and repression from the state, notably by its police and military forces against family members and friends, is a documented tipping point for individuals to voluntarily join violent extremist groups. In UNDP's (2017b) study, 71 percent of respondents cited the killing or arrest of a family member or friend as the incident that motivated them to join an extremist group.

Study findings on attitudinal item "A2" are consistent with Nivette *et al.*, (2017) study on developmental predictors of violent extremist attitudes. The study examined the influence of collective strain on support for violent extremism among an ethnically diverse sample of Swiss adolescents. The study findings revealed that those who already espouse justifications for violence and rule breaking are more vulnerable to extremist violent pathways, particularly when exposed to collective social strife, conflict, and repression. The results showed that collective strain is associated with a marginal increase in support for violent extremism; however, this effect disappears when other social and individual variables are included in the model. Agnew (2006) argued that, in addition to generating negative emotions, exposure to strain can impact

social, developmental, and situational variables that in turn affect deviant attitudes and behaviors. High levels of collective strain may therefore weaken internal moral controls, social bonds, and attachments and encourage adolescents to seek out negative peer relations or media. Prior research on radicalization processes and extremism has documented how collective, external experiences can affect family and social bonds and motivate extremist sympathy and activity.

Scholars of social revolution argue that the depth of an individual's discontent with his or her economic position in society is a major causal factor that differentiates participants in rebellion from non-participants (Wood, 2003; Humphreys & Weinstein, 2008). Discontent, when aggregated across individuals in a particular social class or ethnic group, provides the foundation for mobilization and the onset of violence against the state. Karl Marx, for example, proposed that the industrial proletariat would be the main engine of revolution against capitalist systems, owing to individuals' shared experiences of exploitation. However, the locus of participation in actual revolutions—poor, rural people rather than the urban working class—shifted the debate in the literature toward making distinctions among the mass of undifferentiated rural dwellers. Paige (1996), in an analysis of agrarian revolutions, concluded that wage earning peasants drive rebellion in contexts where landlords, dependent on income from the land, are less able (or willing) to assent to peasant demands. Scott's (1976) description of rebellion in Southeast Asia focused on the subsistence crisis among peasants, demonstrating how population growth, capitalism, and the growing fiscal claims of the state pushed rural residents to the edge of survival. Intensive study of the Latin American revolutions suggests access to land, rather than poverty, as the main indicator of one's class position. Wickham- Crowley (1992) argued that peasants physically

dislocated from land by elites, or those without access to it in the first place (squatters, sharecroppers, and migrant laborers), are the most prone to revolt.

Exposure to collective strain need not be direct in order to induce negative emotions and corrective action (Agnew *et al.*, 2002). Agnew *et al.*, (2002:609) argued that vicarious strains can cause distress, increasing the likelihood that individuals will seek to “prevent further harm to those they care about, to seek revenge against those they believe are responsible for the harm, and/or to alleviate their negative feelings.” According to Agnew *et al.*, (2002), vicarious collective strains are more likely to lead to negative coping strategies when they are high in magnitude and considered unjust, when they affect closely related others, when they are directly witnessed or experienced by the individual, when they are unresolved, and seen to be likely to affect the individual. Research generally supports the link between vicarious strain—in particular physical victimization—and offending behavior (Zavala & Spohn, 2013). Collective strain may affect negative emotions like anger on two dimensions: Prolonged exposure to collective strain can lead to the development of negative emotional traits, which reflects one’s propensity to react to stressful situations in a negative way, and/or exposure to collective strain can generate negative emotional states, which reflects the experience of an emotion (Agnew, 2017).

Study findings are also consistent with Van Tilburg *et al.*, (2019) study which proposed that aggressive tendencies are more pronounced among people who frequently experience challenges to their perceived meaning in life. Van-Tilburg *et al.*, (2019) tested three different forms of existential distress: loneliness, boredom, and disillusionment. The results confirmed that loneliness is associated with aggressive tendencies and that this positive association can be partly attributed to the search for

meaning that comes with loneliness. The study also established that that the more often people feel disillusioned, the more pronounced their aggressive tendencies are, and this association is again partly attributable to meaning search. These findings suggest that aggressive tendencies have roots in existential distress and in the motivation to find meaning in life. Indeed, there are several lines of research suggestive of a link between existential distress and aggression. People who perceive life as lacking in meaning show higher levels of aggression and hostility. Furthermore, the existential threat of mortality salience triggers intergroup biases, stereotyping, materialism, and cognitive rigidity, alongside acts such as outgroup derogation, racism, and hurting those who are considered to be a threat to dominant beliefs.

The findings on “A2” conform with Humphreys & Weinstein (2008) study on determinants of participation in civil wars. Political theorists of social revolution argue that motives to participate in conflict arise from discontent and grievances over one’s social and economic status. Humphreys & Weinstein (2008) provided a brief overview of these theories, classifying three pathways through which grievance can lead to conflict. First, conflict may be driven by social class (Wickham-Crowley, 1992), whereby citizens who belong to lower strata of society may have a higher propensity to revolt. For example, Wickham-Crowley (1992) shows the Latin American peasants who did not have access to land (such as squatters, sharecroppers or migrant laborers) were more prone to revolting. Second, ethnic and political grievances that separate one group from another may motivate an individual’s decision to participate in rebellion (Horowitz, 1985). Third, individual frustrations arising from the inability to express oneself in non-violent ways may lead to rebellion. In their own study, Humphreys &

Weinstein (2008) find empirical evidence to suggest all three sources of grievance can drive the decision to participate in rebellion.

In the context of this paper, land title can provide a basis for grievance along all three categories. First, land title may divide a society into different classes, creating a have and have-not scenario, and thus provide a motive for conflict. Second, if the process of acquiring land title is driven by ethnic or political grounds, it may imply that citizens who are unable to secure title belong to the minority group and/or suffer from political representation. Such scenarios can cause alienated households without title to rebel against households from the privileged groups, with or without land title. Finally, individual frustrations, as well as lack of governance and civil rights, may cause households to use brutal force to obtain land or access to a territory, such as pastoral lands, when non-violent methods fail. Allan *et al.*, (2015) study strongly supported the hypothesis that where inequality and institutionalized discrimination coincide with religious or ethnic fault-lines, there is an increased likelihood of radicalization and mobilization.

Overall, on attitudinal factor number 2 “A.2”, the current study established that land as a cause of grievance sits at the apex of the sources of grievance that the people of Mt. Elgon face. Land injustices have negatively affected their livelihoods in a number of ways: food insecurity, inability to educate their children and thus a large contributor to poverty in the area. The implication is that; these factors will likely inhibit the attainment of the global sustainable development agenda 2015-2030.

5.1.3 “I know who is responsible for the land injustices befalling me” “A.3”

On attitudinal factor number 3 “A.3”- “I know who is responsible for the land injustices befalling me” quantitative evidence revealed that majority 280 (70%) of respondents

agreed to knowing who was responsible for the land injustices that had bedeviled them, 100 (25%) were neutral whereas 20 (5%) were in disagreement. The current study reveals a clear progression similar to paths used by terrorists. Study findings on attitudinal factor 3 “A.3” reveals that in the process of radicalization, once an individual or communities identify their source of injustice, they then frame the undesirable condition as an injustice that does not apply to everyone. Here, development of extremism can be supported by the fact that the formation of the SLDF militia was against the fact that the Soy sub-ethnicity believed that their counterparts higher on the slopes of Mt. Elgon had been favored by successive regimes on matters of land distribution with regards to the Chepyuk settlement schemes (Simiyu, 2008). This perceived “favoritism” of the Mosop Sabaot by the government had over decades radicalized the Soy Sabaots to believe that they were the cause of their grievances. Study findings on factor “A.3” are in agreement with Borum (2003) four stage process of development of a terrorist mindset.

The findings of the current study are in agreement with Borum (2003) study. Borum (2003) opined that, because injustice generally results from transgressive behavior, extremists hold a person or group responsible (“it’s your fault”), identifying a potential target. The findings of the current study revealed that in as much as respondents during FGDs did not directly attribute their sources of land grievance to either community, they did allude to the role of the government in favoring one community over the other. This kind of claim has a number of implications.

One such, is that participants in the study belonging to the predominant groups in the area did not want to point fingers to either the Soy or the Mosop as being the cause of grievance because of their experiences in the past conflict in addition to attempts of

ongoing “reconciliatory” efforts between the two sub-ethnicities. The current study argues that reconciliation will be a long shot without addressing past and current sources of grievance that are majorly attributable to land in the study area.

Secondly, the current study argues that pointing fingers to the government as a responsible party is a way of circumventing the role of the two dominant sub-ethnicities in the conflict. For the Soy, they still believe the government favored the Mosop in the allocation of the Chepyuk settlement and eventually a majority of them ended up in the squatter dorms of Mt. Elgon Region. On the other hand, the belief among the Mosop is that they were getting what rightfully belongs to them and still, a good number of them are also living as squatters. The current study is cognizant of these two extreme positions taken by both sub-ethnicities and a factor that feeds into the development of extremist narratives and ideologies.

Thirdly, beyond the 2006-2008 conflict, there have been no much allocation and re-allocation of land or related activities. Since members of both communities are affected by the land issues, this may have pushed the affected households into believing that the government remains a significant player in the conflict and therefore only the government can play a binding role in putting an end to the five decades of grievance. At the time of writing this thesis, it is important to point out that households across the divide-whether Soy or Mosop continue to be affected by the wait in addition to the shifting dynamics of the conflict- increasing populations, deteriorating land quality and negative effects of climate change.

The findings of the current study are in agreement with conventional literature on terrorism and extremist studies which justify the frustration aggression hypothesis (Berkowitz, 1989). The central argument in this hypothesis is that aggression is the

result of blocking, or frustrating, a person's efforts to attain a goal. This hypothesis argues that frustration always precedes aggression, and aggression is the sure consequence of frustration.

Overall, study findings on attitudinal factor 3 “A.3”, study findings established that respondents were aware of who was responsible for the land injustices in the study area. This is a crucial stage in the pathway to terrorism and an important milestone towards the development of violent extremist ideologies.

5.1.4 “I must admit that those responsible for my land injustices are evil in nature” “A.4”

On attitudinal factor number 4 “A.4”- “I must admit that those responsible for my land injustices are evil in nature” quantitative evidence revealed that majority 216 (54%) respondents were in agreement that those responsible for their land injustices were evil in nature, 126 (32%) were neutral whereas 58 (14%) were in disagreement. Majority 216 (54%) of respondents indicated that those who caused their suffering were evil in nature. The study establishes that they could be evil because of a number of factors. The Britannica (2008) encyclopedia describes evil as something that is morally bad and can cause harm or injury to someone. During FGD sessions, a number of reasons seemed to point out factors that could have contributed to this evil tag. First, the belief by community members that government has inflicted pain by denying them land rights for over five decades yet they- alongside their ancestors had lived and been buried on the same property. Secondly, the belief that generally the Sabaot had continued to be marginalized in the larger Bungoma County and in Kenya- being a community at the peripheral West of the Country and on the slopes of Mt. Elgon. Despite their potential as a breadbasket, they continued to suffer from lack of basic needs, amenities and

infrastructure such as all-weather roads, schools, hospitals, lack of accessible of state security and justice mechanisms.

Thirdly, that despite heavy investments by community members in accessing procedural justice, there was little or no progress. Fourth, respondents also argued that the 2006-2008 carnage of the conflict in Mt. Elgon had led to domino effect on grievance as a result of indiscriminate killings and human rights violations by state agencies. Lastly, respondents alluded to the fact that the government through the state security agencies had consistently continued to “provoke” them into violence especially during the times where these have been involved in torching houses, forceful eviction of populations and slashing and burning of crops that were almost ripe for harvesting further putting a heavy strain on their sources of food and livelihoods.

Wameua watu yetu, wametufinya makende wanaume hapa hawaezi pata watoto, wamenajisi mabibi zetu, kina mama hawana mabwana. Hapa Kamarang ni wajane tu wamejaa, mashamba wamekataa kutupea vyeti nah hii vitu yote hakuna haki imetendeka mpaka wa leo. Hawa wametuchukulia aje? Sisi si binadamu? Miaka zaidi ya hamsini tukiteseka.

They have killed and disappeared our sons, they castrated them. Many of our sons cannot sire children. Our daughters have husbands because they were killed. In Kamarang here, we have an entire village with very few men. They have refused to give us our land rights. What do they imagine of us? Are we less of human beings? For over 50 years, we are still struggling. (Interview with a community elder in Kamarang Village. 02/12/2021)

Consistent with the tag “evil”, the current study notes that, the Sabaot Land Defence Force (SLDF), when created, began the riots with murdering two “evil” individuals allegedly implicated with either bribery in the land allocation or refusing to comply with the SLDF demands (June-August 2006) (Simiyu, 2008). Arising from patterns and trends of SLDF killings- that pre-dominantly targeted “evil” government officials whom the current study would argue as those who had for a long time frustrated their

attainment of source of livelihood and thus the biggest contributor to their suffering in the study area. These killings marked the beginning of the violence that in popular perception has become known as the “The Mt. Elgon Conflict”. Later on the SLDF, allegedly financed by some Kenyan politicians, became involved in a variety of evil acts to eliminate “the evil” such as human rights abuses, including rape, torture, murder, abductions, mutilations, assaults and imposition of heavy taxation on locals (KNCHR, 2008). Women, during an FGD session gave the following accounts that the current study points out as evil acts.

Walikuja kwa nyumba, wakachukua kijana yangu, kwanza walimpiga hado akamwaga damu wakisema yeye alikuwa mmoja wao. Baada ya hapo wakamtembeza kwa magoti wakimwambia aimbe ati kuwa jeshi ni moja. Sijawahi kumwona tena. Hii yote ni juu ya mashamba.

They came to my house and demanded for my son claiming that he was one of them (the SLDF). They then beat him to bleeding and forced him to walk using his knees while singing that there is only one army. I have never seen him again (FGD with women victims, Kamarang Village-Cheptais on August 17, 2021).

Wengine wetu hatujawahi ona mabwana zetu tangu wachukuliwe hapa na wanajeshi. Wao walikuwa tu wanachukua kila mwanamme bila kujali. Wakawachukua na kuwapeleka kwa Meza baada ya kupiga hao. Inasemekana walikuwa wanawatesa ili waseme watu wa SLDF wako wapi. Waliposhidwa kusema walipigwa hadi kufa na kutupwa kwa misitu ya Mt. Elgon.

Most of us here have never seen our husbands again. They were indiscriminately rounded up by the KDF and beaten while being asked on the whereabouts of the SLDF. They always took them to a place known as Meza where they were tortured to death and then dumped in Mt. Elgon forest. (FGD with women victims, Kamarang Village-Cheptais on August 17, 2021).

The findings of the current study are consistent with Borum (2003), four stage model of a terrorist mindset advances that the last stage of this process ends with the tag that “you are evil”. Borum (2003) advances that in the last stage, they deem the person or group responsible for the injustice as “bad” (“you’re evil”); after all, good people would

not intentionally inflict adverse conditions on others. This ascription has three effects that help facilitate violence. First, aggression becomes more justifiable when aimed against “bad” people, particularly those who intentionally cause harm to others. Second, extremists describe the responsible party as “evil”; dehumanizing a target in this regard further facilitates aggression. Third, those suffering adverse conditions at the hands of others do not see themselves as “bad” or “evil”; this further identifies the responsible person or group as different from those affected and, thus, makes justifying aggression even easier.

While evidence suggests that humans have an aversion to directly killing other humans, the phenomenon of extremist violence seems to speak against this. Giner-Sorolla (2012) study reviewed evidence in social psychological research for three ways in which people can subjectively overcome moral doubts, justifying past violence and facilitating future violence, on behalf of themselves or their social group. The victims can be dehumanized, either in the sense that they are like animals, or in the sense that they are inanimate. Victims can also be demonized as agents of evil that not only may, but must, be sought out and eliminated. Finally, in light of recent theories of morality, perpetrators of violence can perform morality shifting – justifying their acts as fulfilling a positive moral duty to protect the in-group and obey authority. The current study argues that violent extremists and their supporters turn a deaf ear to moral pleas because they already believe themselves to be justified. Specifically, violent extremism can be reconciled with the moral sense: by dehumanizing or depersonalizing victims: removing them from moral consideration; by demonizing victims into moral villains: both removing them from moral consideration, and making it a moral duty to punish

them and by morality shifting: moving the focus of moral judgment from harm and fairness, to moral concerns favoring the in-group.

Singer (1981) in an attempt to justify issues of morality argued that, in moral dilemmas, humans tend to treat similar beings with more moral concern than dissimilar beings: preferring kin over non-kin, group members over non-group members, and conspecifics over other species. Over history, the radius of this circle of concern has increased, including all of humanity and even non-human animals. However, in practice the moral circle is smaller than in theory; in competition between nations, for example, the lives of innocent members of the enemy group are valued less than the lives of fellow nationals (Pratto & Glasford, 2008). For the extremist whose ideology demands violent action and not just discrimination, the victims need to be far indeed from the center of the moral circle. For this purpose, the strongest metaphor would deny them the moral concern due to members of the human species. This can be done either by equating the victim's group to non-human animals (infra-humanization), or to unfeeling objects. Research also suggests that infra-humanization is used to mitigate the moral consequences of in-group responsibility for violence.

While denying others uniquely human emotions makes them more like animals, denying them emotionality altogether equates them to robots. In a recent review, Haslam (2006) proposes that others are dehumanized in two main ways: animalistic and mechanistic. Animalistic dehumanization occurs when others are perceived as lacking culture, refinement, morality and rationality. Often, colonizers' perception of an indigenous population was characterized by this kind of dehumanization. Coldness, rigidity and passivity, by contrast, are the features of mechanistic dehumanization. The targets of this kind of dehumanization are not perceived as animals to be managed and

punished, but as robots, who carry out their programmed mission, heartlessly but efficiently.

These two dehumanizing strategies, may, however, lead to violent action toward the target in different ways. While animalistic dehumanization brings up the need to crush and get rid of an emotionally aversive element, mechanistic dehumanization sanitizes violence against the target by emptying it completely of emotionality: we are not slaying an animal, but rather, pulling the plug of an inanimate object. In fact, sometimes denying the other group the ability to feel any emotion may motivate excusing one's own collective abuses against them, as much as denying them the ability to feel human emotions does.

There is another way to square high moral standards with participation in murder. In demonization, victims are removed from moral consideration by painting them as not as robots or animals, but as malefactors, deserving punishment and death. While punitive ideas have been mentioned as part of dehumanization in conflicts (Bar-Tal, 1990; Oren & Bar-Tal, 2007), the authors are of the view that, that demonization goes beyond simple denial of humanity to an inferior group. If people are seen as non-human, they may freely be destroyed if they block a group's material interests. Only painting the enemy as malignant and incapable of reform can justify mounting a crusade against them, even at great expense and with few material benefits.

Demonization is a special kind of moral mandate that identifies an out-group as evil, and justifies any measures taken against them, including violence. Naturally, demonized foes may be seen to threaten one's own people, justifying aggression as retaliation. But the potentially disinterested nature of moral emotions (Haidt, 2003) means that even enemies who threaten other people can be crusaded against,

altruistically. The ideal punishment of demons knows no restrictions, either practical or moral, and in fact is a positive moral good. For instance, the Iranian epithet of the “Great Satan” aimed at the United States was mirrored by President George W. Bush’s “Axis of Evil” label aimed at Iran and other states (Beeman, 2005). Nazi propaganda depicted Jews as not just contemptible sub-humans, but as active agents of harm (Burrin, 1999/2003). Demonization goes beyond the concept of *lex talionis* or “an eye for an eye,” which is already powerful enough.

Demonization allows punishments disproportionate to the offense, at the rate of two eyes for an eye. One reason for this is that it categorizes the perpetrators as evil, rather than the act as unjust. Demonized people no longer attract moral concern. In fact, punishing them becomes a moral good; so any holding back on punishment is morally questionable. Procedural justice likewise is an unacceptable impediment to a war against demons, when distinguishing the culpable from the merely accused (Skitka & Houston, 2001). The moral nature of the crusade, which fuels an easily-gained sense of certainty, makes it more important to punish wrongdoers than care about the innocent.

Reicher *et al.*, (2008) adds to the discussion of viewing other human beings as evil. The authors re-examine the historical and psychological case for ‘the banality of evil’– the idea that people commit extreme acts of inhumanity, and more particularly genocides, in a state where they lack awareness or else control over what they are doing. The study provides evidence that those who commit great wrongs knowingly choose to act as they do because they believe that what they are doing is right. Reicher *et al.*, (2008) identify an integrative five-step social identity model that details the processes through which inhumane acts against other groups can come to be celebrated as right. The five steps are: Identification, the construction of an in-group; Exclusion, the definition of targets

as external to the in-group; Threat, the representation of these targets as endangering in-group identity; Virtue, the championing of the in-group as (uniquely) good; and celebration, embracing the eradication of the outgroup as necessary to the defense of virtue.

The findings of the study on attitudinal factor number 4 “A.4” are consistent with studies on extremism. Concerning exclusionary attitudes, Bauer *et al.* (2016) noted that violence can stimulate egalitarian attitudes of support for one’s own group but not of out-groups. McCauley (2014) argues that conflict hardens negative attitudes between groups, making in-group members less willing to live peacefully with out-group members. The logic of indirect mediation from these literatures would suggest that communal violence leads to decreased trust or exclusionary attitudes toward out-groups, and those sentiments then lead to greater support for violent extremism. Grievances associated with poor government performance could lead to support for extremism, if aggrieved individuals join homogeneous and unintegrated groups including religious ones- in which political violence is more likely to be justified.

Moshman (2005) for instance, contends that genocidal hatred is not a driving force for genocide; it does exist, but dehumanization may be a more important basis for genocide (p. 206). Hatred is an attitude towards a person or group, whereas dehumanization is a process of placing a person or group outside the realm of personhood and outside the universe of moral obligation (Moshman, 2005, p. 206). The tag evil also implies some form of dehumanization. For extremists, anything evil deserves to be eliminated. The findings on dehumanization are also consistent with Smith (2014) study which explored why human beings dehumanize one another, and how dehumanization has been used throughout history. Smith (2014) starts with an analysis of dehumanization in wars,

especially the Second World War. Smith (2014) reminds us that it was not just the Nazis who dehumanized the enemy; Russian propagandists described the Germans as having animal breath, and called on Russian soldiers to kill every German they could (pp. 16-17). During the capture of Nanjing by the Japanese, soldiers raped, mutilated, and tortured thousands of Chinese civilians, while viewing them as bugs or pigs, and American publications portrayed the Japanese as cockroaches and rats (Smith, 2011, pp. 17-19). Smith (2014) then discusses how dehumanization was viewed historically; medieval Muslims believed that humans could be transformed into sub-human creatures such as pigs, apes, and rats as punishment by God. A seventh-century poet described women as sub-human creatures created from sows, vixens, donkeys, and monkeys (Smith, 2014, p. 30).

Study findings on attitudinal item “A.4” are corroborated by Moshman (2005). Moshman (2005) while making reference to the genocide in Rwanda advanced that, another common argument made is that genocide is a result of hatred, that the perpetrators kill because they hate the victims. While this may be true in some cases, Moshman (2005) points out that hatred can be manipulated for political reasons, and that dehumanization is more likely to affect participation (p. 194). Moshman (2005) argues that dehumanization makes it possible to kill a person without hating them; using the analogy of killing a cow, he argues that it is possible to do so because you no longer see the individual as human (p. 194). Indeed, dehumanization plays a role in facilitating participation in violent extremist mobilization.

One of the first steps taken toward dehumanization by the government was to place the Tutsis in a different group from the Hutus, to make the Tutsis the “outgroup” (Smith, 2014, p. 49). The Tutsis were seen as the “other,” creating an “us and them” mentality

(Smith, 2014, p. 49). When one group sees the other as separate, they begin to discriminate against the outgroup, seeing them as deserving of their suffering, as less hardworking and less honest. (Smith, 2014, p. 49). Moshman (2007) explains that identity in Rwanda changed to the point where people were identified first and foremost as Hutu or Tutsi, with all other identifiers being a distant second (p. 119). Moreover, Moshman (2007) points out that if the out group is seen as something other than human, "...then they cannot share interests, values, or commitments with 'us'".

Study findings on the fourth attitudinal item are corroborated by Gourevitch (1998) study of Rwanda genocide. Arguably, the most famous dehumanizing term used against the Tutsi was *inyenzi*, or "cockroach." As Gourevitch (1998) explains, the Tutsi rebels were the first to be called cockroaches, and they used the term themselves to "...describe their stealth and their belief that they were uncrushable" (p. 64). Higirot (2007) points out, "cockroaches are annoying insects that disappear when somebody turns on the light. The only way to get rid of them is to kill all of them" (p. 85). Most people see cockroaches as annoying, ugly insects who must be wiped out. The use of a repulsive creature to describe Tutsis made it easier to convince people that all Tutsis, and not just the Rwanda Patriotic Front (RPF), needed to be eliminated.

In addition to calling Tutsis cockroaches, RTLM and newspapers like Kangura referred to Tutsis as snakes and hyenas (Higirot, 2007, p. 87). According to Higirot (2007), in Rwandan culture, a hyena is the worst animal, and calling someone a hyena labels them a very bad person, one worthy of death (p. 85). The routinization of the killing, combined with seeing the Tutsis as creatures to be hunted down and killed, made it easier for the perpetrators to kill them. Léopold informed Hatzfeld (2003) that the

killers no longer looked at the Tutsis on a one-on-one basis, but as a collective group that represented a large threat to Rwanda, a threat that must be eliminated (p.121).

During the Rwandan genocide, between 250,000-500,000 women and girls were raped; the exact number is unknown, as many victims did not report their rape. As well as symbolizing an assault on an entire community, mass rape also tells the men of that community that they are unable to protect their women, thus adding to the shame of the community (Reid-Cunningham, 2008, p. 282).

Women were often raped in front of their husbands, fathers, and sons, and in some cases, their fathers or sons were forced to rape them, which destroyed the men's ability to enforce the society's gender norms of protecting their women (Mullins, 2009, p. 722). Moreover, the Rwanda tribunal's decision regarding rape as genocide acknowledged that the rapes were not sexual in nature, but a tool of war used to destroy the Tutsis (Russell-Brown, 2003, p. 352). It is important to note this because although many of the perpetrators in Rwanda used sexual terms when raping women, their overall goal was to destroy the Tutsis via sexual violence against the women. Many societal norms were destroyed during the genocide, and left women with a heavy burden to carry in the post-genocide society.

Staub (2000) provides a brief description of the influences leading to genocide and mass killing, such as difficult life conditions and group conflict (pp. 368- 369). Difficult life conditions include economic problems, political conflict, and intense and rapid social change that frustrate basic human needs (Staub, 2000, pp. 369-370). Staub (2000) claims that in order to satisfy their needs for identity and connection, people turn to a group and then elevate their group by psychologically or physically diminishing the other group; they scapegoat another group for their problems, and engage in harmful

actions against the other group. Another factor contributing to genocide is past victimization of a group and the unhealed wounds; without healing, the group will feel diminished and vulnerable (Staub, 2000, p. 370). Staub (2000) believes a good example of past victimization can be found in the Bosnian genocide, when Serbs felt like they were being attacked by Croatia (p. 371). Overall, study findings on attitudinal item “A.4” indeed point to Afrocentric events that are the result of intractable deprivation that feeds into the urge to resort to unconventional methodologies in pursuit for social justice and equity.

5.1.5 “I am willing to do anything and everything including fighting and even dying for my land rights” “A.5”

On attitudinal factor number 5 “A.5”- “I am willing to do everything including fighting and even dying for my land rights” quantitative evidence revealed 184 (46%) respondents agreed to doing everything including fighting for their land rights, 172 (43%) were neutral whereas 44 (11%) were in disagreement. A higher proportion 172 (46%) of respondents indicated their willingness to do anything and including fighting-anything in the context of this study could mean resorting to extremist means-both violent and non-violent. The current study argues that, it could also mean organizing themselves into an outfit akin to SLDF. The SLDF in this context was anything and everything members of the community resorted to in the past events of violence in 2006-2008. On the other hand, in the mini-massacre of 2018, there were signs that those released from prison after serving their terms were out to cause fear through that “anything”.

On the other hand, 172 (43%) were neutral about doing anything including fighting and dying for their land rights. The current study argues that, this could be indicative of the fact that past memory of violence made them not sure given the traumatic experiences

documented especially in the 2006-2008 violence. Similarly, this uncertainty could be attributable to the consequences of fighting and dying without attaining their course for justice and their heirs continuing with the cycle of intractable conflicts and wars which would mean a lose-win end game.

Study findings with a higher proportion of respondents are in agreement with Allan *et al.*, (2015) study whose results was strongly supported the hypothesis that in the absence of peace and security, populations are often ready to accept any entity that offers stability. The findings of the current study are also consistent with Imbuye (2016). The discontent among the two clans marked the beginning of the violence mainly attributed to the SLDF which mostly comprised of combatants from the Soy clan, attacking members of the Mosop clan. According to Imbuye (2016), the SLDF was allegedly designed to exterminate the Chepkitale Ogiek from the face of the earth. The composition of the militia clearly indicated that it was largely a creation of the Soy politicians purposively meant to evict *madoadoa*. '*Madoadoa*' is a Kiswahili term meaning spots and was used by SLDF to label non-Sabaot people living in Chepyuk Phase III during the early phase of the conflict. The eviction of non-Sabaot from the region was a political strategy to guarantee Soy aspiring candidates a win in the general elections.

In terms of doing anything and everything, study findings are consistent with findings on the role *Laibons* played during the conflict. Njogu (2021) study alludes that the SLDF had a spiritual wing which performed roles based on the cultural beliefs of the Sabaot community. They imposed their own spiritual leaders and prophets '*Laibons*'. These *Laibons* gave the combatants charms that would protect them from authorities. They administered oaths and spiritual guidance. The SLDF members believed that the oath taken by the combatants bonded them together and the charm gave them super

natural powers to protect them from bullets. The spiritual wing violated the cultural and Christian values and teachings on sex education within the area which resulted to low spread of Christianity within the area. For instance, according to the Sabaot cultural belief, at the beginning of a conflict, animal intestines were used to foretell the future of a conflict. However, the SLDF killed expectant women and open up their womb to determine the future of the conflict. Hilarity of the matter was that the sex of the unborn baby would determine whether the conflict would continue or end. If the baby was a boy it meant that the war would continue.

The SLDF used rape as the new weapon of war where the women's body became the new battle field of war. Although rape was initially prohibited, the young SLDF raped women in order to force them to give information about their hiding husbands and sons who had refused to join the militia group (Simiyu, 2008). In addition to this, the SLDF members raped the Mosop women to give birth to their children and those who were carrying their husband's pregnancy, the SLDF would open their wombs and spear the fetus killing them instantly with the aim of not allowing an 'enemy' to live. SLDF used rape as a silent killing machine to infect the Mosop women with HIV/AIDS and prohibited women from reporting to the police or seeking medical attention in order to spread the disease to the entire community. It saved those bullets, humiliation, submission and demoralizing the enemy. Violation of women meant violation of cultural identity of a community as a whole since women are believed to be the pillars and continuity of a community.

The findings of the current study on attitudinal factor 5 "A.5" are consistent with Agbibo (2013) study. Violent religious extremism is particularly well-suited as an alternative ideology in that context. First, terrorist groups operating in the region, such

as *Boko Haram* and Al Qaeda in the Islamic Maghreb, openly reject conventional forms of social order and politics (Agbiboa 2013), employing instead non-conventional forms of contestation that are increasingly appealing to residents especially young people in violence-ridden communities. Second, they provide a justification for the use of violence and aggressive behaviors – the very norms that emerge as more common in settings of communal violence, albeit most often for different reasons. As *Boko Haram* leader Abubakar Shekau notoriously stated in explaining that previous leadership was too soft, “I enjoy killing anyone that God commands me to kill the way I enjoy killing chickens and rams” (Simon, 2014). Terrorist groups that normalize violence in this manner (here, to please God) offer to young people caught in violence a rationale however dubious for the behaviors in which they are subsumed. Overall, study findings on attitudinal factor five “A.5” were supported and an addition to risk factor feeding to extremism in the study area.

5.1.6 “Land injustices make me feel like I am not Kenyan enough” “A.6”

On attitudinal item number 6 “A.6”- “Land injustices make me feel like I am not Kenyan enough” quantitative evidence revealed that majority 292 (73%) respondents were in agreement that land injustices made them feel less Kenyan, 108 (27%) were neutral whereas none 0 (0%) of the respondents indicated disagreement. The Cambridge Dictionary (2018) defines patriotism as the feeling of loving your country more than any others and being proud of it. The following accounts were given by FGD participants in the study area, all pointing to the fact of diminishing patriotism.

Hii miaka yote tumeona serikali ikipatiana tite deeds kwa watu wenye wamekua squatters kama sisi, kwani sisi tukoje? Hata wengine walifukuzwa kwa shamba zao wakati wa vita 2007 wamepewa mashamba lakini sisi wa miaka takriban arubaini hata hatujaangaliwa

Over the years, we have seen the national government giving title deeds to squatters and landless people in Kenya, how do we people of Mt.

Elgon look like? Even we know some of those who were displaced by the 2007 post-election violence who have been given land, but us who have suffered injustices for approximately 40 years are yet to see any justice) (FGD with male victims, Sasuri-Cheptais, August 18, 2023).

Ukiangakia hii Mt. Elgon vizuri, hatuna barabara, hosptali, mashule, ukiangalia watoto wetu hawana hata nguo ya kuvaa. Mahakama na polisi pia wako mbali na sisi, inabidi twende hadi Kimilili. Kwani sisi tuko Kenya gani? Angalia vile wamama wetu wanakaa, hata mafuta ya kujipaka hawana, tunashangaa kama tuko Kenya ama nchi ingine.

As you have been walking around, and looking keenly you must have realized that we have no roads, hospitals and schools. Our children lack decent clothes. Even the police station and the judiciary are too far away in Kimilili. In which Kenya are we? Look at how our women look like, they have no oil for their skin, which country are we really in? (FGD with male victims, Sasuri-Cheptais, August 18, 2023).

Tunaendea kuumia kama jamii ya wachache, watoto wetu huwa wanaibiwa nafasi za shule. Wale ambao wamehitimu huwa wanaibiwa nafasi za kazi tulizotengewa. Hata BBI walitusahau, tunahitaji eneo bunge zingine hapa Mt. Elgon, lakini nyingi zilikuwa zinaongezwa pande za waluhya. Sisi Mt. Elgon, BBI haikutukumbuka kabisa.

We continue to suffer as a minority, even within Mt. Elgon we are always rigged out of opportunities reserved for minority groups. Our children's names are always replaced during bursary and scholarship applications; our graduates are often rigged out of job opportunities even in the slots allocated for us. We need a constituency of our own, even the BBI debate, we were completely forgotten with more constituencies going to the Luhya side of Bungoma, Mt. Elgon was not in consideration. (FGD with male victims, Sasuri-Cheptais, August 18, 2023).

The aforementioned excerpts from FGD participants all point to unfairness. These findings on perceived lack of or diminishing patriotism as a result of the inability of the state to address land as a cause of grievance in the study area. The findings of the study are consistent with Borum (2011) study. Borum (2011) opines that an undesirable condition is not necessarily an unjust one. Perceptions of injustice usually arise when one comes to view the aversive condition in a comparative context – relative to one's

own expectations or relative to how that condition does or does not affect others. This is similar to Ted Gurr's (1968) concept of "relative deprivation," which he defines as the "actors' perception of discrepancy between the value expectations (the goods and conditions of life to which people believe they are justifiably entitled) and their environment's apparent value capabilities." This discrepancy, perceived as unfair or unjust, prompts feelings of resentment.

The findings on attitudinal item "A.6" are not consistent with Botha & Abdille (2020). According to Botha & Abdille (2020), the National Strategy to Counter Violent Extremism introduced by Kenya in September 2016 listed initiatives to promote patriotism for Kenya's nationhood as the second of nine priorities set as outcomes of the strategy. Identified as the second priority in the national CVE Strategy, enhancing patriotism and building a sense of nationhood start with creating a feeling of belonging and acceptance. This should start with assessing vulnerable communities' access to identity documents, identification documents and passports. In other words, more resources should be directed at minority and vulnerable communities instead of less.

The findings of the current study on land injustices making respondents feel that they are not Kenyan enough and as evidenced by the FGD responses, this has an aspect of comparison relative to the situation of other Kenyan patriots. This is epitomized by Borum (2011) and Gurr (1978) empirical studies. In these studies, comparison emerges as a crucial stage in the development of a terrorist mindset and grievance as a result of real or perceived deprivation respectively. As a result, this study underscores the significance of majority agreement with attitudinal factor number 6 "A.6" as a marker of the risk of extremism. As exemplified by the Black widows, one common response to experiencing a painful loss of significance (frustration, humiliation) is wanting to

punish those responsible for one's suffering. Although displaying power through forceful and heavy-handed behavior may be instrumental to reassert one's significance, the use of violence is generally prohibited and socially reprimanded (Belanger *et al.*, 2019). However, violence becomes permissible when it is encapsulated within an ideological framework that provides moral justifications for its use against a specific group of people.

This suggests that ideological narrative play two important roles. On the one hand, ideologies are shared systems of belief that identify the actions required to achieve significance, which typically involves extreme violence against the perceived enemies of one's (ethnic, religious, or social) group. On the other hand, ideological narrative provides the moral justifications rendering violence acceptable and even desirable against outgroup member.

In addition, the findings of the current study are corroborated by Amakanji *et al.*, (2018) study of push factors towards radicalization into violent extremism in Nairobi City County of Kenya. This study alluded that it could be lack of patriotism that leads youths in the study area to join violent extremist groups. The same could be argued about individuals in Africa joining and participating in activities of violent extremist groups in Nigeria- *Boko Haram*, Cameroon- Ambazonia crisis, resource conflicts in Sierra Leone, climate change related extremism in the Sahel region, Liberia and Mozambique which all share similar patterns of grievance arising from natural resource deprivation. Overall, the study findings on attitudinal factor number 6 "A.6", the current study notes are an indicator of risk to violent extremism in the study area and these can be replicated in areas in Africa facing resource based conflicts.

5.1.7 “Land injustices make me full of hatred and frustration” “A.7”

On attitudinal item number 7 “A.7”- “Land injustices make me full of hatred and frustration” quantitative evidence revealed that majority 292 (73%) respondents were in agreement that land injustices had made them full of hatred and frustration, 108 (27%) were neutral whereas none 0 (0%) of the respondents were in disagreement. A key finding on this attitudinal factor is that there was no (0%) response recorded as being in disagreement with that item that land injustices made the residents of the study area full of hatred and frustration. The implication of this finding is the fact that a super majority of respondents are actually full of hatred and frustration arising from injustices surrounding land. In studies of extremism, hatred and frustration emerge as explicit feelings towards pathways for extremism. Respondents in an FGD session revealed the following with regards to attitudinal factor 7 “A.7”.

Ukiangalia hii msashamba yote hakuna chakula, mwaka ujao tutakuwa na njaa sana. Tafadhali kama uko na uwezo fikishia serikali hii ujumbe ukiandika hii ripoti. Juzi chakula yangu ya karibu elfu mia tatu imechomewa kwa shamba kama inakaribia siku za kuvuna. Hii ni ungwana kweli? Na ni serikali ndio ilikuwa imenipea hiyo mahali nipande.

If you have been keen to look around our farms as you traversed the region, you must have realized that next year we will likely face hunger. I plead with you, if there is a way you can write this report to reach the government, please let them know that we don't have food. A few days ago, my plantations worth almost 300,000.00 shillings were burnt by security officers, is this rightful really? And it is the same government that had allowed us to use the same piece of land. (FGD with male victims, Sasuri-Cheptais, August 18, 2023).

Juzi, niliona tu malori ya GSU, wakikuja hawaongeleshi mtu. Walikuja na wakaanza kukatakata vitunguu, cabbage na viazi zenye zilikuwa karibu kuvunwa. Na wakifanya hivi nadhani wanajaribu kutupima waone vile tutafanya. Kutujaribu tu. Iko watu wengi pia walihamishwa na kuchomewa nyumba, hakuna notice tulipewa.

A few days ago, a lorry full of GSU lorries came and without addressing anyone, they went straight into the farms that the government had

allocated us to do farming and began slashing vegetables that was nearing the harvest period. Most of us actually think that they always do this to test our patience and reaction. Also a good number of us were forcefully displaced without notice from the same pieces of land that had been allocated to us. (FGD with male victims, Sasuri-Cheptais, August 18, 2023).

Iko wakati ingine huwa nakaa hivi, naomba hii mlima ituzike tu wote na tusahau hii kuteseka na kuumia yote. Ni afadhali kufa kuliko kuishi na hii mateso yote serikali ikiangalia tu. Tumeteseka ya kutosha.

There are times that we even pray and wish that Mt. Elgon erupts and buries us alive so that all this suffering can go. It's better to be dead than alive and suffer in the hands of the government. We have suffered enough. (FGD with male victims, Sasuri-Cheptais, August 18, 2023).

The findings of this study on attitudinal factor number 7 “A.7” are aligned with Kruglanski *et al.*, (2014) study. Kruglanski *et al.*, (2014) opined that social alienation is a state of estrangement and detachment from society is an important vulnerability that prompts individuals to seek solace in radical groups that promise camaraderie and purpose to those that follow their ideological imperative (Kruglanski *et al.*, 2014). In this case, frustrations and hatred arising from intractable land injustices in the study area present a key risk factor for radicalization into violent extremism in the study area. Accordingly, disenfranchised and alienated individuals are assumed to be at risk of becoming terrorism recruits, especially if there are no alternative outlets to their frustration.

One perennial question among terrorism researchers has been what motivates individuals to become involved in violent extremism. According to Kruglanski *et al.*, (2014), one motivational impetus underlying radicalization is the “quest for significance,” namely, the universal need to be someone and to be respected by others that matter. The significance quest usually becomes an important goal when

significance is lost such as when people experience personal failure, rejection, and humiliation.

Research by Shmotkin and Litwin (2009) suggested that social alienation is a devastating feeling that is strongly associated with loss of personal worth and purpose. The 3N model of radicalization proposes that when significance is lost, individuals become motivated to restore it. One way to restoring significance is by retaliating against the source of the threat or seeking out new groups that can provide camaraderie and purpose. In line with this proposition, Wiktorowicz (2005) suggested that negative personal events such as social alienation induced a “cognitive opening,” a receptiveness to new, and potentially violent, ideologies. Similarly, it proposed that individuals feeling consistently neglected and living on the fringe of society can be potential recruits for terrorism, especially if there is no outlet for their frustration.

Several historical cases suggest that social alienation may have been a driving force behind radicalization leading to violence. One of the most documented examples is that of the Chechen Black Widows, a female-dominated group that sought to avenge the deaths of their husbands and families at the hands of Russian troops. According to Speckhard (2009) analysis, soon after this traumatic event, 92% of Chechen female suicide bombers (24/26) experienced social alienation and 73% “sought a connection to Wahabbists groups soon after the trauma and in direct reaction to it”.

Early, scholars of social revolution and civil war suggested that economic grievances give rise to frustration and discontent that fuel violent mobilization. Davies (1962), for example, argues that revolutions resulted from an intolerable gap between what people expect and what they get. Gurr (1970) places a similar emphasis on subjective feelings of relative deprivation, that is, a perceived mismatch between resources and

entitlements, in his explanation for why men rebel. Whereas, a few studies have largely failed to find a significant relationship between inequality between individuals and civil war (Collier and Hoeffler, 2004; Fearon and Laitin, 2003), a number of recent studies corroborate that inequality between groups increase the risk of rebellion. Empirical investigations of the inequality-conflict argument have almost exclusively focused on armed rebellion against the state. However, the scope of the inequality-conflict argument does not restrict itself to cases where the state is a participant in the violence. Violent mobilization related to collective demands for redistribution or in defense of the status quo distribution could also lead to inter-group competition. Economic inequality could thus increase the risk of armed conflict between communal groups, without the direct involvement of the state.

In addition, Fearon & Laitin (2011) pose a question on why frustrations related to economic inequality trigger violence against other communal groups, and not be channeled through regular institutional avenues or become targeted against the state? One answer is that these communal constituencies might in fact be less costly to target than agents or institutions of the state. Anything else equal, there should be lower organizational barriers for violence against other groups than for creating and sustaining an armed challenge against the state. The authors also emphasize two interlinked factors characterizing state-society interactions across much of Africa South of the Sahel, to explain why communal conflict becomes a prevalent response to economic inequality: first, the exclusionary political legitimacy of the African state and second, elite incentives for competitive mobilization of communal identities. Overall, study findings and discussions point to the nexus between exposure to injustices over land and the risk of extremism in the study area.

5.1.8 “Being together with those who face land injustices like myself makes me feel better” “A.8”

On attitudinal item number 8 “A.8”- “Being together with those who face land injustices like myself makes me feel relieved” quantitative evidence revealed that 144 (36%) were in agreement that being together with those who faced land injustices in their area made them feel relieved, majority 204 (51%) of respondents were neutral whereas 52 (13%) were in disagreement. The current study advances that, ideally, being together in the midst of those facing land injustices would make them belong in their injustices and would be the first point of contact in their push for justice. This would likely be in the form of social movements. This thesis argues that even in the formation of SLDF, it is this togetherness that made members feel better in their social movement. Therefore, this is a key risk factor towards the formation of extremist groups to advance the plights of their communities.

Study findings on attitudinal item “A.8” gave mixed results with regards to the item and are supported by Cederman *et al.*, (2013) who opined that, the existence of diverse identity groups does not, by itself, move people to collective action. Nor does the prevalence of inequalities across those groups. There are plenty of examples of diverse societies with distributional differences on various dimensions that do not create frustration and that are accepted by people. The process of grievance formation around inequalities appears to be the link between the existence of those inequalities and whether they generate some kind of collective action. Cederman *et al.*, (2013) explored this process, arguing that inequalities have to be politicized to become grievances. They identify three necessary steps for this politicization of grievances: First, there must be well-defined and separate identifiable groups in society. Second, a group must be able to compare itself and its status to other groups, either by objective measures or

perceptions. Finally, groups must frame the intergroup inequality as unfair and assign blame to another group.

Study findings on attitudinal factor “A.8” are corroborated with wider literature on social movements which include similar discussions of grievance formation. For example, a feeling of injustice and assignment of blame have been identified as necessary to the transformation of inequality and exclusion into grievance (Tarrow, 2011). The severity of polarization among groups in a society also influences how or whether inequalities and perceived exclusion translate into grievances, and then into violent conflict. Scholars generally agree that ethnic polarization is a strong predictor of violent conflict (Montalvo & Reynal-Querol, 2012; Abu-Bader and Ianchovichina, 2017). Some studies suggest a strong relationship between polarization and the risk of genocidal extremism (Montalvo and Reynal-Querol, 2008). Horowitz (2000) argues that more homogeneous societies tend to be less violent than highly heterogeneous societies, and that more conflicts occur in societies in which a large ethnic minority faces an ethnic majority. Similarly, Easterly *et al.*, (2006) study established that the polarization of two large groups of similar size—for example, when a large minority is in conflict with a large majority—presents the highest likelihood of violent conflict. This is a replication of the conflict in Mt. Elgon region.

Recent attempts to apply social movement theory to the study of radicalization have emphasized how the construction of extremist narratives and perceptions of shared grievances can mobilize certain individuals to engage in extremist behaviors (Borum, 2011). Key to social movement explanations of radicalization are the roles that extremist groups and their leaders play in the construction of the collective action frames that give meaning to events, help form collective expectations, and guide

actions. For instance, Wiktorowicz's (2005) work on Islamist radicalization in the United Kingdom suggested that individuals who are troubled by religious uncertainty or who are the victims of discrimination are at a greater risk of adopting the collective action frames disseminated by extremist groups (Robert *et al.*, 2000). These frames, which are often rooted in religion or shared history, influence how individuals interpret grievances, including the assignment of blame and the prescription of corrective actions.

Belanger *et al.* (2019) advanced that a fuller understanding of why and how individuals radicalize and commit acts of terrorism merits immediate attention. According to the 3N model of radicalization, there are three major components that push individuals toward violent extremism: the need element which pertains to individuals' quest for personal significance; the narrative which identifies the means to the end of significance; in a violence justifying narrative this is portrayed as extreme aggression against perceived enemies (ethnic, religious, or social), and the social Network in which individuals are embedded and that validates the means-ends relations between violence and significance as well as dispensing rewards (in terms of bestowed status and veneration) to people that commit violence. Once people adhere to the ideological narrative that morally justifies the use of violence to restore significance, people are likely to be motivated to seek the presence of others that share similar beliefs. People's beliefs are likely to influence the type of group they join because of the universal motivation to attain mutual understanding and a shared sense of reality. These epistemic and relational motives are satisfied by obtaining a predictable and controllable environment in a group of like-minded individuals (Jost *et al.*, 2008). Thus, those supporting violence are likely to seek the company of individuals sharing similar

ideological beliefs. Furthermore, by joining a group of like-minded individuals, the use of violence is socially condoned as those that defend the existence of the group are bestowed significance and referred to as heroes and martyrs.

Strong communal affiliations, particularly in the form of ethnic belonging, imply that economic inequalities are intimately linked to collective identities, which, in turn, facilitates violent mobilization. Group resentment stemming from a sense of relative deprivation can be targeted against other groups that are more closely associated with the regime in power or command greater economic resources. Deprived groups can engage in communal violence to directly alter the distribution of economic goods, for example access to farming land, but also to more indirectly extract state patronage through restiveness. However, as noted by Stewart (2008) one cannot assume that it is only resentment by the disadvantaged that may cause political instability. The relatively privileged can also attack the unprivileged. Although the relatively privileged groups might have little direct material gains to acquire from the very deprived, they might instigate violence to secure their own privileged status, fearing that the more deprived may gain political power and demand more resource redistribution, or turn to armed aggression to redress their grievances.

A strong racial or ethnic or spiritual identity has been found to attenuate the association between discrimination and the various negative health and public health outcomes in some populations, though not all. Sonn and Fisher (1998) suggested that a strong social identity within oppressed groups can serve as a protective resource, mitigating the negative effects of oppression. By engaging with each other in settings that reinforce one's sense of identity, (for instance, within a church, mosque, or extended family) a positive sense of identity is maintained while the negative effects of oppression are

moderated (Sonn & Fisher, 1998). It is important to note that violent extremism is a unique problem and that youth who experience discrimination may be pushed towards a more conservative and less tolerant type of Islamic practice. Indeed, it has been argued that “Islamophobia drives radicalization and vice-versa”.

The findings of the current study on identity as a basis for marginalization in addition to serving as a determinant of homegrown extremism in Mt. Elgon are in agreement with Moghaddam (2005) study. From the FGD discussions, it is evident that the respondents’ decades long quest for land justices solidified their views on exclusion by the government and the need for a social movement to fight for their land rights. In the study, Moghaddam (2005) sought to understand how an individual can be socialized to become a terrorist.

Referring to literature by Sageman (2019), the phenomenon of supporting or radicalization into violent extremism was not the product of a singular factor but rather a value added process. A process culminating from a combination of factors that revolved around: perceived group injustices; feelings of being excluded and exploited; meaningful narratives of belonging and identity that are offered by violent extremist groups and becoming disparaging of other groups and adopting a hardened in-group viewpoint (Sageman, 2017). Enveloped in land based grievances that seemed to favor the Mosop spanning for almost four decades, this explains why fortification of extremist narratives among the Soy Sabaot was likely. Sageman (2017) adds that there is evidence that suggests that when one’s social identity is weakened and the in-group (of like-minded people) is hardened, it may enhance active or passive support for extremist ideology and acts.

Kladermans (1997) argued that every social movement has a mobilization potential that consists of all those who share the same beliefs or are sympathetic to the same collective action frame. Creating such a collective action frame requires a sense of identity and a distinction between us and them. Fjelde and Østby (2014) argue that “Violent mobilization related to collective demands for redistribution or in defense of the status quo distribution could also lead to inter-group competition.” Thus visible differences between groups could be seen as a potential collective action frame that creates a sense of distinction and separate identities between groups. Kladermans (1997) suggests four steps towards participation namely: sympathizing with the movement; mobilization; motivation to participate, and participation.

Cumulatively, on attitudinal factors, study findings revealed that majority 66% (264) of respondents agreed to attitudinal items, 28% (112) were neutral whereas 6% (24). As such, the current study advances that based on the attitudinal factors, it can be deduced that based on the factors arising from intractable land conflicts in the study area, there is a propensity for respondents in the study area to holding (encouraging, condoning, supporting and justifying) mutual intense feelings of hatred, associated with the urge to resort to the use of extreme violence by one Sabao community over the other in pursuit for land rights as a result of “inequitable” distribution of land in Mt Elgon Region, Kenya.

5.2 Contextual Risk Factors (Exposure, context and intent (e.g. user of extremist websites, direct contact with violent extremists)

This section presents and discusses findings on contextual risk factors that relate to homegrown extremism in Mt. Elgon Region of Kenya. These factors relate to context and intent such as having direct contact with violent extremists and access to extremist

materials. Data on contextual risk factors in the study area were collected, analyzed and the results presented in Table 5.2.

Table 5.2: Percentage of Respondents Agreeing with Statements on Contextual Risk Factors for Violent Extremism in Mt. Elgon Region of Kenya

C. Contextual Items	Agree (3)	Neutral (2)	Disagree (1)
C.1 I am aware of communities that have used violence to solve land injustices elsewhere	85% (340)	13% (52)	2% (8)
C.2 If violence can bring us land rights then I support it	73% (292)	21% (84)	6% (24)
C.3 Political decisions and actions make me angry	47% (188)	41% (164)	12% (48)
OVERALL SCORE	68%	25%	7%

Source: Field Data (2021)

5.2.1 “I am aware of communities that have used violence to solve land injustices elsewhere” “C.1”

Quantitative evidence in Table 5.2 revealed that on contextual factor number 1 “C.1”- “I am aware of communities that have used violence to solve land injustices elsewhere” majority 340 (85%) of respondents were in agreement that they were aware of communities that had used violence to solve land injustices, 52 (13%) of respondents were neutral whereas 8 (2%) of respondents were in disagreement. This finding is particularly important for this study since for a majority of respondents who were in agreement with this contextual item “C.1”, there is an aspect of social learning that will or has likely played a role in radicalizing individuals into extremism. It may also point to the fact that a good number of conflicts in the Global South have spillover effects as a result of social learning. Indeed, study findings are in agreement that the government through the Presidency has continued to play a vital role in issuance of title deeds

including in areas which are not epicenters of historical injustices as that in the study area. This issuance of title deeds, more often than not have taken place in the context of campaign periods. The current study argues that resulting from these, it is likely that residents in Mt. Elgon continue to be radicalized into extremism by such happenings, therefore feeding into extremism. The study opines that due to advances in technology, residents in the study area often access this information in real time through radio, television and social media. It is also important to point out that, to this community, land is the single most important factor without which, they would be unable to sustain their livelihoods and thus a driver of extremism in the study area. An interview with a community elder in Kamarang village gave the following account in relation to contextual factor number 1 “C.1”.

Si jambo geni, huwa tunaona serikali ikipeana vyeti vya mashamba hii Kenya mzima. Wakati wa kampeni huwa tunaona rais akipeana, hata hapa zilipeanwa 2017, lakini huwa zinaenda wapi? Tofauti yetu na wakenya wengine ni gani? Jamii ya mlima Elgon sisi tumechoka na kunyanyaswa na serikali.

It's not new in Kenya, we have seen on media the government allocating land title deeds throughout the country. More so, during the political campaign periods where the Head of State always leads in the award exercises to affected populations. In Mt. Elgon, this was done during the 2017 political campaign periods but where did they go to? What is the difference between the people of Mt. Elgon and the rest of Kenyans? We are tired of being frustrated by the government on land matters (Interview with community elder in Kamarang Village, Cheptais-December 2, 2021).

The findings of this study are in agreement with literature showing that the Arab Spring uprising which began in 2010 that indeed demonstrated it is possible for communities to borrow the methodologies of other communities in their quest for social justice. In the Arab Spring, civil disobedience, demonstration, internet activism and revolution among other methodologies were used by populations in North Africa and the Middle East to fight against vices such as: authoritarianism, corruption, inflation and violation

of human rights among others. Therefore, majority agreement with attitudinal item “C.1” points to risk of extremism over intractable land conflicts in the study area.

Study findings on contextual risk factor “C.1” are consistent with Finkel *et al.*, (2016) study on contextual violence and support for violent in the Sahel region. The study examined how one particular contextual factor—the presence of communal violence—might influence the likelihood that individuals express support for violent extremism. Study findings established that, whereas exposure to communal violence may generate some pro-social behaviors such as political participation, it also tends to undermine trust and to make deviant, aggressive behaviors appear more appropriate.

Contextual factors in one’s neighborhood or village can have an important impact on support for violent religious extremism. Drawing on studies from psychology, Finkel *et al.*, (2016) study argued that exposure to violence directly increases support for violent extremism by deteriorating support for social norms of non-violence and by creating the desire to externalize one’s experience with violence in non-conventional, black-or-white ideologies that justify such behavior and that quell fear and uncertainty. To this end, therefore, contextual item “C.1” was strongly supported as a risk factor for homegrown extremism over intractable land-use conflicts in Mt. Elgon Region of Kenya.

5.2.2 “If violence can bring us land rights then I support it” “C.2”

On contextual factor number 2 “C.2” - “If violence can bring us land rights then I support it” quantitative evidence revealed that majority 292 (73%) of respondents of respondents actually agreed to using violence in pursuit of land rights, 84 (21%) were neutral whereas 24 (6%) were in disagreement. Study findings revealed that respondents would be willing to support and justify acts of violence should that be a

pathway to the attainment of land justice in the study area. However, the current study opines that having followed the use of violence in the past with no tangible results, this could be a factor that informs their choice of “C.1” as an alternative. Although, even if this is not an alternative, the current study opines that majority agreement with contextual item “C.1” implies the need for households in the study area to pursue their issues of grievance over land justice. Having previously, through the SLDF exhausted even violent alternatives in pursuit for land justice, this would be an option since today, the dynamics of the conflict seem to have shifted- now including more actors, changed political dynamics and actors in addition to reduced space for farming. The implication is that a combination of these factors plays a significant role in feeding into extremism and thus the need for households to employ contextual item “C.1” in the study area in pursuit of land justice.

Study findings on contextual item “C.2” are in agreement with Scacco (2010) study which sought to investigate why ordinary people participate in ethnic violence given the high risks and costs associated with such behavior. Drawing from an original survey of 800 individuals who chose to (or chose not to) participate in two large-scale Christian-Muslim riots in Nigeria, one in the city of Kaduna in 2000, and one in Jos in 2001. The study established an original argument about the sources of riot participation. Three results emerged. First, economic grievances by themselves are generally weak predictors of riot participation. Second, membership in certain types of neighborhood-level social networks makes rioting more likely, and third, the interaction between grievances and network membership dramatically increases the likelihood of riot participation. The latter two findings support the formation of SLDF, although, combined with the first factor on economic grievances- presents a strong case for

participation in extremist violence and thus arenas that need to be addressed in pursuit of reducing the risk of extremist violence.

Study findings on contextual item “C.2” are also in agreement with Cederman *et al.*, (2010) which advances that the more excluded from state power a group is, the higher their mobilization capacity, and the more they have experienced conflict in the past. Cederman *et al.*, (2010) postulated that, larger excluded groups are even more able to challenge a government because they can draw on their superior numbers to recruit fighters and have a larger potential resource pool to sustain an organizational infrastructure. As argued by Cederman *et al.*, (2009), the political claims of larger ethnic groups also enjoy more legitimacy: given the principles of representativity that underlie the nation-state, the exclusion of large sections of the population from power is more scandalous than the exclusion of smaller groups, and minority-ruled states (ethnocracies) are among the least legitimate political regimes in the modern world.

Chiot and McCauley (2006) attempted to explain why genocide occurs, incorporating history, politics, and psychology into their work. Chiot and McCauley (2006) asserted that mass killing is not irrational, but is the result human beings thinking of competing groups in stereotypical ways, which can lead to demonization and dehumanization; in addition, our emotions, such as anger, fear, and resentment, predispose us to violence when we feel threatened, which can then lead to mass murder (p. 7). Chiot and McCauley (2006) ended their work with a discussion of strategies to decrease mass murder; these include international interventions to end violence, using international pressure to bring the perpetrators to justice, limiting the demands for justice and revenge: using truth and reconciliation commissions that allow for perpetrators to

confess to guilt, but also limit punishments, building friendships between communities, and building civil society from the ground up (pp. 170-190). Chirot and McCauley (2006) claimed there are four main motives: First, convenience: when two parties are in conflict, the stronger party may believe that mass murder and expulsion is the cheapest solution for ending the conflict, such as the forced removal of Native Americans from their lands; Second, revenge: impressing upon the enemy that attacking “us” will lead to an avenging of hurt pride; Third, simple Fear: failure to enforce vengeance will allow the enemy to regain their strength and retaliate; Lastly, fear of pollution: mass murders that are ethnically, religiously, or ideologically based; for example, the massacre of communists in Indonesia (pp. 20-38). Chirot and McCauley (2006) then discuss the psychological foundations of mass murder, including organization of participants, emotional appeals from leaders, fear of the other group and fear of extinction, anger, and hate (pp. 57-71).

Another good source that examined why extremist violence happens is Daniel Goldhagen’s (2009) book *“Worse than War”*. Goldhagen (2009) argued that instead of studying the most familiar violent extremist acts together and then drawing conclusions, we should study each case of genocide individually because all instances vary from each other, and these differences must be understood in order to know the phenomenon of each case (p. 30). War makes people more likely to consider eliminationist initiatives. It encourages people to see violent and lethal measures as appropriate for dealing with real or imagined problems that had or would have been previously managed differently.

Uvin (1998) described how Rwanda went from suffering from structural violence to experiencing acute violence. Uvin rightly points out that structural violence provokes

anger and frustration, which significantly increases the potential for acute violence (p. 107). Uvin describes how lack of economic opportunities, corruption, immobility of the population and complete control by state actors created the perfect storm for physical violence to occur in the form of genocide. To this end, therefore, contextual factor “C.2” emerge as an indicator of risk to homegrown extremism over intractable land use conflicts in the study area.

5.2.3 “Political decisions and actions make me angry “C.3”

On contextual factor number 3 “C.3”- “Political decisions and actions make me angry” quantitative evidence revealed 188 (47%) of respondents agreed to being angered by political decisions, 164 (41%) were neutral whereas 48 (12%) of respondents were in disagreement.

From a historical perspective, the findings on contextual factor “C.3” are corroborated by Wachira *et al.*, (2010) study which advanced that the Mosop argued as far as political representation goes, the Soy from Cheptais had occupied the position of MP of Mt. Elgon for 40 years since independence out of the 45 years to the period of the outbreak of the conflict in 2006. These MPs include Daniel Naibei Moss, 1963-1979, Wilberforce arap Kisiero, 1979-1997, Joseph Kimkung, 1979-2002, John Bomet Serut, 2002-2007 and Fred Kapondi 2007-2013 who was to be elected later as Member of Parliament. Kapondi was later arrested and questioned over his involvement with the SLDF. As a result of this political domination, they had marginalized and distributed resources in favor of the Soy clan particularly those living in Cheptais division. The Mosop believe that a lot of the problems experienced in the settlement of Chepyuk since 1971 to 2006 and after can be linked to the unfair treatment of the Mosop by members of the Soy politicians, chiefs and councilors who dominated the administration.

The Mosop accused the Soy MPs for the political dominance since independence. The first MP the, late Daniel Moss in all round 1969 prevailed upon few Chepkitale Mosop elders who had settled in Kapsokwony led by Mr Tenderesi who was an Assitant Chief Chepkitale, Warnbete, Makusta with the assistance of the Elgon Location Chief the late Enock Chongwony to represent the residents of Chepkitale to accept and relocate to Chepyuk. This misrepresentation before the then Bungoma District Commissioner Mr. Oranga was to become the beginning, of Chepyuk settlement. Although the efforts had been initiated to relocate the Mosop to Chepyuk Settlement Scheme, the residents of Chepkitale did not accept relocation to Chepyuk as an exchange of their Chepkitale ancestral land.

The refusal of the Mosop to move out of their ancestral land was an indication of their strong attachment to their ancestral land. The government had not considered this factor while suggesting their relocation. Secondly, the Mosop have a strong belief that migration towards the West is doomed. The Sabaot have a tradition that migration should be towards where the sun comes from not where it sets to the west. On their part, the Soy leaders interviewed, argued that Chepyuk settlement was to afford the Soy a settlement opportunity because of threats occasioned by the Bukusu assimilation. The Bukusu are the largest ethnic group in direct contact with the Sabaot and the elders have in the past seen the Bukusu as assimilating the Sabaot through inter-marriages. Overall, study findings on contextual risk factors, in this case referred to as C revealed an average score of a high risk factor.

5.3 Historical Risk Factors (history and capability, direct or indirect encounter with violence (e.g. early exposure to militant ideology, paramilitary, explosives training))

This section presents and discusses findings on historical risk factors. Historical factors according to Pressman *et al.*, (2019) inform capability to participate in violent extremism. These relate to early exposure to militant ideology, paramilitary training as well as direct or indirect encounter with violence in pursuit for land rights. Data on historical risk factors were collected, analyzed and presented in Table 5.3.

Table 5.3: Percentage of Respondents Agreeing with Statements on Historical Risk Factors for Violent Extremism in Mt. Elgon Region of Kenya

H.	HISTORICAL ITEMS	Agree	Neutral	Disagree
H.1	I have had an encounter with violence in the past over land rights	98% (392)	0% (0)	2% (8)
H.2	My family/friends have been involved in past violence over land rights	86% (344)	5% (20)	9% (36)
H.3	I am aware that some took paramilitary training to fight for land rights	96% (384)	4% (16)	0% (0)
H.4	Some still glorify violence as a pathway to land rights	53% (212)	39% (156)	8% (32)
OVERALL SCORE		83%	12%	5%

Source: Field Data (2021)

5.3.1 “I have had an encounter with violence in the past over land rights” “H.1”

Quantitative evidence in Table 5.3 revealed that on historical factor number 1 “H.1”-

“I have had an encounter with violence in the past over land rights” revealed that majority 392 (98%) of respondents had a past violent encounter over land rights, no (0, 0%) respondents were neutral while only 8 (2%) disagreed to the statement on H.1.

From the findings, the current study contends that having such an agreement to “H.1”

is a pointer to grievance to and the risk of extremism in the study area. It is also a pointer of experience of present and past violence over land rights. This study looks at violence in two folds. First, structural violence in the sense that affected communities have over the past over four decades made attempts to access justice with little or no tangible gains. This kind of violence, even though the respondents of the study may not be aware of, is a typology of violence the current study points to its existence. Largely, it is this violence that respondents in the study area had been exposed to leading to the formation of SLDF. Secondly, physical violence seems to have been pronounced from the 2006-2008 carnage of conflict to date. A Human Rights Watch (2008) report pointed to evictions, police brutality, human rights violations in particular by state security agencies.

Study findings on historical item “H.1” are in agreement with Finkel *et al.*, (2016) study on “*Contextual Violence and Support for Violent Extremism-Evidence from the Sahel*”. Finkel *et al.*, (2016) contended that the level of violence experienced by one’s community has a direct and important impact on the likelihood that he or she will support violent ideologies. In violent communities, deviant behaviors are normalized and compromise withers, making black-or-white beliefs that quell fear and justify violence more appealing. Religious terrorist ideologies address that desire, allowing support for violent extremism to flourish.

Finkel *et al.*, (2016) study examined the factors that potentially mediate that relationship. The results suggested overwhelmingly that people in communities where violence is perceived to be high are more likely to express support for violent religious extremism: substantively, a one-unit increase in average community-level violence is

associated with an average three-standard deviation change in support for violent extremism.

Scholars have noted that, when surrounded by violence, people often perceive a diminished sense of reciprocity between individuals, and individuals can become more sensitive to actions they perceive as negative (Zeitzoff, 2014). These effects are well-documented in the field of developmental psychology, where studies have related community violence to deviant and aggressive behavior, cruelty, and support for aggressive acts (Elbert *et al.*, 2006). The negative impact of exposure to violence has been particularly clear among youth. For example, young people exposed to communal violence often externalize their experiences, treating deviant and aggressive behavior as appropriate (Fowler *et al.*, 2009; Schwab-Stone *et al.*, 1999).

In addition to cultivating more aggressive attitudes, evidence suggests that exposure to violence can enhance the appeal of radical or black-or-white social ideologies. No longer are individuals content to accept nuanced appeals to social cohesion or to commit to the notion that individuals must conform to a set of social norms to ensure the sound functioning of society (Baskin & Sommers, 2014). Instead, the social disruption that comes with communal violence can unburden (increasingly) aggressive individuals from normative structures rooted in compromise and the rule of law, leaving them in search of ideologies that promote simple answers or that paint one side as good and another as evil (Hirsch-Hoefler *et al.*, 2016).

Findings on “H.1” are corroborated by study by Elbert *et al.*, (2010) study which interviewed former child soldier combatants in northern Uganda and the Democratic Republic of Congo. The study demonstrated that exposure to violence forms neural connections that are integrated with an appetite for aggression toward others. Similar

experiences can affect adult brains exposed to traumatic events like violence, resulting in plasticity in attitudes (Elbert *et al.*, 2006). Prior exposure to violence not only increases aggression but also creates more favorable attitudes toward aggression, as well as aggressive fantasies (Guerra *et al.*, 2003). Thus, at a personal level, violence itself can foster the aggressive behaviors and attitudes that underpin more systematic support for violent ideologies of any kind. Overall, study findings on the first historical factor strongly supported the risk of extremism over intractable land-use conflicts in the study area.

5.3.2 “My family and friends have been involved in past violence over land rights” “H.2”

On historical factor number 2 “H.2”- “My family and friends have been involved in past violence over land rights” quantitative evidence revealed that majority 344 (86%) of respondents knew members of family and friends involved in past violence over land rights, 20 (5%) were neutral whereas 36 (9%) of respondents were in disagreement. The study notes that with majority agreeing to their friends and relatives having been involved in past violence, their involvement may have been unsuccessful and counter-productive in yielding land rights and thus informing more risk and inclination towards extremism. It is important to point out that past violence over land rights in the area did not involve any outsiders but people’s sons, daughters, husbands, fathers, sisters and brothers who may have played either active roles in combat or supportive roles. The domino effect is a direct or indirect involvement of the community in past violence of land rights and thus socialization into violence which will likely inform the current and future risk of extremism in the study area. Consistent with this perspective, Huesmann and Guerra (1997) posited that adolescents exposed to community violence are more likely to report attitudes favoring the use of violence to solve interpersonal problems

and to use violent behavior compared to adolescents who witnessed less community violence. These are consistent with Njogu (2021) study of Salome Matakwei's role in the Mt. Elgon conflict. According to Njogu (2021), Salome Matakwei was the wife of the late Sabaot Land Defense Force (SLDF) leader Wycliffe Matakwei. Salome's childhood and growing up in war zone environment especially from her paternal uncles over land dispute, prepared her for her future role as a perpetrator in the conflict of Mt. Elgon.

The findings of the current study are indicative that involvement in past violence informs the risk and likelihood of extremism in the study area. Indeed, study findings on historical item "H.2" agree with Horgan *et al.*, (2017) study of child socialization into ISIS. Horgan *et al.*, (2017) study explored the process by which children evolve from novice recruits to fully fledged members of a violent extremist movement. The study concluded that there are six stages six stages of child socialization to ISIS— Seduction, Schooling, Selection, Subjugation, Specialization, and Stationing.

Study findings on historical item "H.2" are also supported by Duriez & Soenens (2009) study of intergenerational transmission of racism. According to Duriez & Soenens (2009), developmental theory and research suggested that racism is transmitted from one generation to the next. The study also suggested that prejudice dispositions such as Right-Wing Authoritarianism (RWA) and Social Dominance Orientation (SDO) were transmitted across generations. Results thus suggest that the parent–adolescent similarity in racism largely results from a more fundamental intergenerational transmission of ideology. This particular finding implies that parents and families play an important role in socializing relatives and friends around them to extremism and thus increases the risk of extremism.

Widom & Wilson (2015) study added that intergenerational transmission of violence meant that children of violent offenders were more likely to become violent. The study suggested that the transmission of violence is stronger than of general offending; and that some offenses such as arson and robbery seem to be resembled more strongly among family members than other offenses such as intimidation. Widom & Wilson (2015) study concluded that, children of violent offenders were at increased risk of committing violence themselves. This transmission might be explained by social learning, transmission of risk factors, genetics, and factors in the criminal justice system such as official bias and parental incarceration.

Criminal behavior could be transmitted through shared risk factors; characteristics or experiences that are associated with an increase in violent behavior. Examples of such risk factors are low socio-economic status, low family income, poor housing, large family size, teen parents, parental conflict, etcetera. According to this mechanism, crime is not directly transmitted from parents to children but through a "larger cycle of deprivation and antisocial behavior (Farrington 2011, 132). Studies have concluded that violent offenders are indistinguishable from frequent offenders in terms of risk factors (Capaldi & Patterson, 1996; Piquero, 2000). In line with this, one would expect transmission through risk factors to be similar for violent and non-violent parents.

Study findings on historical items "H.2" were corroborated by Farrington *et al.*, (2009) study on intergenerational transmission of antisocial behaviors. The "H.2" factors may also be explained by social learning theories according to which children treat parents as models and imitate their behaviors. It can also be true for the relations with other family members. A qualitative study based on interviews with violent extremists

showed that children raised in extremist families are at higher risk of becoming violent extremists themselves (Schils & Verhage, 2017). Moreover, some structural factors such as unemployment relate to radicalization (Siedler, 2006) as these issues can potentially make it harder for families to be informal social control handlers.

Two prominent contextual drivers of radicalization into violent extremism (RVE) were found in the general population are unfavorable relationships within family and peers. It was demonstrated that relations with family and peers are both risk/protective factors for radicalization—those being exposed to peer violence or family dysfunction are more prone to violent tendencies and radicalization (Campelo *et al.*, 2018). On the other hand, non-violent peer and family environments serve as a protective factor for these phenomena (Cragin., 2015; Lösel *et al.*, 2018). Therefore, it could be expected that individuals who were raised in dysfunctional families and those who are exposed to a hostile social environment are more prone to embrace RVE than their peers who grew up in a more nurturing environment.

Stanley & Guru (2015) add that radicalization might have damaging psychological and social effects on the family. Families of radicalized individuals are victimized by others as they may become socially isolated. Regarding consequences of radicalization for families, research shows that family members of radicalized individuals are frequently shamed, blamed and socially rejected which can be related to mental health issues. Labeling is a well-known phenomenon in social sciences, according to which individuals start to behave according to labels given to them by others. Labeling was found to be related to intergenerational transmission of crime (Besemer *et al.*, 2017), and it is possible that family members of radicalized individuals are labeled. Labeling could be one of the mechanisms through which radicalization impact family members.

Family members of radicalized individuals can suffer internalizing problems such as anxiety and depression (Stanley & Guru, 2015). This might cause a polyvictimization process that could increase the risk of radicalization of the previously non-radicalized family members over the lifespan. Moreover, secondary victimization may occur when a victim suffers additional harm, being treated in an unfair way, including victim-blaming attitudes. It is possible that family members of radicalized individuals suffer an indirect harm through secondary victimization.

It has been suggested that radicalized individuals focus on specific goals and sometimes “family and relationships are forgotten” (Kruglanski *et al.*, 2014, p. 71). According to Sampson and Laub (1995), families are important resources to draw on during life transitions and turning points. Thus, if a family member is focused on radical goals, ignoring other aspects of life including the family, these important resources can be lost. Social capital has been defined by Coleman (1988) as social structures that facilitate certain actions within the structures, making it possible to achieve certain goals. Social capital is based on trust and there are certain norms within social structures. If a family member becomes radicalized, the whole structure is likely to be affected. Within the structures formed by radicalized family members, prosocial actions could be dissuaded, and antisocial actions could be promoted. Also, radicalization of other family members could become a goal. Thus, negative consequences of radicalization for family members are likely.

Majority agreement with historical item 2 “H.2” also reflects socialization into violence or a violent environment. These findings are consistent with Coloroso (2007) study. Coloroso (2007) study looked at why genocide occurred through a different lens, that

of bullying. Coloroso (2007) argued that genocide is a form of extreme bullying, in which a bully rises to power, espouses a murderous ideology, creates a group wherein brutality becomes the norm, and leads to ordinary people performing murderous tasks that become normalized and routinized (pp. 52-53). Coloroso argued that children learn racial slurs and the rules of bigoted behavior through stereotyping, prejudice, and discrimination (p. 67). Coloroso provided an example of this when she discussed a math problem in a Rwandan worksheet from the 1960s: “If you have ten cockroaches in your town and you kill four of them, how many do you have left to kill?” (p. 58). Reinforcement of racist ideologies and the use of dehumanizing language makes participation easier.

Coloroso (2007) study, while making reference to the Rwandan genocide also explored obedience and routinization in genocide. Coloroso (2007) stated that there are two types of obedience: obedience because of the rule, and obedience because of the role (p. 107). The poor participants in the genocide took part because they had learned to obey any rule handed down by the authority, and those of the higher economic status obeyed because of the role they played in the government (p. 107). Coloroso (2007) argued that once people agree to totally obey orders, those who participate in genocidal actions will aggressively try to get others to take part, so no one will have clean hands, and the attitude will be one of “we are all in this mess together” (p. 108). In addition, those in charge will routinize and normalize cruelty, because this will make it easier for communities to participate in the genocide (p. 108).

Conversely, study findings in addition to agreeing with literature on intergeneration transmission of violence, also agree with studies on transmission of trauma. One such study is Kayogire *et al.*, (2022) study on intergenerational transmission of trauma and

effect of reconciliation in post-genocide Rwanda. The study suggested that the trauma experienced by genocide survivor parents is perceived by Rwandan youth, mental health and peace-building professionals, and survivor parents themselves to be transmitted from parent to child through human biology mechanisms, social patterns of silence and disclosure of genocide experiences, and children's and youth's everyday contact with a traumatized parent. Genocide-related trauma among survivor parents is seen as often being triggered by both life at home and the annual genocide commemoration events. Additionally, when transmitted to genocide survivor descendants, such trauma is understood to negatively affect their psychological and social well-being. Intergenerational trauma among youth with genocide survivor parents limits their involvement in post-genocide reconciliation processes. Findings specifically show that some youth avoid reconciliation with a perpetrator's family due to mistrust as well as fear of re-traumatizing their own parents. These study findings imply that previous involvement not only affects transmission of violence but may also pose a threat to reconciliatory efforts thus maintain the status quo or increase the risk of extremism.

5.3.3 “I am aware that some took paramilitary training to fight for land rights” “H.3”

On historical factor number 3 “H.3”- “I am aware that some took paramilitary training to fight for land rights” quantitative evidence revealed that majority 384 (96%) of respondents agreed to being aware of members of their community having taken part in paramilitary training, 16 (4%) were neutral whereas none (0) (0%) of the respondents were in disagreement. The highlight of these findings are the extremities in response which revealed 0%- no disagreement and the 96%-agreement. With 384 (96%) of the

household heads being aware of members of the community having taken part in paramilitary training, the implication, the current study posits could have been community wide participation in the training. This is also in tandem with the 0 (0%) responses by households disagreeing with historical factor number 3 “H.3”. The overall implication, therefore, could be that the prevalence of land injustices is so widespread across the study area and that having exhausted all avenues of conflict management including visitations by delegations to the heads of state, the judiciary- all bearing no fruits. This widespread nature is therefore what seems to have informed direct or indirect community wide support for extremist activities in the pursuit for land justice. One such activity is taking part in paramilitary to pursue their land rights. The current study also argues, in order to achieve this kind of community wide support, this kind of training not only occurred within the precincts of military combat operations but also reflected on the supportive roles by the members of the community in an effort to support the operations course. The current study also points out that this kind of training took place in midst of back and forth that had lasted for almost 3 decades- at the time of the outbreak of the conflict, it should be pointed out that the population of the study area had almost tripled and could thus serve as an explanation for the community wide quest for land justice. This item was therefore strongly supported as a historical risk factor for homegrown extremism over intractable land-use conflicts in the study area.

5.4.4 “Some still glorify violence as a pathway to land rights” “H.4”

On historical factor number 4 “H.4”- “Some still glorify violence as a pathway to land rights” quantitative evidence revealed that majority 212 (53%) of respondents still glorified violence as pathway to land rights in the study area, 156 (39%) were neutral whereas 32 (8%) of the respondents were in disagreement. In analyzing data, the current study is cognizant of the fact and question that, why even after the tragic happenings

between 2006-2008 to no avail would still consider and glorify violence as a pathway to land rights. The current study argues for a number of reasons that could inform this kind of glorification. First, the justification that no pragmatic alternatives or solutions have been offered to the members in the study area since the end of the 2006-2008 conflict. Secondly, the justification of empty political promises and land being utilized as a campaign agenda- with the last set of title deeds issued to 2000 squatters in December 2016 (PSCU, 2016). However, during data collection, the study established that these title deeds had not been distributed to the owners at the time of data collection in 2022. Thirdly, all other possible avenues for justice had already been utilized including the courts of law to no avail. Lastly, having received national and international attention in 2006-2008 to the point that they hoped that the land problem could be dealt and done away with then, but the circumstances of the conflict are yet to change almost 16 years after the conflict could be the reason why some still glorify violence. Overall, study findings on historical risk factors, in this case referred to as H revealed an average score of a high risk factor

5.4 Protective Risk Factors (Protective or risk-mitigating items (e.g. shift in ideology or vision of enemy, rejection of violence to obtain goals)).

When making attempts to measure the risk of extremism, it is important to measure and consider risk mitigating factors or protective items. In other words, these factors consider alternatives or the otherwise of participating in violent extremism should there be steady progress in addressing grievance to the root causes of a problem. It is on this note that the study sought to interrogate the protective risk mitigating factors in the study area. Data on protective factors were collected, analyzed and the results presented in Table 5.4.

Table 5.4: Percentage of Respondents Agreeing with Statements on Protective Risk Factors for Violent Extremism in Mt. Elgon Region of Kenya

P.	Protective Items	Agree (1)	Neutral (2)	Disagree (3)
P.1	I reject violence as a pathway to land rights in my area	71% (284)	29% (116)	0% (0)
P.2	I have changed the way I perceive the cause of my land problems	2% (8)	21% (84)	77% (308)
P.3	I choose constructive dialogue as a pathway to land rights in my area	56% (224)	37% (148)	7% (28)
P.4	Community support is a pathway to land rights in my area	42% (168)	45% (180)	13% (52)
OVERALL SCORE		43%	33%	24%

Source: Researcher (2021)

5.4.1 “I reject violence as a pathway to land rights in my area” “P.1”

Study findings in Table 5.4 revealed that on protective factor number 1 “P.1”- “I reject violence as a pathway to land rights in my area” quantitative evidence revealed that majority 284 (71%) of respondents agreed to rejecting violence as a means of pursuing land rights in the study area, 116 (29%) respondents were neutral whereas none 0 (0%) of the respondents disagreed. Based on the findings of the study, and with the majority of respondents disagreeing with protective item number one “P.1” implies that respondents in the study area would otherwise employ non extremist methods in their pursuit for land rights in the study area. This could be attributable to the fact that having previously attempted extremist methodologies, these resulted to somewhat catastrophic consequences and was counter-productive. It is worth pointing out that none of the respondents were in disagreement with protective factor 1 and therefore a key dividend that stakeholders involved in the management of intractable land conflicts in the study area could tap into in pursuit of land justice.

Study findings on protective item “P.1” are consistent with Cragin *et al.*, (2015) study. According to Cragin *et al.*, (2015) that two different factors could lead individuals to believe that violence would not be an effective means to achieve political, social, economic, or religious change. The first factor is redirected pathways. Individuals might conclude that non-violent pathways are more likely to produce the desired outcome and, therefore, choose to become involved in non-violent forms of activism. The next category of factors relates to perceived costs. The model supposes that certain costs might influence individual attitudes toward violence: fear of repression (by security forces) against individuals, family, and friends, as well as family obligations. The study concluded that, under certain circumstances, family obligations may prompt individuals to undertake more-risky behavior. This item was strongly supported as a risk mitigating factor over intractable land-use conflicts in the study area.

5.4.2 “I have changed the way I perceive the cause of my land problems” “P.2”

On protective factor number 2 “P.2”- “I have changed the way I perceive the cause of my land problems” quantitative evidence revealed that 8 (2%) of respondents had changed the way they perceived the cause of land problems in their area, 84 (21%) were neutral whereas a majority 308 (77%) respondents were in disagreement. From the results presented, the implication is that the community’s orientation of inequality over access to land are still by and large and that these need to be looked into in the midst of population growth, climate change and the rising cost of living which will likely inform the dynamics of the conflict. Secondly, the community’s orientation towards the conflict could have been made worse with all legitimate and illegitimate attempts in solving the conflict having yielded negative results. Thirdly, despite previous attempts, massive human rights violations by national security agencies have continued to inform and undermine their initial orientations towards the conflict. These also seem to have

exacerbated the scope of issues that feed into extremist discourses to not only focus of land conflicts but also issues of human rights violations and SGBV in the study area following response by state actors. This item was strongly supported as a factor in homegrown extremism in the study area.

5.4.3 “I choose constructive dialogue as a pathway to land rights in my area”

On protective item number 3 “P.3”- “I choose constructive dialogue as a pathway to land rights in my area” quantitative evidence revealed that majority 224 (56%) of respondents would choose constructive dialogue as a pathway to land rights in the study area, 148 (37%) of respondents were neutral whereas 28 (7%) were in disagreement. From the findings of the study, majority 224 (56%) of the respondents indicated the agreement with the use of constructive dialogue as a pathway to land rights in the study area. This actually implies respondents in the study area had a preference for constructive dialogue and thus a good avenue towards reduction on the resolve for extremist means of problem solving. It has to be pointed out that prior the carnage of the 2006-2008 conflict, residents had explored constructive dialogue to no avail. This argument accounts for the 28 (7%) of the respondents who were in disagreement. Similarly, a good portion of respondents who were neutral points to the fact that this category could be unsure of whether to agree or disagree based on the experiences of both constructive dialogue and violent extremist dialogue which seem to have yielded negative results given the fact that land justice remains a distant mirage in the study area.

5.4.4 “Community support is a pathway to land rights in my area”

On protective item number 4 “P.4”- “Community support is a pathway to land rights in my area” quantitative evidence revealed that 168 (42%) of respondents agreed to community support as a pathway to land rights in the study area, 180 (45%) were neutral

whereas 52 (13%) respondents were neutral. The results on “P.4” produced mixed results with respect to the questionnaire item being measured. The implication is that 168 (42%) respondents would consider a negotiated settlement over the land issue. But, the big question, with whom? The starting point would be with the government officials to chart the way forward over intractable land conflicts in the area. On the other hand, 180 (45%) respondents did not know whether or not to support due to the ethnic cleavages that had already been created in addition to government being loudly silent with regards to exercising rational authority in ending the over 4 decades long conflict.

Study findings are corroborated with Michael Taylor, a prominent proponent of social movements and revolutions advanced that, a strong community is defined by: a membership with shared values and beliefs; relations between members which are direct and many sided; and practices within the community of generalized reciprocity (Taylor, 1988). The study suggested that variations in these characteristics will help one understand a community’s potential for collective action. Taylor (1988) argued that the speed with which widespread rebellion unfolded in France and Russia, as compared to China, is directly attributable to the strength of their peasant communities, their autonomy from outside control, and their preexisting networks which facilitated collective action. In France, for example, Taylor identified the rural economic system as the foundation of community strength. The situation of peasants in China was much different. Embedded in a larger economic system of interlinked villages and towns, peasants operated more independently and high degrees of mobility undermined the creation of dense ties and shared norms. As a result, preexisting communities could not provide the basis for revolution in China.

The importance of pre-existing social networks and shared collective identities was not lost on earlier scholars of revolution. Indeed, Barrington Moore identified the presence of strong horizontal networks within peasant communities as a necessary condition for mobilization (Barrington Moore, 1966). James Scott argued that cohesive villages with strong communal traditions were in a much better position to act on their moral outrage over the subsistence crisis (Scott, 1976). Even Theda Skocpol, whose work drew attention to the impact of declining state strength on revolution, pointed to the role of autonomous peasant communities with considerable solidarity as the engine of mobilization (Skocpol, 1979). Allan *et al.*, (2015) study suggested that when individuals have community ties that link them to members of a fighting group, they are more likely to join and participate in communal violence.

Study findings on protective risk factor P.4 are corroborated with Eck, (2010) study which advanced that ethnicity is crucial and that because of its ascriptive nature, ethnicity eases the recruitment problem that all rebel groups face. Ethnic belonging can be more easily established than ideological beliefs. The ascriptive nature of ethnicity provides rebel leadership with a number of organizational advantages. First, it allows leaders to target their recruitment efforts, effectively overcoming the information problem and diminishing coordination costs since leaders can rely on existing ethnic networks. It is also more difficult for the government to co-opt factions. Individuals risk retribution from the wider ethnic community should they switch sides, which lessens attrition. The logic of the security dilemma suggests that even those who have no interest in joining the rebel group per se may nonetheless sign up out of security concerns. The entire ethnic group can be seen by the government as potential rebels or rebel supporters simply because of their shared ethnicity to members of the rebel group.

When governments use repressive strategies amongst the civilian population of the ethnic group, the best option for ensuring security is often to go underground and seek the relative safety of the rebel group. Finally, ethnicity is seen by many as providing a social incentive that induces members to join due to emotional benefits like solidarity and group identification. Due to shared norms and interactions within the ethnic community, ethnically mobilized groups are argued to generate more committed rebels and leaders who are able to provide more credible promises.

Overall, study findings on protective risk-mitigating factors, in this case referred to as “P” revealed an average score of a high risk factor.

5.5 Demographic Risk Factors

In studies of extremism (Amakanji *et al.*, 2018; Aseulime & David, 2015), socio-demographic factors have often emerged as factors that influence radicalization into violent extremism in the society. For the last two decades, issues of gender, levels of poverty, education, religion and income among others emerged as hot topic considerations of participation in violent extremism. Data on demographic risk factors in Mt. Elgon Region were collected, analyzed and the results presented in Table 5.5.

Table 5.5: Percentage of Respondents Agreeing with Statements on Demographic Risk Factors for Violent Extremism in Mt. Elgon Region of Kenya

D.	Demographic Items			
D.1	Sex (Male=High, Female=Low, Transgender= N/A)	Male 87% (348)	Female 13% (52)	Transgender 0 (0%)
D.2	Age (<30=High, Over 30=Low)	<30 years 24% (96)	> 30 years 66% (304)	
D.3	Marital status (<1 year=High, Over 1 year=Low, Not married= N/A)	< 1 year 11 % (44)	>1 year 64% (260)	Not married 25% (100)
OVERALL SCORE				

Source: Field Data (2021)

5.5.1 Gender and Extremism

Quantitative evidence in Table 5.5 revealed that on demographic factor number 1 “D.1”- “Sex (Male=High, Female=Low, Transgender= N/A)” majority 348 (87%) of respondents were male, 52 (13%) of respondents were female whereas none (0,0%) of the respondents were transgender. Study findings on demographic factor number 1 “D.1” revealed that majority 348 (87%) respondents were male. On the VERA-2R assessment tool (Pressman & Flockton, 2012), being male is associated with a higher risk of participation in violent extremism. On the other hand, 52 (13%) of the respondents were female and none of the respondents were transgender. Data on transgender and participation in extremism is scarce in literature. On female gender, despite the fact that existing literature advanced that women participation in violent extremism remains low, the findings of the current study disagree with this conventional Euro-American train of thought. This is because, beyond the somewhat complex web of the SLDF operations, before the conflict and even beyond the carnage of the 2006-2008 conflict. At the height of the conflict in 2006-2008, women in households played supportive roles by provision of food reserves for the combatants in

addition to keeping secrets (Njogu, 2021). The current study argues that women in the study area could have also played an active role in justifying, condoning and encouraging their husbands, brothers, friends and sons towards engaging in violent extremism in pursuit for land rights. In addition, the researcher is of the opinion that, should land issues in the study area remain by and large, women may play a role in current and future extremism in the study area.

The findings of the current study, guided by the pragmatic Africanacity philosophy indeed establish that there are wide variations between conventional extremism which is Euro-American and homegrown extremism in the Global South with regards to gender. Afrocentric discourses on rebellion reveal that since time in memorial, women have been used to inspire and justify their spouses to war. For instance, Kikuyu women in Mau Mau rebellion and social change in Kenya are pictured as perpetrators in war because they contributed as fighters, inciters of conflict, and offered supportive roles such as intelligence, delivered arms, ammunition, and medicine to the fighter, cooked and hid the fighters. Presley (2019) opined that in some occurrences, women reinforced conflict by inflaming men to fight, gave fighters food, transported war information from one place to another, served as spies, became combatants, helped fighters carry their weapons, and helped hide the warriors. Similarly, in Mt. Elgon, Soy women depended on land for their livelihood and cultural value. Therefore, they could not withstand losing it to Mosop. They mobilized their sons and husbands to engage in a war in order to keep their land safe (Njogu, 2021).

Women played important roles in conflict either voluntarily or through coercion. For instance, in Sierra Leone, women were bound to cooperate in war. According to Florence Ayissis, they were coerced by an enemy force mainly men of their society and

even their husbands. Those who refused were punished by either being raped or their arms were cut (Simiyu, 2008). Ryanga (2010) advanced that as in most societies, women made the larger portion of the Mt. Elgon community. Being the larger portion meant that they would also face the most ramifications of the conflict. As such the women decided not to take the conflict sitting down. In other instances, women participated in conflict voluntarily. The women of Mt. Elgon also participated in the war as a survival tactic. The loss of their land meant subjection to poverty and hunger. The next section, from a historical perspective and using Salome Matakwei- the wife to the slain SLDF leader, gives the best example on the role women may play in the unique socio-economic and political context of homegrown extremism in the Global South.

5.5.1.1 Salome Matakwei, Gender and Mt. Elgon Conflict

Njogu (2021) in a study *“From a Perpetrator of Conflict to Peacemaker: The Transformation of Salome Matakwei of Mt. Elgon”* examined the dual role women can play on homegrown extremism. Salome was the wife to the slain SLDF leader Wycliffe Matakwei and her dual role in the conflict could give a picture of women with regards to homegrown extremism. Njogu (2021) study makes reference to Salome Matakwei in Mt. Elgon between the period of 2006 and 2017. The study divulged that Salome Matakwei actually played vital roles in the conflict that led to her rejection in the society. She also helped militia members hide and did not reveal whereabouts of her husband. The SLDF group had caused a lot of deaths, physical and psychological harm as well as destruction of property. The society expected her to report the dealings of the SLDF to the relevant authority but she failed it. Her husband was gunned down in 2008. The society blamed and rejected her for all the destruction caused by her husband, the SLDF militia group and military personnel. With zeal, in order to be accepted back by

her society, Salome Matakwei came out publicly and used different transformative podia as peace ambassador and agent of peace initiative Non-Government Organizations in Mt. Elgon.

In Mt. Elgon, women ardently participated in the conflict and accorded the SLDF all the support required to save their land. By virtue of being the wife to SLDF group leader, Salome Matakwei, automatically earned herself a spot as a women's leader as many locals referred her as '*bibi wa president*' which translates to 'President's wife'. Others referred her to as 'first lady'. This accorded her power to coordinate other women in determining the model of the conflict. She gave instructions to her fellow women as directed by her husband. Notably, there were women who supported SLDF in their mission to safeguard their land and those against them. Similarly, Salome Matakwei supported the SLDF group but latter opposed their mission. In Mt. Elgon, women played a number of roles: Incitement, intelligence, provision of food, carrying arms, treating sick fighters, hiding fighter and sexual roles. These are discussed in the subsequent sections.

5.5.1.1.1 Incitement

In the land conflict of Mt. Elgon, women got agitated and could not withstand losing their land as they depended so much on land for their economic activities and livelihood. According to their culture, men are natural protectors of the community and so when women are in danger, they yelled and screamed for their men to respond. This, therefore, brought together their sons and husbands and encouraged them to fight and protect their land which led to the formation of SLDF. Sabaot women were believed to have powers to bless and protect their sons from external harm of any kind. The blessed their men before going for war. Those who had *Leketio* (birth belt) wore them. The belt

was considered a powerful charm such that warrior before going for war would inform their mothers to wear the belt. Salome encouraged her husband to go to fight for their land right by making sure she praised him for every development. Salome Matakwei emphasized that according to the Sabaot community, it was a taboo for women to discuss or talk about land issues since they were equated to children- this remains the case, as at the time of data collection. Therefore, she would persuade the husband not to let the 'enemies' take their land'. Salome would continuously tell her husband: "*Kwani nyinyi ni wanaume wa wapi mnaacha shamba iende*" which translated to "what kind of men are you who would let go of their land. Where do you think we will live after losing the land?" This section brings to light the active role of encouraging and justifying the need to protect their land by women during the active phase of the Mt. Elgon conflict.

Ryanga (2010) study adds that for the people of Mt. Elgon, land is an important asset, it is their livelihood. Being an agricultural based community, land is very dear and necessary for their very survival. Women make up a considerable percent of the population in Mt. Elgon. Therefore, the eviction of people from Phase III and the settlement of these squatters were of major concern to them. It concerned them to the point of action. Having already participated indirectly by urging their men to petition the government for land which resulted in Phase III and having seen the disastrous results, the Soy women decided to rally behind their men and even support their men in the armed struggle against the government. The women who aided the war effort were the ones who stood to lose their land and thus decided to be part of the process of retaining their land. They were mostly the Soy women. The first role the women played in the war was that of incitement and encouragement. In traditional African societies,

women were known to sing war songs that were meant to encourage the men as they went to battle. In the same way, women who were about to lose their land rallied together and encouraged their sons and husbands to fight for their land. This resulted in the formation of the SLDF, a militia group with the sole aim of defending their land from outside occupation. These findings are indeed fundamental with regard to current and future debates of extremism in particular in Africa where land is a core determinant of livelihoods. At the time of writing this thesis, the author can authoritatively claim that there is incitement within the study area since the land issue is largely unresolved.

5.5.1.1.2 Intelligence Gathering

Similarly, in Mt. Elgon, intelligence was very crucial. The SLDF members preferred working with women among them Salome Matakwei, who understood and could communicate in Kiswahili. This was because the Kenya Army used Kiswahili as their language to communicate. The SLDF mostly operated from the forest and needed a good network that enable them get information. The women gathered information from different places such as market, hospital, church and women gatherings '*chamas*'. "Once I got information, I would use my '*simu ya rununu*' which translates to mobile phone to communicate and notify my husband in his hiding places of any new development in addition to this, if any person who talked ill about the SLDF or refused to cooperate, I would inform him and at night, the person would be dealt with by the group members" said Salome Matakwei. The rules set were simple as follows, you talk about the SLDF then your mouth was cut off. The people listening to those talking ill about the militia group had their ears cut off.

Intelligence was very instrumental in informing the SLDF of impending police raid so as to avoid capture which would hamper their mission making the conflict successful.

The SLDF mission became relatively sustained because they made sure that they had proper intelligence. The role of intelligence was done by loyal women who gave information without being conspicuous. Most of these loyal women were wives and mothers of the militia group members. They informed their husbands and sons to avoid being captured by the police and the security personnel. It is important to note that at first the police could not wipe out the SLDF for their inability to gather intelligence on the SLDF militia's operational strategies which made them being overpowered by the SLDF. Salome and other women, misled the police by giving them wrong information on SLDF movement. Salome would tell the military officers that the militia members have gone to the west whereas they had gone to the east. She would inform the hiding militia group member on the movement of the military personnel (Njogu, 2021).

5.5.1.1.3 Provision of Food

During the Mt. Elgon violent conflict, women provided food for the militia group. According to Salome, specific women were handpicked and accorded the responsibility of food provision for the fighters, as not every woman was entrusted with this task for fear of possible poisoning of the fighters. They provided food for the SLDF in order to ensure they survived in the mission. Women were also forced to provide 90 kilograms of maize per every hectare. Others were forced to leave their food products in the farm for SLDF to collect for food. Salome narrates her role in offering food to the SLDF. "I would cook throughout the night and take food for them in their hiding places to sustain them during the conflict. When we tried to resist, they threatened to kill us. Therefore, it was either we cooked for them or risked being killed. Women were forced not to harvest our farm products or if you dared the SLDF would deal with you. In addition to this, we cooked '*Githeri*' mixture of maize and beans, and '*Mahalange*' fermented dried flour which was used for making '*busaa*',

traditional but illicit brew”. Most of the SLDF were Seventh Day Adventist (SDA). The denomination prohibits use of drugs and alcohol. However, the SLDF violated the value of the church and took illicit brew and bhang. Therefore, Salome enjoyed cooking and brewing the ‘*Busaa*’. She would cook a lot of food overnight and walk at night to feed the militia group in their hiding places. It is imperative to note that the women whom were suspect of being able to poison the SLDF or being ‘*wachawi*’ that translated to witches they were reported to the SLDF who would kill them. Getting more information on one who was killed for being a suspect, became a challenge as the community is still suspicious of each other (Njogu, 2021).

5.5.1.1.4 Carrying Arms

The history of violence in Mt. Elgon has contributed to militarization of the area as local residents buy weapons either for self-defense or for carrying out operations of their own. The presence of arms introduced new warfare that influenced women to participate in conflict. Those roles varied from passive to active, but all in all, they contributed in sustaining conflict. The SLDF got the arms from the neighboring country of Uganda, due to the porous Kenya-Uganda boundary and family ties between groups on either side of the border. To avoid suspicion, women helped in transporting the fire arms to the fighters. Women used different tactics in transporting arms. For instance, they sandwiched guns in the firewood to avoid suspicion and took them to the SLDF. According to the Sabaot culture, it was the role of women to fetch firewood to be used for cooking. Women carried babies together with the firewood while others carried fire arms covered like babies causing one to think that they carried babies and this enabled them to pass the military. The military never inspected women and the children which eased transportation of arms.

In Mt. Elgon, women considered it their duty to smuggle the guns and carry them to the fighters as well as swindling money from the government. Women raised funds for buying more arms to the SLDF. According to Salome Matakwei, her husband directed her to start a finance scheme in form of a community based organization (CBO) and named it Elgon Chebokoos Enterprises. The CBO aimed to borrow ten million Kenyan shillings from the Constituency Development Fund (CDF). Out of the ten million shillings, five million was to be used for purchasing arms while the other five million was for their daily subsistence. She opened a bank account in Eldoret town and was made the treasurer of the CBO unfortunately the plan was not successful.

5.5.1.1.5 Treating Sick Fighters

Women in Mt. Elgon, treated the sick SLDF members either voluntarily or involuntarily. The women were coerced to clean the wounds of the injured SLDF as the SLDF couldn't go to hospital due to fear of being captured. This was made even more difficult since to get treatment of bullet wounds one needed to have a P3 form filled by the police. Anastasia was a nurse at Cheptais District Hospital who volunteered to treat the sick SLDF because she supported their agenda and wanted to save her life. She took care of the injured fighters and where she was not able to assist them, she would secretly recommend another medic whom the gang members would approach or abduct.

The SLDF abducted women especially medics with the help of other women to attend to them. Those who volunteered to treat them were allowed to go back home without being harmed. For those who refused, they were forced to treat them and after that they were killed. It is important to note that, the SLDF members suffered from sexual transmitted infections and disease such as gonorrhoea and would notoriously, rewarded most of the medics with brutal rape (Njogu, 2021).

5.5.1.1.6 Hiding Fighters

Women in Mt. Elgon helped to hide the militia group members in a bid to protect them from arrest by the military. When the military asked them about the where-about of the militia group, women would either cover up for them or give false information. Interestingly, women knew all the hiding places of the militia group and determined their entire movement pattern. For instance, they would inform them when to get out of their hiding places. Salome knew the entire network prompting the military force to initiate her manhunt in order to get Wycliffe Matakwei and the SLDF. Salome Matakwei knew all the hiding places of the SLDF including their hiding caves.

5.5.1.1.7 Sexual Roles

In Mt. Elgon, some women accepted to become bush wives and mistresses of the SLDF for various reasons. First for survival, it was evidence that women accepted to serve as bush wives in order to spare their lives. Those who refused were killed like wild animals as Ganova (not her real name) narrated her story with pain in her voice during an FGD session.

Sisi tulikuwa tunaogopa kuuliwa. SLDF walikuwa wameingiza uoga kwa jamii. Ungekataa kufuata masharti yao, inegkuwa ni kifo inafuata na kurushwa kwa msitu. Vijana wa SLDF waliniuliza kama ningekuwa bibi yao kwa msitu juu kwa wakati wa vita nilikuwa nimeoleka lakini ilibidi nikubali kuwa bibi wa msitu kuliko kuuliwa kinyama. Hivyo ndio nilibahatika kuishi.

We feared being killed by the SLDF. They had spread fear to the entire community. If you failed to comply to their rules, you would be killed inhumanely and dumped in the forest. SLDF youth demanded if I could become a bush wife, although, I was married, I had to become a bush wife for fear of being killed. That's how I am still alive to date. (FGD with women victims, Kamarang Village- Cheptais on August 17, 2021).

Women, who supported the SLDF and those who were against the SLDF, both needed protection from either the militia group members or police and military. This is because

they were left defenseless after their husbands escaped from SLDF recruitment. They slept with their “*adui*” (enemies) for survival. Women whose husbands had joined the militia group offered their sexual favors to the police to escape torture. Secondly, some women offered free sexual satisfaction as well as revenge. This kind of women was particularly those who contracted HIV and AIDS during rape ordeal. Others were women who were rejected or divorced by their husbands after being raped by the either their “enemies” or “savior”, that is the SLDF or military.

Women also used sex as a duty to collect intelligence information especially from or for the Kenya Army. These women shared crucial pieces of information with the Kenya Army that led to the arrest and consequently defeat of SLDF by state military in 2008. The female intelligence posed as bar maids, shopkeepers and hawkers so as to get information about the militia group members and how they operated. They also befriended men as their mistresses, slept with the SLDF top culprits, Wycliffe Matakwei, and promised to marry her (Njogu, 2021).

5.5.1.1.8 Women and Peacebuilding in Post-conflict Mt. Elgon

Women were not left behind in the peace efforts in the region of Mt. Elgon. They mainly focused on trauma healing, social, and economic, leadership empowerment and reconciliation among their other hidden agenda. For instance, Selline Korir, founder of Rural Women Peace Link (RWPL), dream was to become an ambassador for the voiceless at her tender age. She assisted women and children from all walks of life making their plight known to the world. When conflict broke in Mt. Elgon, the government declared the area a closed zone as well as banned any organization from entering the district. But, Selline Korir organized multi-sectoral fora on security for

women and children in the area. This brought together all service providers from the Ministry of Health and relief providers to remedy the situation.

Rural Women Peace Link (RWPL) is a network of grassroots women organizations in rural areas affected by armed conflicts in Western Kenya. RWPL played an important role in peace building in Mt. Elgon especially on trauma healing to the widows and victims of rape. The organization had over six hundred (600) registered widows in the region among them was Salome Matakwei. It was at this forum as narrated by Salome that she asked for forgiveness for the atrocities committed by her husband and SLDF group for the purpose of being accepted back.

Rural women peace link (RWPL) supported the creation of a network known as Cheptais rural peace link with Salome Matakwei as the chairlady of the group. This formation aimed at integrating the widows of ex-SLDF militia group members Cheptais and Kapsiro into the society through various ways. First, this network provided a platform for the registered women to share experiences as well as access information sequentially making them change agents in communities that are affected by either ethnic conflicts or gender-based violence. Second, the forum initiated economic empowerment to support these widows through income generating activities to become self-reliant. Lastly, women used this group as a platform to instill positive messages to their sons dissuading them from manipulation by politicians. The RWPL affirmed that these women helped bring peace through dialogue as they moved from door-to-door propagating peace in the region, although this initiative turned unsustainable due to lack of financial support.

Salome Matakwei also worked with Action Aid Kenya to promote psycho-social counseling among widow and women in general. Through training and support for

survivors of rape ordeals, a focus on young girls who bore children through incidences of rape mainly by ‘*Janjaweed*’, faced rejection from the community for fear of delivering ‘*Janjaweed* babies’ and thus required counseling and reintegration back into learning institutions. According to Salome being a widow of ‘*Janjaweed*’ was traumatizing since they were made to carry the wrongs of their husbands and the labeling of their children as the ‘*Janjaweed*’ children.

In response to the stigmatization the widows of SLDF faced in the society, Action Aid formed two networks for the widows with Salome as the leader/chairperson of both the network which includes Chesikaki widow’s network formed in 2012 that provided a forum for women to start an income generating activity like poultry keeping and small-scale farming. Membership to the group provided a forum for the widow to share their challenges, interact with other members of the community and sustain their livelihood.

Similarly, in 2013, Action Aid Kenya formed Cheptais widow’s network to accommodate all widows in Cheptais division. Salome Matakwei was made the chairperson as a way of integrating her and other SLDF widows to the community as well as empowering them into leadership positions. The information provided to the women on leadership and promotion of cultural values in Mt. Elgon gave women voice to speak in a male dominated society leading to women contesting for political position in the area among them Jane Chebet who was elected as the member of county assembly, Cheptais ward of Mt. Elgon.

The County Government of Bungoma through the then County Commissioner Mohamed Maalim, made Salome Matakwei an ambassador of peace, in 2012, In 2015, the same County Government supported widows and the vulnerable members in the society especially women from Cheptais, Chepyuk and Chesikak ward, the epicenters

of conflict, by donating seeds and fertilizer as a way of empowering women economically.

Considering gender, most violent extremists are male. This is concordant with Euro-American findings on violent offending and high-risk behavior in general. However, the degree of gender variability in terrorism is reportedly higher (Monahan, 2012). Studies reveal the majority of their sample to be male. Some specifically examine female terrorists (Bloom & Lokmanoglu, 2020; Weinberg & Eubank, 2008), yet all consistently report a male majority. Studies of Dutch suspected terrorists and foreign fighters report a relatively high prevalence of female subjects (van Leyenhorst & Andreas, 2017; Weenink, 2015), where approximately 15% of their sample were female. This may have some influence on the reported rates of marriage in terrorist samples. According to Villa-Vicencio *et al.*, (2016), violent extremism is also dynamic and extremist groups aptly identify new opportunities that will further their agenda. One such opportunity relates to gender dynamics which present women as valuable players in violent extremism. Extremist groups are increasingly targeting women for recruitment owing to their lower visibility as terrorists, their strong influence on their sons and their role as wives of terrorists.

These findings are corroborated by Botha & Abdille (2017) study which established that of the 119 quantitative *Boko Haram* respondents, 63 were women and 56 were male. Thus the sample provided a valuable opportunity for creating a thorough understanding of why and how women get involved in violent extremism. When the former members of *Boko Haram* were asked, in which capacity women served in the group, the following perceptions emerged. The perception according to the majority of *Boko Haram* respondents was that although women were largely responsible for

domestic services, serving as foot soldiers; provision of spiritual guidance as well as serving in leadership roles. In terms of active roles, women were also being used as suicide bombers and explosives experts, intelligence, trainers and recruiters. These roles have traditionally been performed by male members of extremist organizations. It is possible, given the nature of the land conflict in the study area, women apart from justifying and playing supportive roles, played a role in the intelligence aspect by providing the SLDF with information of the day to day happenings in the study region at the peak of the conflict in 2006-2008. It is possible, the current study argues, because land remains the core resource for livelihood in the study area, both women and men would have been directly and indirectly involved in justifying extremist acts in pursuit of land justice in the study area. Therefore, one way of mitigating further extremism would be to address the over four-decade long land question in the study area.

In addition to active and supportive roles, women also play many roles in countering violent extremism. Women-as mothers and sisters can help counter violent extremism within their family circle and neighborhood/community, especially when they speak as victims/survivors of extremism. Their integral position in families/communities makes them ideally suited to detect and report on signs of violent extremism, especially because women themselves are often the first targets. Women can be critical interlocutors with government/security agencies, helping shape CVE policies and programs. It is particularly important that women are represented in security agencies: this builds trust with communities and allows access that would be difficult for men

5.5.2 Age and Extremism

On demographic factor number 2 “D.2”- “Age (<30=High, Over 30=Low)” quantitative evidence revealed that majority 304 (66%) of respondents were 30 years and above

whereas 96 (24%) of respondents were below 30 years of age. The current study based on the results of age, disagrees with conventional studies which have put youths at the epicenter of radicalization and violent extremism discourses (Amakanji *et al.*, 2018; Vukcevic *et al.*, (2021). The core argument in the current study with regards to age and the risk of extremism is that, the more exposed to the structural violence arising from the land problem, the more the grievance and the risk of extremism. It would therefore suffice that, the older the respondent, the longer the exposure to the land problem and thus the higher the risk of extremism. It would be difficult to dispute the fact that respondents in the current study who are of ages 30 years and above are likely to be more radicalized into extremism over the land question in the study area. This is because, their exposure to the land injustice and other injustices arising from the Mt. Elgon conflict is more than that of the latter category who were below 30 years. It is therefore possible to argue that a grandfather at the time of study area would be more radicalized when compared to a father and son. These arguments do not conform to authoritative Euro-American argumentations on age and extremism that place youths at the epicenter of radicalization and violent extremism discourses. The lack of conformity is the result of conventional literature over reliance of Euro-American drivers of radicalization as opposed to Afrocentric drivers.

The findings of the current study on age and extremism do not conform to Silke (1998) study which opined that youths are of particular interest in studying radicalization into violent extremism (RVE) since investigations of radical and extremist groups indicate that most new comers are young individuals in their late teens to 30 years old. In particular, adolescents are thought to be a highly susceptible and thus vulnerable group for RVE, due to fragile identity and self-uncertainty typical of their age. They are often

seeking and identifying with groups that can offer strong boundaries and directive leadership which can often include radical ideology and engagement in violence.

The findings of the current study do not agree with conventional studies on violent extremism that have extensively examined offender. Desmarais *et al.* (2017) identified studies which found empirical support for age as a risk factor associated with terrorism group membership. More generally, there is some consensus that the mean age of violent terrorist action is 20 to 30 years old. At the lower end of the range, Gill & Corner (2013) reports a mean age of 21.6 years in a sample of Palestinian suicide bombers. In a similar sample of Palestinian suicide bombers, Pedahzur *et al.*, (2003) noted a mean age of 22.9 years. In the mid-range, studies of foreign fighter returnees (Weenink, 2015, Dutch terror suspects (van Leyenhorst & Andreas, 2017), al-Shabaab members in Kenya (Botha, 2014) and far-right group members, (Gruenewald *et al.*, 2013a) report a mean age range of approximately 22 to 28 years old. All the aforementioned relative ages seem not to conform to the findings of the current study which is based on Afrocentric drivers of extremism.

It is important to point out that the findings of the current study align with Botha & Abdille (2017) study of *Boko Haram*. The common perception is that most *Boko Haram* members are adolescents or young adults. Adolescence is a crucial period when it comes to vulnerability for radicalization. Botha & Abdille (2017) study established that, despite this perception, the largest part of the *Boko Haram* sample represented the age group 41 to 50 years of age (30,0%) that included 32,0% of male and 29,0% of female respondents; followed by the age group 30 to 34 years of age (24,0%) comprised of 28,0% of male and 19,0% of female respondents. The youngest *Boko Haram* respondent interviewed was a female 19-years of age. It should however be noted that

younger children also form a part of the organization's rank. These findings therefore present the need of more studies conducted on Afro-centric drivers of radicalization which up to this point seem not to conform to conventional literature that has been largely Euro-American pointing to the fact that Euro-American results and recommendations may not replicate in Africa.

5.5.3 Marital Status and Extremism

On D.3: "Marital status (<1 year=High, > 1 year=Low, Not married= N/A)" quantitative evidence revealed that 44 (11%) were less than 1 year into marriage, majority 260 (64%) respondents were more than 1 year into marriage and, 44 (11%) of respondents were not married. The findings do not conform to conventional literature which suggests that that being single and having no children are risk factors associated with terrorism and that the inverse may also have a protective effect to the risk of extremism. The current study opines that in the case of Mt. Elgon, it is the married-with children category that would be the most in need of land to sustain the lives of their families while the single would have the least grievance and thus less susceptible to radicalization into violent extremism over intractable land conflicts. Indeed, the findings are corroborated with FGD discussions with former SLDF combatants which established that 100% (12) of the SLDF participants were married at the time of the conflict. In addition, these findings are corroborated with Njogu (2021) study which established that women played a number of roles in encouraging their husbands and sons to fight for their land. As such, these findings do not conform with the Pressman (2009) VERA-2R risk assessment model which apart from being a proper tool for assessment of risk of extremism, seems to have been inspired by a Euro-American theoretical grounding.

Study findings do not align with Desmarais *et al.*, (2017) study which established being single and having no children related to terrorist group membership more so than terrorist attacks. The role of the family in a person's early development was highlighted by Botha (2014) in her thesis on the role socialization plays in later vulnerability, as well as weakened family structures, that according to Villa-Vicencio *et al* (2016), further contribute to radicalization, particularly amongst the youth. The lack of solid authority within families renders young people vulnerable to radicalization and makes it difficult for families to intervene against radicalization.

The findings of the current study of demographic item "D.3" are in agreement with Craigin *et al.*, (2015) study which advanced that social ties are often cited as one of the key factors affecting attitudes towards violence and a willingness to engage in violence. Interviewees wives of martyrs from their respective political parties, Fatah and Hamas, said that they both were drawn into political extremism by their spouses. This suggests that abnormal social behavior is not a good indicator. By comparison, the data suggest that individuals whose friends and family were unlikely to participate in violent protests were similarly non-radicalized. That is, they too anticipated not participating in violent protests to a significant degree. These findings confirmed the importance of family and peer influence on rejecting extremism. But they also raised questions about the significance of friends versus family.

The findings of the current study are corroborated with Zych & Nasaescu (2022) which gave mixed results with regards to whether family was a radicalization issue. The study advanced that family-related risk and protective factors are crucial for different antisocial behaviors. Zych & Nasaescu (2022) established that parental ethnic socialization, having extremist family members, and family conflict were related to

more radicalization, whereas high family socio-economic status, bigger family size, and high family commitment were related to less radicalization.

McCauley & Moskaleiko (2017) study advanced that there is reason to believe that families can be crucial to radicalization. Group influence on individual action is a well - known phenomenon, and families are the most important social groups for many individuals. Transmission of antisocial behavior from parents to children has been confirmed in several studies, mostly explained by the fact that children learn by observing and imitating their parents. Thus, family related factors tend to be crucial to explain radicalization, but most of the empirical studies in the field include a limited number of participants and variables. Families are also likely to be negatively impacted by radicalization and, given the importance of families for individuals and societies, family - focused prevention and intervention programs against radicalization could be especially effective.

Family factors can be crucial for radicalization based on several theories and research findings. Among them, Sageman (2004) found that social networks, including families, were important in explaining terrorist actions, attributing this fact to group influence on individual actions that is a well-known phenomenon in social psychology. Moreover, parents guide behaviors of their children and explain the standards of behaviors considered appropriate (Bandura, 1991). A study by Zych *et al.*, (2020) showed that parental induction of moral disengagement, where children are told that immoral actions can be justified, was related to violent behaviors in children. Thus, some parenting practices and expression of radical ideas by parents could induce their

children to adopt radical attitudes and behaviors. On the other hand, other parenting practices, or expressions of ideas against radicalization could be protective.

Overall, study findings on demographic risk factors, in this case referred to as D revealed an average score of a high risk factor.

5.6 Other Risk Factors for Violent Extremism over Intractable Land Conflicts in Mt. Elgon Region, Kenya

Arising from the qualitative data collected a number of factors emerged as missing links that would actually serve to enrich existing risk assessment models for homegrown and Afrocentric based violent extremism. These risk factors were derived from qualitative data as unexpected results that would feed into future studies and policies on violent extremism. These are: persuasive, coercive, preventive and public health/psychological risk factors for violent extremism. These are separately presented and discussed in subsequent sections.

5.6.1 Persuasive Risk Factors

Arising from qualitative evidence collected during FGDs, former SLDF combatants raised key issues that persuaded them to participate in the extremist attacks. Key among them, was the reward of land, promise of getting new land and the zeal to protect and not lose their current spaces. These, the current study argues, given the intractable nature of the conflict that has spanned over four decades long and affecting at least two generations will likely play out as a risk factor should there be future contestations. The result of this could be catastrophic given the population explosion across the four decades which will definitely influence the conflict dynamics. There is therefore need address the persuasive risk factors which in this case sufficed as the land conflict which is the focus of this study. Similarly, inter-generational collective memory of a history

of marginalization and historical land injustices could ultimately play out in future contestations should the land issue remain unresolved. The current study advances that these dynamics in terms of persuasion ought to be taken into consideration by state security agencies in pursuit of elusive peace in the study area. The following account of events was given by male victims during FGD discussions.

Kwa ukweli, mashamba yetu haingechukuliwa kwa mara ya tatu tukiona. Ndio sisi tuishi wapi? Watoto wetu wangekula wapi? Wangesoma vipi? Mabibi wangetutoroka juu hatuna pesa? Wangetuchukulia kivipi tungewachilia mashamba hivyo tu? Hii mashamba ndio maisha yetu. Hapa ndio kwetu, hii ndio tunatumia kutafutia pesa kwa kupanda mahindi, viazi, na vitunguu ndio watoto wetu waende shule. Ilifika mahali kupigania mashamba sasa ndio ilikuwa suluhisho ilikuwa imebaki.

In all honesty, this would be the third time in the Chepyuk settlement schemes that our lands were being taken. Should this have been successful, where would we move with our families? How would we manage to feed our children? How would we take our children to school? Our wives who depend on us would have run away to look for other support systems. These lands are our only sources of income. This is where we plant our maize, potatoes, cabbages and onions which use to support our livelihoods. There came a time where fighting for these lands was the only option. I had to join the SLDF narrative. (FGD with male victims of land conflicts, Sasuri- Chaptais, August 18, 2021).

Study findings on persuasive risk factors are corroborated by Collier & Hoeffler (2007) study which advanced a number of persuasive factors leading to participation in violent extremist conflicts. First, the prospects for earning income and economic empowerment are rarely the main reason for joining, but in some cases may motivate poor youth and educated middle-class youth with higher expectations of social mobility. Secondly, the desire for a sense of community, social belonging, and recognition is a motivation, particularly when family members or friends already are members of a group. Alternatively, the group may fill a gap in social belonging, especially for individuals and, lastly, the need for physical protection is cited as a motivating factor. In a conflict context that is dangerous and unstable, and notably when the presence of the state is

weak, individuals may join an extremist group to protect themselves or their family, broader group, or property.

Study findings on persuasive factors are supported by Olson's (1965) analysis of the logic of collective action has given rise to two more approaches that accept, as a starting point, the idea that individuals weigh the costs and benefits of participation. The first emphasizes the importance of selective incentives, that is, participation must be beneficial not only to groups but also to individuals. This in turn requires that private benefits be made available in exchange for participation. Critics that claim this reading of Olson is overly narrow or materialist focus instead on the importance of social sanctions. Strong communities can bring social pressures to bear that change how individuals evaluate the costs and benefits of joining a movement. The logic of both these approaches applies equally to insurgent and counterinsurgent mobilization. Recognizing that collective action is often observed in practice, Olson offered an explanation for why some individuals choose to participate and take on unnecessary costs. He introduced the idea of selective incentives—inducements to participation that are private and can be made available on a selective basis. Samuel Popkin applied this perspective to the study of rebellion in Vietnam, arguing that a crucial revolutionary strategy was to offer incentives (in the form of material benefits) to peasant's contingent on their participation (Popkin, 1980).

Study findings on persuasive factors are corroborated by Lichbach Mark who catalogued examples of how selective incentives operate in a wide variety of contexts, from organized and unorganized rural protests to strikes, riots, and rebellion (Lichbach, 1995). Linbach (1995) identified a range of possible private goods that might be offered to recruits, from money, loot, and land, to positions of authority. Acceptance of the role

of selective incentives in motivating participation is now widespread, leading Goodwin & Skocpol (1989) to conclude that “it is the on-going provision of such collective and selective goods, not ideological conversion in the abstract, that has played the principal role in solidifying social support for guerrilla armies”.

Important to note, is that there seems to be a variance in terms of persuasive techniques by Afrocentric extremist groups when compared to conventional violent extremist groups with the latter resorting to the use of social media propaganda to recruit populations. For rural communities such as that of Mt. Elgon, it is important to point out that, even today, it would be difficult to use social media to sell extremist agenda because land issues in the area today remain grounded within the community. This is because, land issues in the study area are largely pragmatic as opposed to interpretivist. Windisch *et al.*, (2018) advanced that, like most organizations faced with increasing competition and growing external pressures, terrorist organizations have realized that they, too, must evolve to meet emerging challenges. The current iteration of violent extremist organizations (VEOs), such as the Islamic State of Iraq and the Levant (ISIL or Da’esh), al-Shabaab, and al-Qaida in the Arabian Peninsula (AQAP) have been particularly successful at perpetuating violence and spreading fear through innovative means such as the utilization of social media and Web-based platforms. Central to the discussion here, these modern terrorist organizations have also been adept at building their ranks through a combination of both time-tested and increasingly novel personnel attraction and selection mechanisms. The modern VEOs’ ability to demonstrate sustained human resource growth is one primary reason they continue to succeed in achieving violent and malevolent goals.

Study findings on persuasive risk factors in the study deviate from Euro-American persuasive factors which rely on propaganda through the use of social media. Both groups, *Boko Haram* and al-Shabaab, use persuasion and propaganda in their recruitment process. al-Shabaab uses public sermons and DVDs to label, for example, Ethiopian troops or AMISOM as “crusaders,” “infidels,” and “Zio-Crusade” (Mantzikos, 2011), and to refer to the Somali government (TFG) as *kooxda ridada* (the apostate group), or *daba dhilif* (government set up for a foreign purpose) (Harper 2012; International Crisis Group (ICG) 2010). These messages portray Muslim Somalis as being under threat from Jews, Christians, and government representing foreign interests. *Boko Haram* conducts several public executions or beheadings of captives, or those considered as “apostates (who) have left the fold of Islam”.

Omenma *et al.*, (2020) advanced that there are multiple persuasive tactics extremist groups adopt to attract members. These tactics are referred to as “enabler,” “driver,” “strategy,” or “pull factor.” They come in the form of tangible or intangible reward systems: marriage, personal empowerment, financial benefits, or protections that are contextualized within the individual’s economic and social capital needs. Four aspects of recruitment strategies are associated with *Boko Haram* and al-Shabaab, which form part of the challenges to defeat them.

The first persuasive tactic is the promise of Martyrdom. Evidence has shown a strong relationship between the presence of jihad and martyr culture, and its use in recruitment by *Boko Haram* and al-Shabaab. Mohammed Yusuf, in a series of sermons and lectures between the years 2004 and 2009, had preached and trained his followers towards “spirituality, preparation for jihad, and the virtues of martyrdom” (Kassim, 2018, p. 12). More than 280,000 Muslims joined *Boko Haram* from northeast Nigeria within the

first few years of its emergence, and they were partly attracted by the promise of martyrdom.

The second incentive is financial/business incentive is a common reward system used for attracting members. *Boko Haram* lures youths with free Islamic education, informal jobs, interest-free loans, employment schemes, wheelbarrow gifts, sewing machines, motorbikes (*achaba*), free wives, and a monthly salary (Abrak, 2016). *Boko Haram* offers: US\$2,631.58 for crop and cattle farmers, gives US\$263.15 as an interest-free loan (Abrak, 2016), and “pays between \$30 and \$312 per mission for women weapons carriers”. Most of the arrested members of *Boko Haram* report they were enticed by financial benefits: “they either accepted loans prior to joining or joined with the hope of receiving loans or direct support to their business” (Mercy Corps, 2016, p. 13). *Boko Haram’s* core targets are the “poor and alienated northern population,” the roadside fruit sellers and *al-majiri* boys (street beggars) hired to scout for security forces and to burn down churches and schools (Zenn, 2014, p. 6). In Kenya, young men describe al-Shabaab as a “business,” and local Somalians see al-Shabaab membership as a source of income. Between US\$1 000 (£640) to US\$650 is offered to individuals to join al-Shabaab (Taarnby & Hallundbaek, 2010, p. 33). To attract members, al-Shabaab pays members a monthly salary. In 2012, this was estimated as being between US\$50 and \$150 depending on the work. It also provides financial benefits for its veterans and the families of its “martyrs”, while offering US\$1,500 to the families of recruited members (Institute for Justice and Reconciliation (IJR) 2016, p. 13). A young Somali summarized the benefits of joining al-Shabaab thus: “all one had to do was carry around a gun and patrol the streets. It was an easy job compared to other jobs such as construction work” (Hassan, 2012, p. 18). The belief is that with a gun, they can provide

for themselves and their families. Both *Boko Haram* and al-Shabaab use the incentive of “wives” to attract male recruits because of the financial obligations, which are normally associated with marriage in these contexts.

Collective memories (CM) are widely shared knowledge of past social events that may not have been personally experienced, but are collectively constructed through communicative social functions. Collective memories are a symbolic resource that can be mobilized politically to legitimize political agenda for the present and future (Paez & Liu, 2010). Conflict and memory are often two sides of the same coin, which seamlessly feed into each other. On one hand, conflicts deeply mark the memories of both individuals and collectives, thereby hampering future reconciliation. On the other hand, memory is behind many conflicts, insofar as certain ways of remembering dramatic episodes (whether recent or remote) imply bringing the past into the present and with it the old scars, grievances, resentments, hatreds, and senses of revenge. Taking memory into account can therefore help us to better understand how certain uses of the past may reignite, perpetuate, or originate conflicts. But, at the same time, it can show us how societies use memory to learn from history, to heal old scars, to remember and compensate the victims, or to promote more reflexive ways of dealing with the past in order to avoid future conflicts. All in all, the study of memory is important in as much as “the past becomes a tool for creating change or stability as well as promoting or inhibiting conflicts” (Wagoner, 2014, p. 189).

Garagozov (2016) argued that collective memory can contribute to both instigating and reducing inter-ethnic conflicts. Herein, collective memory is understood as kind of extended or distributed memory and as the outcome of group debates and contestations, mediated by cultural tools in form of narratives. On a psychological level it involves

the triggering of specific emotions. This assumption was tested in a series of experimental studies examining the interplay of different narratives, emotions, and attitudes among the Azerbaijani population. The results suggest that particular kinds of collective memory which are shaped by social context of the protracted ethno-national conflict can even exceed individual memory in yielding strong emotions among individuals even in those who do not have painful individual memories about the conflict.

Bar-Tal (2000) identified four common themes of collective memories of conflict. Each group's collective memory: provides a legitimization of the origins and development of conflict; portrays the in-group in a positive light; delegitimizes the opponent, and focuses on victimization of one's group. Collective memories of past conflicts play an important role in maintaining intergroup violence. For instance, the collective memory of violent events may serve to justify current violence and may help perpetrate and refuel new violence. The reconciliation and conflict resolution literature suggests that addressing the past and acknowledging the harm done by the in-group are crucial for establishing peaceful relations.

Intergroup conflict threatens not only the physical well - being of the groups involved, but also symbolic group identities. Threat to the in-group strengthens group members' solidarity, commitment to, and identification with the in-group. The drive to maintain a positive identity and a positive self – image elicits in-group bias in recollections and interpretations of past or recent events. For instance, Liu *et al.*, (1999) examined how ethnic groups (Maoris and Pakehas in New Zealand) in conflict construe historical events in New Zealand's history. Each group showed in-group favoritism in

interpretation of historical events, and those events that portrayed the in-group positively were perceived as most important in the history of New Zealand.

The motive to maintain a positive group identity becomes stronger during periods of intergroup conflict. Conflict is often perceived by opponent groups as a struggle between good and evil. In an attempt to portray the in-group as the righteous party in the conflict, group members are more likely to make errors and distort the events of the past in ways that portray the in-group favorably, whereas errors that portray the in-group negatively are rare. Collective memories of conflict portray the in-group as the victim and focus on in-group suffering and victimhood. Portraying oneself as a victim serves to legitimize current negative actions against outgroup members as well as to establish the in-group's morality and legitimacy. Threat, fear, and delegitimization of the opponent embedded in collective memories of violent conflict lead to perceiving the adversary as extremely threatening. Consequently, each group is likely to perceive their acts of violence as a response to threat or as provocation by the outgroup. As each group has the right to self-protect, retaliation in response to provocation is considered justifiable.

Study findings on persuasive risk factors were corroborated by Eck (2014) study which focused on indoctrination as a persuasive approach to the risk of extremism. Using a case study of CPN-M, Eck (2014) study established that rebel leaders went so far as to assert that indoctrination was more important than other facets of the insurgency, such as arms acquisition and military training. The party spent a year prior to the onset of conflict sending political-cultural teams into villages to educate the masses on the aims of the Maoists and the necessity of using armed force in exerting political change. To do so, the teams used various forms of propaganda such as mass meetings, cultural

campaigns, postering and walling, pamphlets, newspaper articles, and holding political classes. With the onset of the People's War in 1996 and the transition of the CPN-M from political party to active rebel group, campaigning amongst the populace increased. The Maoists used several different approaches to spreading information about their movement and educating the peasantry, amongst them mass gatherings; individual motivators who recruited door-to-door; kidnapping of school children and others for indoctrination; and widespread propaganda activities.

The different indoctrination campaigns fulfilled perhaps the most basic and essential function of informing the populace about the existence, goals, and methods of the CPN-M. They advertised the successes of the movement and emphasized the benefits of joining. The Maoist approach had a powerful effect on rural villagers, who were little accustomed to being addressed with respect by individuals in positions of power. By addressing the villagers, discussing their problems, and requesting their assistance, the Maoists encouraged the villagers to be active political agents, a radical departure from villagers' previous experiences of marginalization. Boasting of their successes, the Maoists also sought to create an impression of strength that would generate a bandwagon effect by affecting individuals' perceptions of rebel strength (Kuran, 1989; Lichbach, 1998; McCormick and Giordano, 2007).

The CPN-M employed localized strategies for conveying its complex ideological ideas, using local idiom and references which did not require previous political education or literacy. Moreover, different rhetorical strategies were employed by the Maoists depending on the villagers' backgrounds, tailoring their rhetoric to the audience at the same time as they were careful to always couch their discussion in a Maoist discourse. This rhetorical strategy helped to build a common Maoist identity, an essential element

for maintaining a cohesive group. The Maoists' portrayal of their ideology was especially appealing to rural individuals since it matched well with individuals' own local agendas and grievances. Many of those who joined had previously supported other communist parties, but found these parties to be ineffective and unable to bring about substantive change, which increased the appeal of the Maoists' radical agenda and violent tactics. From the qualitative data and discussions, indeed, if the land issue remain unresolved, it is possible that past and current persuasions for extremism, will likely feed into the risk of extremism in the study area.

5.6.2 Coercive Risk Factors

Qualitative data obtained during FGD discussions with former SLDF combatants also revealed the role coercion may have played in influencing participation. The following are the accounts of former combatants given during the FGD discussions.

Njia ilikuwa moja, mandume wa jamii ya Sabaot tu ndio wangesimamia haki ya mashamba. Iko wengine wetu tulitekwa nyara na kupelekwa kwa msitu. Kulikuwa na masharti kwa wanaume wote ambao hawangeitikia wito wa SLDF kwa kupigania haki ya mashamba. Wito kwa wanaume wote ilikuwa ni kujiunga na SLDF ama uuliwe. Ni wanaume pekee wangepigania mashamba. Ingawa pia kufaulu kwa kupigania mashamba tulikuwa tunahitaji jamii nzima. Hata wanaweka hawakuachwa nje. Walilipa ushuru na pia walikuwa wanapanga vile tungepata chakula kwa msitu.....

It was simple, we needed our men to stand for land justice, a number of us were abducted to the forest and forced to participate. There were consequences that would follow for any man not supporting our course for land justice. It was a matter of participating in the fight for land justice or be ruthlessly killed. Only men could stand for the land justice. We also needed women to support our course towards land justice. They had to comply to our rules including paying taxes to sustain the war. They had to ensure that we had food in the forest.... (FGD with male victims of conflict, Sasuri- Cheptais. August 18, 2021).

Study findings on coercive factors were corroborated with Omenma *et al.*, (2020). According to Omenma *et al.*, (2020), there is evidence that terror tactics attract recruits and clearly the only way to avoid *Boko Haram*'s enmity is by being a member or at least following the group's dictate. In other words, in a lawless situation, people would always seek security and if membership in *Boko Haram* provides such a thing, people would support the group, even if it is the harbinger of the insecurity.

Omenma *et al.*, (2020) study added that conscription forms a strategy of recruitment by both *Boko Haram* and al-Shabaab. Both groups frequently fight to capture and seize geographical areas and use such areas to force recruitment of a conquered population. It is estimated that 40 percent of *Boko Haram* fighters are conscripted members (Botha *et al.*, 2017, p. 51). Al-Shabaab, like *Boko Haram*, engages in forced recruitment (Amnesty International, 2016). An estimated 13 percent of al-Shabaab recruits are forced to join. Refusing to join al-Shabaab may likely lead to forced payment of compensation, or being killed, or being forced to relocate from the community (Botha & Abdile, 2014).

Study findings on coercive risk factors are also corroborated with an Amnesty International (2015a) report which established that *Boko Haram* has used torture to enforce its rules, forced women and girls into marriage with its members, and recruited and used child soldiers. *Boko Haram* sometimes gives civilians a choice: to be killed or join the group. More frequently, fighters simply shoot civilians or cut their throats. This is "propaganda by the deed," that is, "violent acts that in their brutality or audaciousness are intended to demonstrate the movement's intensity and might," thereby arousing consciousness of the masses (Rabasa *et al.*, 2006, p. 15). This instills fear in the minds of individuals who may be forced to join to avoid the ordeal of beheading or be branded

as apostates. *Boko Haram's* substantial control of territories in Borno, Adamawa, and Yobe States further enables its recruitment drives. Recruitment in these occupied territories is motivated by the need for camaraderie, survival, security, status, power, control, achievement, and religion. Extremist groups use physical coercion such as torture, rape, and kidnapping. Such groups also use threats to kill, injure, and rape. Individuals may also feel that they or their family, friends, or community are threatened, for example, with starvation or other deprivation. As a militant group establishes social or territorial control over a community, community members may feel themselves trapped into joining or supporting a group.

Von Uexkull (2016) advanced that another commonly accepted explanation is the provision of selective incentives to fighters, benefits that are contingent of participation, which makes groups overcome the collective action problem (Humphreys & Weinstein, 2008; Olson, 1965). These selective incentives include for example security provided to individuals that join the group they could not enjoy otherwise during war times (Kalyvas & Kocher, 2007). For example, in the Mt Elgon conflict in Kenya, several individuals reported they felt trapped between the SLDF land militia, who might kill them as suspected betrayers if not joining, and the government suspecting anyone of their ethnic community to be a member of SLDF. This made them join rather than stay out.

Study findings on coercive risk factors are corroborated by Ryanga (2010) study which advanced that women also unwillingly participated in the Mt. Elgon conflict, mostly through coercion. The SLDF forced some women to act as porters. These women were forced to collect firewood or else the SLDF would kill them. This firewood would be used for cooking and other activities of the SLDF. Women were also used as sex slaves.

They were kidnapped and forced to become bush wives for the SLDF militia men. Women were also forced to attend to wounds and injuries of the wounded soldiers. They were made to be healers. In the course of the conflict, some of the SLDF soldiers got injured and needed medical attention, but were not able to go to the hospital for fear of capture. Therefore, the SLDF often abducted women with medical training such as nurses, to tend to their wounded.

Study findings on coercive risk factors are also corroborated by Eck (2010) study which built on the observation that all recruitment strategies involve some cost to the rebel group. Recruitment based on economic incentives necessitates access to funding as well as the willingness to divert this funding to recruitment, while recruitment based on social endowments is a time-consuming process that often demands multiple contacts before recruits can be convinced to join the movement. As a result, previous research has concluded that coerced recruitment is a cheap alternative. Eck (2010) study argued to the contrary that coercion provides a poor organizational base for rebellion and is a suboptimal strategy. There are several costs inherent in coercion which makes it prohibitively expensive for rebel groups. First, rebels who have been coerced into the group are less likely to be committed to the group and run a high risk for attrition. Monitoring forced recruits to prevent defection is labor intensive, and an inefficient use of resources. Second, despite efforts to monitor the forced recruits, they often succeed in escaping. This is particularly problematic since many take advantage of the heat of battle to make their escape, drastically reducing military effectiveness. Finally, forced recruitment also generates external costs by alienating the civilian population: there are strong incentives for civilians to collaborate with government forces by providing them with information on rebel troop movements in order to prevent the kidnapping of locals.

Despite these costs, coercive practices are still sometimes employed by rebel groups. Eck (2010) also advanced that groups are likely to shift recruitment strategies depending on the exigencies of the conflict. Specifically, in times of necessity, when rebel groups need to direct limited economic resources to other facets of the insurgency, the resource and manpower costs involved with economic and social recruitment can be too great. This argument leads to two hypotheses. The first is that the more intense the conflict, the more likely it is that a rebel group will recruit using coercive measures; the second nuances this argument by specifying that the greater the number of rebel fatalities, the more likely it is that a rebel group will recruit using coercive measures.

Study findings on coercive risk factors were corroborated by Kalyvas & Kocher (2007) study which opined that facing an inability to attract enough recruits voluntarily, rebel groups may rely on force. Given that the group used force to compel individuals to join, they presumably have little to induce these individuals to remain on their own free will. Forced conscripts would presumably not be loyal to the group and would be expected to desert at the first opportunity. Yet, groups that have relied on forced recruitment could retain their members just as well, if not better than, rebel armies that rely on voluntary methods of recruitment. Groups such as the Revolutionary United Front (RUF) in Sierra Leone, The Lord's Resistant Army (LRA), Renamo in Mozambique, and others have been able to retain forcibly recruited soldiers from 4 to 7 years on average. In contrast, groups that rely on voluntary recruitment typically retain their soldiers for 2 years. Many factors shape how long an individual will remain in an organization, but voluntary as opposed to forced recruitment is not a significant factor (Weierstall *et al.*, 2013).

Checkel (2017) study argued for three types of socialization that shape the allegiance of forcibly recruited soldiers. These include (a) compliance (Type Zero), whereby punishment and fear motivate retention; role learning (Type I), whereby a member of the group alters his or her behavior to fit in; and internalization (Type II) that induces preference changes leading to group allegiance.

When socialization is not evident and decisions are based on rational calculation of incentives (both rewards and punishment, pecuniary and non-pecuniary), this is Type Zero socialization. From the individual perspective, this calculation will be whether the group can meet the recruit's compatibility constraint – the wage necessary to deter desertion. For a soldier who has been forcibly recruited, coercion brought them into the group and it is what in the short run will keep them in the group. Punishment and a climate of fear undoubtedly keep conscripts from trying to escape (McLauchlin, 2014). This can occur in an environment of no socialization (Type 0). Punishment can take on a wide variety of forms, ranging from a temporary minor reduction in utility to an extremely harsh punishment with permanent ramifications. Death sentences are common.

Training and socialization to the armed group take place both formally, through the immersion experience of 'boot camp', and informally, through initiation rituals and hazing. The powerful experience of endless drilling, dehumanization through abuse at the hands of the drill sergeant, and degradation followed by 'rebirth' as group members meld recruits into a cohesive unit, whereby loyalties to one another are felt more strongly than previous loyalties, such as those to family (Checkel, 2017). Training plays a major role in providing cohesion in the modern volunteer national army. Training facilitates the quality of ties between soldiers and in turn shapes the achievement of unit

goals and individual performance as well as an individual's commitment to the group. Training facilitates the cohesion of the small military unit, the platoon (Haer & Banholzer, 2015).

Religious or spiritual groups often tap into rituals as a means of transformative socialization. Through a process of cleansing or re-birth a new recruit is inducted into the group. Xygalatas *et al.*, (2013) found that extreme rituals enhance pro-sociality, thereby promoting group cohesiveness and cooperation. Their research features the role of physical pain. Military training, especially boot camp, can be seen to exhibit some of these characteristics, especially the pain part.

Study findings on coercive risk factors are also corroborated by Beber & Blattman (2013) study which established that abduction, conscription, fear, and intimidation serve as the principal means of recruitment for many rebel factions on the African Continent. Indeed, one-third of all African rebel groups have relied on coerced recruitment (Beber & Blattman, 2013). The manner of forcible recruitment varies. It may come in the form of armed soldiers entering a refugee camp (Achvarina & Reich, 2006), a school, or villages and forcing individuals to join their group at gunpoint. Conscription is another form of forcible recruitment. Many nation-states rely on mass conscription, whereby every young man is obligated to serve in the military. Non-state actors also may rely on forms of conscription as a means of recruitment. The Liberation Tigers of Tamil Eelam (LTTE) in Sri Lanka for a period required all households under their control to provide one soldier; the household thereby decided who would serve or not, but the choice was forced. The Revolutionary United Front (RUF) was created in 1991 and ended as a military organization in 2002 after waging war in Sierra Leone for eleven years. Defeat came at the hands of intervening British troops in late 2001. Unlike

most rebel groups that have relied on forced recruitment, the RUF depended on abduction from the very beginning (Eck, 2014).

Some groups rely almost completely on abduction as a means of recruitment. In the Democratic Republic of Congo (DRC), the Alliance of Democratic Forces for the Liberation of Congo-Kinshasa (AFDL) and the Congolese Democratic Rally (RCD) also relied heavily on forced recruitment. In Northern Uganda, the Lord's Resistance Army (LRA) had been relying on forced recruitment at an astonishing rate of 90% for over two decades. The estimated rate of forced recruitment in Renamo in Mozambique was also for a period late in the war as high as 90%. In Sierra Leone, the Revolutionary United Front (RUF) is estimated to have abducted 87% of its recruits (Humphreys and Weinstein, 2008); others report an abduction rate of 72% (Weierstall *et al.*, 2013). The point, however, is not the precise percentage. What is important is that these organizations depended on forced recruitment.

In situations in which a group is unable to recruit enough manpower, they may resort to forced recruitment. In other words, under conditions of excess demand, groups may resort to forced recruitment. Warfare is a bloody contest that can alter the supply and demand for manpower. Such changes often lead to shifts from voluntary to forced recruitment. Most groups that depend on forced recruitment began by relying on volunteers (Eck, 2014). For example, the Communist Party Nepal - Marxist (CPN-M) altered its recruitment strategy when they began employing conventional battlefield tactics in 2004. Overall, arising from the data and discussions presented, coercive risk factors emerged as a preferred methodology for extremist social movements in Africa.

5.6.3 Preventive Risk Factors

This section drawing from FGD discussions discusses preventive risk factors for homegrown extremism in Mt. Elgon region of Western Kenya. Preventive risk factors herein refer to items and deliberate steps existing actors have taken in an attempt to manage homegrown extremism over intractable land issues in the study area. These, although presented and discussed intensively in the next chapter include actors such as the Ministry of Lands, the Judiciary, the County Government and the law enforcement agencies among others.

Kwa mambo ya Mt. Elgon, kila mtu ameanguka mtihani isipokuwa mtu wa Mt. Elgon amabaye amevumilia mateso ya miaka karibu hamsini. Wanasiasa hawajasaidia mahali, makoorti yenye tulikimbilia itusaidie sasa ndio huko hatujasaidika kamwe. Wale wa kupeana vyeti za mashamba hatujawahi waona. Polisi na wanajeshi nao ndio wameongezea kwa kuteseka kwetu. Hapa Mt. Elgon ni kama hakuna serikali huku. Serikali ya Kenya wameanguka mtihani. Hii mambo ya mashamba ingekuwa iliisha kitambo kama hii vitengo zote za serikali wangukuwa wamejikakamua na kuwajibika kazini. Ni nani tutamkimbilia?

On matters of Mt. Elgon land conflict, we definitely are in agreement that all the government agencies have totally failed on their mandates. The politicians have failed us. The courts we thought would come in as very suitable have left us more frustrated. The concerned Ministries have been absent and we have never seen them. The police and the military have added to our plights. It is like we have no Government here. The Government of Kenya has terribly failed on its mandate. If they had been more committed, this conflict would never reach the levels of 2006-2008. Who do we run to next? (FGD with male victims of conflict, Sasuri- Cheptais. August 18, 2021).

Arising from the FGD discussions, by show of hands 100% of both male and female victim respondents indicated that none of the key stakeholders had made deliberate efforts to ensure management of the risk of extremism. In an environment already characterized as volatile, lack of preventive risk factors by the concerned stakeholders

could among the affected households portray a picture of negligence in a situation that ought to be earmarked as being of high priority in search for sustainable peace. As a result of this negligence, the risk of extremism could be high as this feeds into grievance over land issues in the area. The current study advances that, with the likelihood that land issues in the study area are evolving and now involving more people and changed dynamics as a result of the 2006-2008 carnage of war, deliberate preventive factors need to be implemented by the concerned actors in an effort to prevent the risk of extremism.

5.6.4 Public Health/Psychological Risk Factors

In September 2015, mental health was included in the UN Sustainable Development Goals (SDGs). In this historic step, the United Nations (UN) acknowledged the burden of disease of mental illness, and defined mental health as a priority for global development for the next 15 years. Individual and structural discrimination arising from the land issue is examined as being detrimental to a population's health. Experiencing discrimination is a marker of social isolation and exclusion, which makes people vulnerable to extremist influences and ideologies while weakening their social cohesion. This section, drawing from qualitative data collected during FGD discussions presents findings likely to point to public health issues which could form a key variable in understanding the risk of extremism. The following is an FGD excerpt indicative of mental health issues in the study area.

Serikali imedhulumu sisi watu wa mlima Elgon kwa muda mrefu sana. Tumepoteza maisha kwa njia ya kinyama tukipigania mashamba, jamaa zetu wamepotea na kuuliwa kwa hii mambo ya mashamba. Serikali ya kaunti pia tangu ikuje ndio wamezidisha kutudhulumu. Hapa Bungoma County, mtu wa Mt. Elgon hana sheya mahali popote. Wametuchomea nyumba, wamtuharibia mimea, wametufinya makende, wamehakikisha hatuna chakula ya kutosha na hawajali. Sisi huomba hii mlima igeuke

ituzike sisi wote tusahau hii mashida tunapitia. Kusema kweli, tumeteseka ya kutosha.

The Government of Kenya has been at the frontline in ensuring that the people of Mt. Elgon continue suffering. We have suffered for a very long time that if the Government was concerned, our issues would already have been solved. But we have been neglected. In this course, lives have been lost in the most brutal ways. The County government of Bungoma has also joined in frustrating the Sabaot people. We have no shares here. Our houses continued to be torched down, our men have been castrated, they (the government) have made sure that we do not have sufficient food and they do not care. At times, we pray that the Mountain overturns and buries all the Sabaots alive so that we can forget this suffering forever. We have suffered enough. (FGD with male victims of conflict, Sasuri- Cheptais. August 18, 2021).

Study findings are a negation of WHO (2011) report which argued that in itself, mental health is a prerequisite for physical health, and is strongly interlinked with other development factors such as poverty, work and economic growth or peace and justice. Mental health plays a key role in efforts to achieve social inclusion and equity, universal health coverage, access to justice and human rights, and sustainable economic development (World Health Organization, 2011). For example, poverty (goal 1) and mental illness are strongly linked, just as economic growth (goal 8) and safe and resilient cities and settlements (goal 11) depend on an overall mentally healthy society. As a cross-cutting issue mental health has relevance across the whole range of development (Chatterjee *et al.*, 2014).

Study findings on public health risk factors for extremism are in agreement with Misiak *et al.*, (2019) study which opined that recognizing risk and protective factors through public health approaches has been proposed as a promising strategy for prevention of radicalization and mass violence. Alcala *et al.*, (2017) study alluded that there is a mounting body of evidence linking discrimination, at multiple levels (individual, as

well as institutional) to poor health outcomes and health disparities. Discrimination is a specific type of stressor that is “uncontrollable and unpredictable”. The experience of discrimination is associated with the onset of physiological responses to stress that then have longer term implications for health outcomes.

Study findings on public health risk factors are corroborated with Misiak *et al.*, (2019) study which opined that feelings of marginalization have been shown to lead to decreased self-worth and, in turn, increase the likelihood for radicalization. Structural marginalization of a group undermines social cohesion and can lead to fragmentation, including the forming of groups with militant or extremist views, thereby undermining national security and public health goals. A need for social respect and ties can drive individuals towards radicalization when coupled with one's fear of security and oppression. Engaging people from all political, religious, and demographic backgrounds is essential to foster cohesion, which prevent individuals from being drawn into extremist groups. Peace psychology has long argued that the promotion of positive intergroup relations is integral to the prevention of violent episodes. Moreover, peace psychology posits that in addition to efforts to prevent incidents of violence, or “negative peace,” we must equally emphasize efforts focusing on “positive peace,” meaning we must strive toward a more equitable society that is rooted in social, economic, gender and racial justice. In other words, this holistic view recognizes the importance of addressing underlying factors, related to sense of exclusion, that drive people to extremists, including lack of economic and educational opportunities and trauma resulting from ongoing conflict.

Scholars studied ethnic biases and the differences in dealing with people because of their place of origin, and two major discriminatory activities, namely, personal

discrimination displayed in behavior and institutional discrimination embedded in policies, were identified (Kawachi & Berkman, 2000; Kawachi *et al.*, 2008). Other studies revealed that both personal- and institutional-embedded ethnic discrimination have physical, emotional, and psychological effects (Kim *et al.*, 2006; Geys & Mudorch, 2010). These effects sometimes present as unhappiness, somatic criticisms, nervousness, and fixation because of deprivation of quality access to opportunities. These identified effects of ethnic discrimination and marginalization could produce long-lasting pressure. Spataro *et al.*, (2008) from a prosecutor's experience posited why individuals become terrorists. Spataro *et al.*, (2008) argued that, overtime, the experience of pressure influences emotions and produces altered behaviors that are adopted as reactions to situations, resulting in additional harm to psychological wellbeing.

Consequently, Igbafe (2021) described the effects of ethnic discrimination and marginalization as a fanatical mental development, an ailment of the mind and a cancer of the body, an ant objectivity, and an open irrationality towards the practicality of the human fight for development as a country and the type of progress proposed for in a nation. Igbafe (2021) choice of words indicates that ethnic discrimination and marginalization could result in an emotional and psychological drain. This occurs if employees' personal beliefs that they are citizens conflict with being judged at work as settlers, if ambitions to grow professionally are delayed or thwarted by ethnic marginalization, and/or if opportunities are only given to indigenes, thereby making the settlers feel deprived and viewing their lives as miserable.

Yip *et al.*, (2008) study examined the association between racial and ethnic discrimination and psychological distress among 2,047 Asians (18 to 75 years of age)

in the National Latino and Asian American Study, the first-ever nationally representative study of mental health among Asians living in the United States. Study findings established that discrimination was associated with poorer mental and physical health.

Study findings of public health risk factors were also corroborated with Misiak *et al.*, (2019) representative cross-sectional study which revealed that depressive symptoms might be associated with radicalization proneness. Psychological models of radicalization emphasize the complex cognitive and emotional processes that motivate individuals' involvement in extremism (Borum, 2011; Horgan, 2005; Taylor & Horgan, 2006). In particular, psychologists (Kruglanski *et al.*, 2009; 2014) who study extremism highlight the importance of cognitive and emotional vulnerabilities, which are often the products of identity-seeking behavior in adolescence or early adulthood. In order to fulfill a search for personal identity, or to overcome a sense of vulnerability or diminished self-worth, individuals derive personal meaning and value through group membership or identification with a cause greater than themselves.

Study findings on public health risk factors are prominent among psychological models of extremism and align to personal significance theory, which argues that extremists are motivated by the activation of the significance quest, defined as the “fundamental desire to matter, to be someone, to have respect” (Kruglanski *et al.*, 2014, 73). While arguably all humans are similarly motivated, they posit the presence of an ideological component that identifies involvement in terrorism as an appropriate means to gain (or regain) a lost sense of significance, followed by processes of socialization and implementation. While personal circumstances, such as blocked ambitions or job loss, can lead to the loss of significance, traumatic experiences in childhood, such as

experiencing abuse or parental abandonment, may also play a role in fostering a sense of significance loss.

Kruglanski *et al.*, (2014) adding to the discussion on public health risk factors contended that psychological vulnerability can threaten a person's sense of self, which in turn makes them vulnerable to the adoption of radical beliefs and engagement in radical behavior. Four of the reviewed theories predict that psychological vulnerabilities play an important role in the radicalization process, including psychological models, social identity models (Hogg, 2001), recruitment models, and social movement models (Borum 2011). The study coded for psychological uncertainty, personal humiliation, personal helplessness, socially-instilled significance loss, failure to assimilate to dominant cultures, emotional distress, cultural disillusionment, anomie, divorce or other family separation, loss or distant family relations, lack of attention/affection from family, loss or distant relations from community members, socio-cultural crisis, and dependent personality.

Rousseau *et al.*, (2019) examined the role of depression, religiosity and social support in the relation between social adversity (that is, discrimination and exposure to violence). These results suggested that prevention programs should consider violent radicalization as a systemic issue which involves both minorities and the majority, although the specific balance between risk and protective factors may be influenced by local dynamics. The study adds that prevention programs should prioritize decreasing discrimination, as well as the provision of psychosocial support to depressed youth who experience social adversity.

Lyons-Padilla *et al.*, (2015) emphasized the need for social respect and ties which can drive individuals toward radicalization when coupled with one's fear of security and oppression. Engaging people from all political, religious, and demographic backgrounds is essential to foster cohesion, which prevent individuals from being drawn into extremist groups. Peace psychology has long argued that the promotion of positive intergroup relations is integral to the prevention of violent episodes. Moreover, peace psychology posits that in addition to efforts to prevent incidents of violence, or "negative peace," individuals must equally emphasize efforts focusing on "positive peace," meaning communities must strive toward a more equitable society that is rooted in social, economic, gender and racial justice. In other words, this holistic view recognizes the importance of addressing underlying factors, related to sense of exclusion, that drive people to extremists, including lack of economic and educational opportunities and trauma resulting from ongoing conflict.

Aubrey *et al.*, (2016) study advanced that taken together, a public health perspective can argue that current efforts to tackle terrorism may have, in fact, increase risk for further violent attacks. Specifically, the study argues that anti-terrorism policies have promoted the discrimination of Muslims. In turn, these actions by non-Muslims erode social cohesion in Muslim communities, as Muslims are incentivized to distance themselves and mistrust their peers. As a result, some individuals may become isolated and marginalized. For a small minority, this may make them receptive to radicalization. For fewer still, this may motivate them to engage in acts of terrorism. The government responds to terrorist acts by enacting anti-terrorism policies that fuel discrimination and continues the cycle.

Research on terrorism is increasingly empirical and a number of significant advancements have been made. One such evolution is the emergent understanding of risk factors and indicators for engagement in violent extremism. Based on the conventional risk factors proposed by Pressman (2009) in addition to persuasive, coercive, preventive and public health risk items which the current study advances will enrich the VERA-2R risk assessment model or even come up with a new tool dedicated to the management of homegrown extremism in addition to other models. The current study, nonetheless, established that the risk of homegrown extremism in Mt. Elgon region was high. Beyond contributing to academic knowledge, this has important real-world implications with regard to the management of extremism which ranks relatively high in national and global security discourses.

The current study adds to knowledge in three folds: First, it adds to existing literature that there is no single or stable profile of an extremist. Therefore, relying on profiles of static risk factors to inform judgements of risk and/or threat may be problematic, particularly given the observed multi- and equi-finality. Second, conventional literature in particular in the Global South has been silent on attempts to interrogate risk factors for extremism- both external and homegrown. Clemnow (2020) advanced that, establishing general population base rates will help develop more scientifically rigorous putative risk factors, increase transparency in the provision of evidence, minimize potential bias in decision-making, improve risk communication, and allow for risk assessments based on Bayesian principles. Lastly, the current study adds to existing risk factors for extremism, four factors emerge as those that would enrich existing tools of risk assessment. These include persuasive, coercive, preventive and public health

factors which the current thesis through primary data collected established are viable areas for possible intervention when looking at the management of extremism.

5.6.5 Costs Associated with Risk Miscalculation in Extremism

The current study advances that despite the risk factors already presented and discussed pointing to a high caliber of risk in the study area, there are a number of limitations associated with the utility of risk assessment models as the one used in the study. Andrews & Bonta (2010) advanced that the costs associated with miscalculating risk are numerous. Risk overestimation can lead to more surveillance, stigmatization, unjustified repressive practices, longer than necessary sentences, and waste of funds on interventions that are not only unnecessary but also potentially harmful (Brouillette-Alarie & Lussier, 2018). Risk underestimation, in turn, can result in premature releases and new victims- for those convicted (Gendreau *et al.*, 1996). Even though it is unrealistic to assume that each recidivism case could have been prevented with better assessment or decision-making, it is important for clinicians, practitioners, and evaluators to be able to attest that their decisions were based on empirically validated procedures and high ethical standards in risk assessment. Potential risk overestimation is especially important in the context of violent radicalization because base rates are so low compared to other types of outcomes such as criminal recidivism (Borum, 2015). This makes prediction especially challenging, as statistical models usually underperform when base rates are very low. Therefore, an investigation of the potential false positive of violent radicalization risk tools is paramount.

It is important to consider the principles of equifinality and multifinality and how these apply to our understanding of the terrorist (Corner *et al.*, 2019). There is no stable, general profile of a terrorist. A common ‘profile’ of risk factors may result in different

outcomes, in different people; this is multifinality (a single risk factor can result in multiple outcomes). Equifinality (single behavioral dimension, in this case homegrown extremism or category of psychopathology is influenced by multiple risk factors) conversely describes the diversity of pathways which lead to similar outcomes. Therefore, relying on the presence or absence of static risk factors to inform risk or threat judgements may be problematic. Violent extremism is likely the outcome of a complex mix of personal and social factors which converge in time and space (Horgan, 2014; Gill, 2015a). Configurations of risk factors which speak to the underlying causal process driving the phenomenon may be more stable grounds for risk assessment.

5.7 Chapter Summary

This chapter presented and discussed findings for the second specific objective of the study which sought to investigate the risk of homegrown extremism over intractable communal land use conflicts in Mt. Elgon Region. The chapter presented empirical findings in an area that is scarce in discourses and literature on homegrown extremism in both the Global North and Global South. That is, scientific risk assessment of extremism which could be adopted for use in an effort to mitigate the risk extremism poses to both global and national security architecture. The chapter was divided into five core sections namely: attitudinal, contextual, historical, protective and demographic risk factors. Factors (a term derived from mathematics) usefully suggests that more than one is required to produce a given result. Academic literature strongly suggests that violent extremism has many causes and cannot be predicted by one variable alone. Each of these factors were examined and discussed independently although the cumulative results were used to predict the risk of homegrown extremism in the study area.

On attitudinal risk factors which measured beliefs and attitudes towards homegrown extremism over intractable land-use conflicts in Mt. Elgon Region of Western Kenya, the objective investigated 8 attitudinal items “A.1-A.8”. Majority of attitudinal items were supported; “A.1” “Sometimes I feel like violence is the only way out of the land problem in my area” (Strongly supported-308, 77%); “A.2” “Land is a cause of injustice in my area” (Strongly supported- 388, 97%); “A.3” “I know who is responsible for the land injustices befalling me” (Strongly supported- 280, 70%); “A.4” “I must admit that those responsible for my land injustices are evil in nature” (Supported- 216, 54%); “A.6” “Land injustices make me feel like I am not Kenyan enough” (Strongly supported- 292, 73%); “A.7” “Land injustices make me full of hatred and frustration” (Strongly supported- 292, 73%). Only attitudinal items “A.5” “I am willing to do everything including fighting and even dying for my land rights” and “A.8” “Being together with those who face land injustices like myself makes me feel relieved” did not receive majority support. Overall, study findings on attitudinal risk factors pointed to a high risk of extremism over intractable land-use conflicts in Mt. Elgon Region of Western Kenya.

On contextual risk factors, the objective investigated three contextual factors “C.1-C3”. Majority of the contextual factors were strongly supported: “C.1” “I am aware of communities that have used violence to solve injustices elsewhere” (Strongly supported- 340, 85%); “C.2” “If violence can bring us land rights then I support it” (Strongly supported- 292, 73%) and “C.3” “Political decisions make me angry was supported at 47%. Overall, study findings on contextual risk factors pointed to a high risk of extremism.

On historical risk factors, the objective investigated four historical factors “H.1-H.4” with majority of the historical factors strongly supported; “H.1” “I have had an encounter with violence in the past over land rights” (Strongly supported- 392, 98%); “H.2” “My family/friends have been involved in past violence over land rights” (Strongly supported- 344, 86%); “H.3” “I am aware that some took paramilitary training to fight for land rights” (Strongly supported- 384, 96%) and “H.4” “Some still glorify violence as a pathway to land rights” (Supported- 212, 53%). Overall, study findings on historical risk factors pointed to a high risk of extremism.

On protective risk factors, the study investigated four factors “P.1-P4”. Study findings revealed that on: “P.1” “I reject violence as a pathway to land rights in my area” (Strongly supported-284, 71%); “P.2” “I have changed the way I perceive the causes of my land problems” (Not strongly supported- 8, 2%); “P.3” “I choose constructive dialogue as a pathway to land rights in my area” (Supported- 208, 52%) and “P.4” “Community support is a pathway to land rights in my area” (Supported at 42%). Overall, study findings on protective items pointed to a high risk of extremism.

On demographic risk factors, gender, age and marital factors of respondents negated conventional Euro-American literature. Study findings revealed that gender (being both male and female) and married posed a high risk factor in homegrown extremism. In addition, arising from FGD discussions study findings added to risk factor items that need to be included in the existing assessment models which established that persuasive, coercive, preventive and public health/psychological risk factors all have a role to play in adding to the risk of extremism as supported by the discussions. All those seemed to have been prevalent in the study area and thus increasing the risk of

extremism over intractable land-use conflicts. The next chapter presents and discusses findings for the third specific objective of the study.

CHAPTER SIX

CONTRIBUTION OF RESPONSE APPROACHES TO HOMEGROWN EXTREMISM IN THEIR QUEST TO MANAGE INTRACTABLE LAND CONFLICTS IN MOUNT ELGON REGION OF WESTERN KENYA

This chapter presents findings on the third specific objective of the study which sought to assess the contribution of the response approaches to homegrown extremism in their quest to manage intractable communal land-use conflicts in Mt. Elgon Region. In this chapter, respondents were asked to share their views on their encounters with a number of actors in their attempts to manage grievance based on land conflicts in the study area. These attempts range from community, Ministry of Lands, National Lands Commission, National Police Service, Military, Judiciary and County based approaches. In this chapter, it is their satisfaction and/or dissatisfaction with the various response approaches that inform homegrown extremism and grievance in their pursuit to manage land conflicts. The chapter ends with a summary.

6.1 Community Based Response Approaches

This study sought to assess whether respondents had used community based approaches in pursuit of land justice in the study area. Data was collected, analyzed and the results presented in Figure 6.1. Quantitative evidence revealed that majority 376 (94%) of respondents had used community based approaches as opposed to 24 (6%) who indicated they had not utilized community based approaches in their pursuit to solve land issues in the study area.

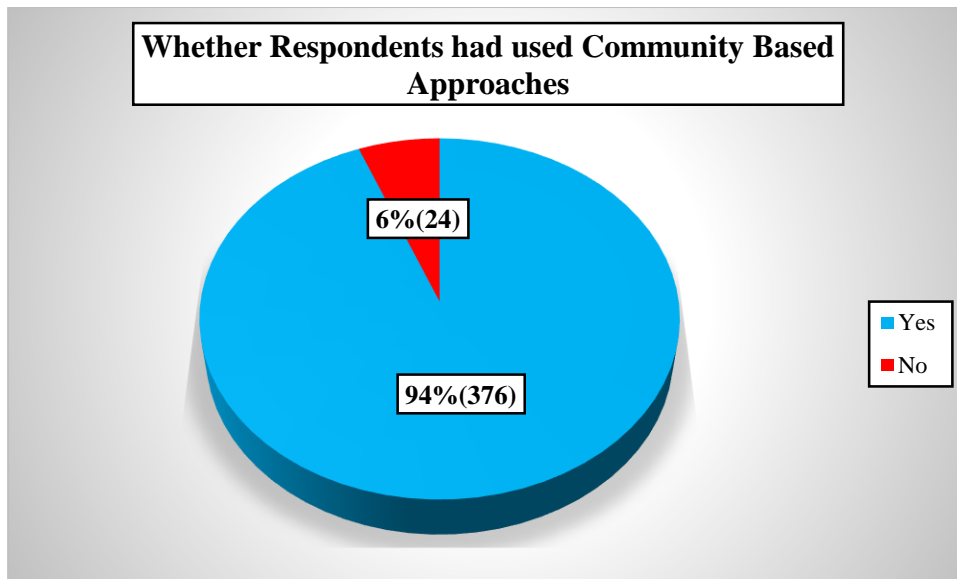


Figure 6.1: Whether Respondents had used Community Based Approaches

Source: Field Data (2021)

The current study, based on the findings is cognizant of the fact that land issues in Mt. Elgon Region are community wide. To this end and taking into consideration findings on utility of community based approaches where majority 376 (94%) of respondents agreed to utilizing community based approaches to pursue land conflicts in their area. These findings were corroborated by qualitative data collected during a key informant interview with a community elder. The following excerpt gives an account of community based approaches.

Kama jamii, hii miaka yote, tumeweka mbinu kadhaa ili kutatua mambo ya mashamba mlima Elgon. Tumetuma hata wawakilishi kwa Rais wanachi. Ni muhimu kuishi kama jamii moja. Mwaka wa 2011, tulikuwa na mkataba wa amani wa Mabanga iliyotiwa sahihi na wazee wa jamii za Bungoma, lakini miaka kumi baadaye, manufaa ya mkataba huo amabyo iliguzia maswala ya mashamba haijatekelewa hata kidogo. Najua wengi huogopa kuongelea hii lakini hata SLDF ilikuwa mbinu ya kijamii ya kujaribu kutafuta suluhu ya mashamba, ingawaja haikuwa nzuri sana. Viongozi wetu wa kijamii tunaita Laibons pia walipea mwelekeo. Hii yote ni baada ya serikali kuu kuonyesha haina haja kutatua masuala ya mashamba ya watu wa mlima Elgon. Mara kwa mara, sisi hupatana kama jamiii serikali ikitutishia na kutufrusha. Kwa

sasa ni kungoja tu serikali kuu iamue kusaidia mtu wa Mt. Elgon. Vyeti vya mashamba ndio suala kuuu kabisa kwa tu wa Mt. Elgon.

As a community, we have made attempts through diverse opportunities to ensure that we can co-exist as peaceful as possible over the land issues. We have even visited and sent delegations to Heads of state. In 2011, we signed the Mabanga Peace Accord which touched on land issues and resource distribution including land in the area. But that has not been enforceable since. It was done by the Council of elders and was a public process. In as much as this is never said, even the SLDF was a community approach following the back of the leaders and *Laibons* to solve the land issue after the Government had shown little or no commitment to helping the Sabaot people. Once in a while we still meet as members of the community to chart the way forward on land issues especially during days that we are threatened with eviction. All in all, this land issue is beyond the community, we await the Government's help- if it will ever come as genuine. Our biggest goal for now is land title deeds. (Interview with a community elder in Kamarang Village. 02/12/2021)

Qualitative evidence from key informant interview indeed revealed that community members in the area have used majorly three approaches as a community to pursue the land problem. These are: sending community delegations led by their local political leaders to the various Heads of State to lobby for land allocation; secondly, communities also resorted to the use social movements in the form of SLDF (Soy based outfit), Moorland Defence Forces (MDF) (Mosop based outfit) and the PRM (Soy based outfit) with the former two outfits motivated by mutually incompatible goals; Lastly, through a council of elders of the Bukusu, Sabaot and the Teso- communities resorted to a tripartite peace declaration famously known as the Mabanga Declaration in 2011. These are discussed in subsequent paragraphs.

On usage of community based approaches in the management of land conflicts in the study area, the findings of the current study are consistent with studies by Simiyu, (2007), Ngulutu (2014) which despite failing to explicitly attribute the emergence of SLDF, MDF and PRM as community based approaches towards pursuit for land justice-

did document about these three outfits albeit the MDF and PRM not exhaustively covered in existing literature. The current study opines that the formation of these outfits is directly tied to the management of land issues as these arose as alternatives following government's inability to take charge in the study area. These may have prompted communities to "take matters into their own hands." In addition, this study based on the findings advances that it is important to point out that these outfits emerged as a result of land injustices that had pervaded the area for three decades. Today, five decades later, these issues remain largely unresolved.

The current study points to the fact that in terms of organization of the community based militia groups, little is documented about the MDF and PRM on their role as community counter-insurgency social movements in the management of land disputes in the study area- yet these are equally important players in balancing the homegrown extremism equation in the study area. The current study opines that the SLDF may have been documented by scholars from the subjective lens and as an irrational actor yet all the other actors- PRM and MDF were illegal entities. The current study also argues for more interrogation into MDF and PRM to better understand the dynamics of extremism over intractable land use conflicts in the study area. For instance, the SLDF and MDF all borrow the "DF" from the KDF thus denying the KDF autonomy as legitimate actors in matters of state defense. Yet, the current study argues that response approaches by state security apparatus to the community based outfits was subjective towards the demolition of the SLDF. The other outfit, PRM has the word "revenge" in its name which qualifies it as an illegal and extremist entity. Revenge against what, whom, and for what reason yet these seem not to be the targets of state security agencies as much as the SLDF were. How is it that the MDF and PRM were able to work alongside

government security agencies at the peak of the Mt. Elgon extremist attacks? The current study advances that this kind of bias in terms of response could be a factor that complicates and feeds into existing social cleavages and extremism in the study area. The next sections give a historical account of SLDF, MDF, PRM and the Mabanga Peace Accord.

6.1.1 The Sabaot Land Defense Force as a Community Based Approach Towards Land Conflict

The findings of the current study are consistent with Imbuye (2016) study on Intra-Ethnic Relations Among the Sabaot of Mt. Elgon, Kenya, 1945-2010 which implicitly recognized the SLDF as a community based approach in pursuit for land justice. It has to be noted that the emergence of the SLDF as a strategy in pursuit for land justice is an unconventional approach provoked by failure of state centric approaches to offer sustainable solutions to the land problem in the area. According to Imbuye (2016), the failure by the state to address the land question through a formal legal system led to the formation of the Sabaot Land Defense Force an armed group that first emerged in 2006 to resist government attempts to evict squatters in the Chepyuk area of Mt. Elgon.

Key players in the militia group leadership were the son of the Sabaot elder and spiritual leader Wycliffe Kirui Matakwei. For him to support his family he needed land for farming and that was why he and many other young people volunteered to fight if that was the only way to safeguard their land rights. Matakwei and other many young men volunteered to take up arms and fight the state machinery even before it began the eviction process. The Sabaot Land Defence Force (SLDF), comprised primarily of young men from the Soy clan. The militia group began by first targeting the members of the Mosop clan, who they perceived to be favored by the government in its land allocations while compromising the interests of the Soy clan. The attacks were soon

extended to the government installations and institutions who were blamed of being corrupt and unjust in their land allocation process.

The conflict in Mt. Elgon can strongly be attributed to forced eviction, which was to be effected by the Kenya government against some of the Sabot families who had lived in Chepyuk since 1971. The reason for the eviction was the argument that some of the families did not fulfill the requirements for allocation of land which they occupied. The eviction notice did not consider the fact that the community had occupied the land since their history of settlement and some laid claim on that land as their ancestral. Even those who had met the requirements and had large tracks, were required to give up part of it for further sub-division and sharing with other families or other clans. Among those who were to lose part of their land were respectful elders some of them spiritual leaders. They included the Sabot spiritual leader, Jason Psongoywo Manyiror, who had already subdivided what he had to give out to his sons. Taking part of some of the land already subdivided was a sign of conflict not only at the community level but also at a family level. The groups that were under threat of losing land would later on mobilize to seek a legal intervention to stop the government from taking their land. But the court seemed not ready to arbitrate in a fair manner. With the failure of the legal system, the young people mobilized to defend what they perceived as their land. Study findings bring to light the fact the SLDF arose out of frustrations from extended exposure to land injustices in the study area, and thus the outfit emerged based on the community's need to address these injustices.

6.1.2 Formation of Counter Insurgency Militia Groups: Moorland Defense Forces and the Political Revenge Movement

The Mosop and the Soy supporters came up with a new strategy to defend themselves from the pawns of the SLDF militia. They formed a counter-insurgency militia called

the Moorland Defense Force (MDF). The counter-insurgency stemmed from the need for self-protection by the Mosop and the Soy allied to Serut from the pangs of the SLDF militia. This was particularly so since the presence of the heavy security and the establishment of three police bases at Chepyuk, Kipsikrok and Kaimugul had not stopped the SLDF from unleashing its terror on the other group. More so, the respected Mosop elder and retired chief, Tenderesi Temoi precipitated in the formation of the Moorland Defence Force (MDF). As the name suggests, the MDF operated in the Moorlands from where the Mosop had been relocated earlier on and to which they fled back after the SLDF attacks. Just like the SLDF the MDF had retired army officers who trained the youth on various aspects of defense (Simiyu, 2007). However, MDF was not strongly publicized since they never aimed to harm innocent civilians and that the fighters surrendered their weapons when military operation took to the scene. They supported military operation against the SLDF. According to Luchuli (2008), one of the reasons for the establishment of the MDF was based on the reason that police bases did not protect them from the SLDF militia. A local religious leader, the Reverend Stanley Taboi, conceded that the Mosop took up arms but did not do so to fight innocent people but to defend themselves from SLDF aggression (Luchuli 2008) and that MDF fighters had surrendered their weapons because they supported the military operation against the SLDF.

There was yet another militia group that was formed to defend the Soy clan allied to Serut called Political Revenge Movement (PRM). It was based in the deep forest and its members are said to have been among key informers and associates of the army in identifying SLDF militia-men (KNCHR, 2008). The PRM was associated with former Kitale MP Davis Nakitare, who was arrested along with 205 youths undergoing military

training on his farm in the Rift Valley on February 25, 2008. Eventually the youth were released and Mr. Nakitare was released on bail. This was with regard to the computer/satellite screening of individuals who had held or used guns (IMLU, 2008). The question was whether the government would watch while another “state” was being formed. This was not going to happen. This prompted deployment of the army into the Mt. Elgon region. The researcher posits a number of questions with regards to cleavages in the study area, how is it possible that the latter two social movements- MDF and PRM were able to work with the state security agencies in the suppression of the SLDF? These questions point to subjective approaches by the state actors who at this point were supposed to be neutral. The researcher concludes, that for the Soy, this cooperation would definitely spell more grievance and marginalization in the post-conflict environment, albeit being latent in nature. It is possible to conclude that the Soy and Mosop communities may never trust each other when this peculiar cooperation is not addressed.

6.1.3 Mabanga Peace Accord

This section presents and discusses the Mabanga Peace Accord from a historical perspective. On October, 10, 2011 the Mabanga Peace Accord (MPA) was ratified by elders of the three communities (Bukusu, Sabaot and Teso) affected by intractable communal land use conflicts in Mt. Elgon region of Kenya. The Mabanga Peace Accord was taken up as a grass root and indigenous approach to reconciliation and conflict resolution of the Mt. Elgon Conflict. The agreement made provisions for the return of stolen land, end to tribal politics, and provisions for equity between tribes in terms of distribution of resources and political power. It has to be pointed out that the agreement was one of the efforts taken up at the grass root towards the realization of a positive peace framework given the imminent of devolved systems of governance and as such

MPA did not only look into land issues but a futuristic document with regards to access to power, governance and resources in the wake of devolution in Kenya (Wasinski, 2017). As already noted through the FGD discussions, the MPA agreement was not adhered to even in the wake of devolution as respondents in the study area decried further marginalization by the dominant Bukusu community.

The MPA document marked a pivotal point within the local transitional justice (TJ) process. In particular, it set up a plan of inter-community cooperation to be commenced in its aftermath, hence providing a framework for post-conflict management addressing issues of inter-community reconciliation within the context of prolonged land dispute. The MPA is a unique document, even considering the context of an enormously expanded modern TJ toolbox. Its uniqueness was evident in particular from: the civil society's grass root initiative standing as a principal factor canvassing the reconciliation and post-conflict resolution process, and the indigenous institutional framework employed by communities involved to heal inter-community relations (Wasinski, 2017).

While the MPA constituted a desired and indispensable element marking the beginning of the post-conflict reconciliation, some critiques argued that it was elitist and lacked a proper participatory mechanism which is a core ingredient in pursuit of post-conflict peacebuilding and reconciliation. Some proponents of participatory strategies in dealing with past conflicts argue that as many members of local communities affected by violence as possible should be able to take part in and contribute to justice processes (Cole & Ramirez-Barat, 2014).

Study findings with regards to the non-participatory nature of the MPA opined that the *Gacaca* Courts in Rwanda, for example, has been documented as an important model

solution to this end as it brings together victims, perpetrators, witnesses and judges to discuss, testify, reconcile and thus find unity (Clark, 2010). Similar participatory patterns and approaches to transitional justice may be observed elsewhere outside Africa. In Timor Leste, for example, the Community Reconciliation Process involved open hearings conducted in the villages. Culprits were given the opportunity to speak publicly about their offenses and ask for forgiveness. Victims were then asked to respond. A reconciliation panel comprising a regional commissioner and local community leaders mediated the hearings (Burgess & Wandita, 2014).

Against this background, the MPA, which was negotiated solely by councils of elders and imposed transitional justice solutions upon members of the relevant communities may appear as an elitist approach focused on gaining a political compromise and hence possibly sacrificing the interests of individual victims. Significantly, the agreement's wording accentuates the role of councils of elders as bearers of certain rights and duties (Wasinski, 2017). These bodies 'work towards' certain aims, 'lobby' to gain specified targets or 'be engaged' in specified activities. On the other hand, when 'victims' are mentioned, it is in terms of being 'assisted' by the councils of elders and other elites. Hence the victims are merely passive objects, and not active subjects of the agreement.

Yet, participation in post-conflict mechanisms can be advanced through different channels. Besides direct contribution of individual members of groups, participation can also occur through consultation and involvement of particular members of relevant communities, in this case elders. The fact that the MPA was negotiated, drafted and signed by elders seems justified considering the MPA's role as a roadmap for inter-community reconciliation in the aftermath of the conflict. In a sense, the scale of the conflict and the accompanying atrocities that transgressed individual perspectives and

meant that participation could not take the form of direct victims' involvement in the drafting process. On the other hand, this may have undermined the victims' position under the MPA and potentially subjugated them to broader community interests as advanced by leaders. This in turn may possibly generate alienation of the individuals, casting doubts on the effectiveness of the implementation process which followed. Indeed, McEvoy & Eriksson (2007) suggested that community participation in decision-making processes regarding the rebuilding of a society adds transparency, accountability, legitimacy, and, importantly, minimizes the risk of renewed conflict. Top-down initiatives need to be accompanied by culturally appropriate grassroots programs.

Importantly, the ceremony marking the adoption of the MPA was arranged as a social festival with people dancing, singing and clapping hands, in this way creating a visual symbol of turning to the law (not formally binding but establishing specific expectations as opposable to the preceding chaos), introduced by the councils of elders and epitomizing ancient rites of passage between what is to be rejected as spoiled or outworn and what is to be followed to heal the future. Although such a 'New-Age-styled' rhetoric may seem redundant for international lawyers who usually abstain from using anthropologist nomenclature and perception, they still must recognize the importance of the rite (Teitel, 2000). Indeed, one could argue that red carpets, seals and expensive Montegrappa pens used to sign international treaties serve the same purposes of solemnity and memorialization as slaughtering a bull planned at the end of Lodwar meeting to symbolize efforts toward peace (Hamber *et al.*, (2010).

Keeping in mind the rich practice of oral agreements in Africa, the MPA, which was adopted in a written form, could appear as non-indigenous (Haggman, 2007). However,

one must take into account that following colonization, African countries have tended to adhere to a global norm whereby the written word, in a colonial language, is the only one to be respected in dealing with contractual issues. In this vein, English language in Kenya has gained symbolic prestige as 'Her Majesty's' language of command, and became recognized as the official language of the Republic. Hence the choice to have a single authentic text of MPA written in English (and not Kiswahili, which is equally official but perceived as suitable for 'rural folk' and not for business) seems justified, further keeping in mind that the dialects used by the Bukusu, Sabaot and Teso communities differ while sharing the same Latin script. The major drawbacks connected with using an English version of the text is that it may cause symbolical alienation, and hence undermine the participatory character of the agreement.

6.1.3.1 Victim Rights Under the Mabanga Peace Accord

The MPA focused on land, ethnic and some post-conflict issues relating to the involved communities and consist of two Sections. Section A resolves on the land and reparatory issues while Section B refers to the problems concerning leadership and equal distribution of resources. The following paragraphs present summaries of these provisions from the perspective of victims.

Section A of the MPA combines remedial issues along with reconciliation between communities and their individual members. In principle, this part of the MPA addresses restitution as well as reparation. The 'reparatory' part briefly deals with the situation of victims and advises accessible tracts of land to all persons holding legitimate title deeds or any other supporting evidence confirming ownership of land from which they were evicted to: repossess their land; be issued with title deeds; be allowed to access and use their land freely; seek for legal redress for any other disputed land cases; and get

compensated for damages incurred as a result of the land clashes. To this end, the MPA recommends the above mentioned entities to provide 'assistance', however without directing any detailed guidance on how this support would be secured. Moreover, the MPA recommended that councils of elders shall lobby the Government to resettle all squatters and forest evictees. To date, this seems not to have been implemented thus informing the risk of extremism over intractable land-use conflicts in the study area.

While appraising the fact that all victims of the conflict, without any distinction, appear as beneficiaries of the agreement in respect of displacement and loss or destruction of property, the actual impact of the MPA on victims' ability to obtain restitution and reparation is significantly limited. In particular, the MPA constitutes nothing more than a political gentlemen's agreement, which is not enforceable before Kenyan courts and administrative organs. Further, the MPA does not resolve fundamental questions relating to what constitutes 'legitimate title deeds', and 'ownership' of the land still remains a highly disputed issue considering the longstanding failure of the governmental efforts to implement the Chepyuk Settlement Scheme between 1971-2011. Against this background, the MPA merely called the councils of elders to intensify lobbying the Government of Kenya for comprehensive completion of the Scheme. Hence the resolution of the land and displacement issues under the MPA was made depending on the aptness of governmental administrative and judicial actions to address and recover all the past irregularities or illegality in the acquisition of the land within the Chepyuk Schemes.

The 'reconciliatory' part of Section A addresses the causes of the Mt. Elgon Conflict. It introduces some fundamental principles indispensable for the establishment of the peaceful coexistence in the region. In particular, its provisions encourage inter-

community efforts aimed at eradicating political incitement or tribalism while also stressing the need to draw political and administrative boundaries taking into account the interests of minorities and marginalized groups.

The MPA neither creates its own dispute resolution mechanism nor does it attempt to influence directly existing rights by reintroducing customary rules - as was done by the Modogashe Declaration (Chopra, 2008). It seems instead that the inter-community reconciliation thus pursued constitutes a necessary precondition to resolve local conflicts through already existing State-based machinery.

Section B, again advanced reconciliation, but was more future-orientated than Section A. In particular, Section B established a framework for cooperation between the three neighboring communities with respect to issues such as firearms control, promotion of mutual recognition and inclusive culture, eradication of political intimidation, fighting against prejudice and acceptance of varied narratives concerning the past. They are reinforced by 'anti-discriminatory' provisions, which aim at promoting equity and inclusiveness in education, resource sharing, access to employment and promotion and administration of devolved funds.

While it is important to understand what the MPA articulated with respect to matters relevant for victims, it is also important to highlight issues on which the MPA is silent. Notably, the MPA did not address recommendations given by the international community in the Alston Report, which had directed the Kenyan Government to take appropriate steps in the aftermath of its military involvement in the conflict. In particular, the MPA did not address the commission of inquiry to investigate human rights abuses, the publication of data concerning persons detained in military camps, and provision of assistance to families of disappeared persons or protection of graves.

Similarly, the MPA did not introduce other possibly relevant transnational justice mechanisms concerning crimes committed during the Mt. Elgon Conflict, such as prosecution of perpetrators, truth-telling or memorialization of the past atrocities. Certainly, the omissions reflect the lack of joint will or agreement on how to introduce the aforementioned mechanisms.

Similarly, victims' access to criminal justice remains neglected despite the need to promote accountability for human rights abuses. For example, in November 2011 - just a few days after the MPA's adoption - eight residents of Mt. Elgon region, whose family members had forcibly disappeared during the clashes, filed complaints with the Kenyan police asking for investigations, but no further actions by Kenyan authorities followed (Wasinski, 2017). Similarly, the MPA does not contain any provision on rehabilitation of victims of violence in the form of medical, psychological, social or other support for persons affected by acts of violence. Overall, among the weaknesses of the Mabanga declaration is that it failed to take-off since there has been little or no commitment to pursue underlying causes of conflict in the study area thus pointing to "weak" application of community based approaches in the management of homegrown extremism over intractable land use conflicts in the study area.

Study findings on community based approaches are corroborated by Mac-Ginty (2010) study which advanced that conflict resolution can have both top-down (Western) and bottom-up (non-Western) ways. The bottom-up ways of conflict resolution are more relevant to the African condition than the top-down, because the African bottom-up conflict resolution mechanism bases itself on the philosophy of communalism. Attempting to solve African conflicts through court proceedings (Western model) fails to meet popular demand for it is sometimes contrary to the values of the African people.

But the bottom-up conflict resolution method is familiar and akin to the norms and social psychology of the people. The verdicts are given by elders who communicate with powerful spirits that can have an influence on the disputants.

Lederach (2005) argued in his book, “*The Moral Imagination: The Art and Soul of Building Peace*”, that in indigenous conflict resolution, elders have a ‘moral imagination’ that enables them to perceive things beyond and at a deeper level than what initially meets the eye. In this regard, Lederach perceived that indigenous methods have the quality of transcendence. It breaks out of what appear to be narrow, shortsighted, or structurally determined dead-ends.

According to Mwamvuneza (2018), taking cognizance limitations of conventional approach in conflict management, Rwanda reintroduced a number of unconventional approaches to realize post genocide development and peace building objectives. Rwanda reintroduced *Girinka* in 2006. *Girinka* is one of the homegrown initiatives, Rwanda Governance Board (2014) and its reconciliatory value is rooted in cow-revering culture of Rwandan people. *Girinka*—is nationally implemented in all 30 districts of Rwanda. Modelled on post genocide operatizing context, the revitalized *Girinka* Reconciliation Approach contributes to the addressing the “Them vs. Us” ethnic walls erected by Belgian colonialists and polarized by subsequent political elites after independence leading to 1994 genocide against Tutsi in Kamonyi District. The reduction of Tutsi-Hutu ethnic divide in Kamonyi District was empirically supported by 83% (249) out of 300 respondents who confirmed the statement. At least 89.6% (210.4) out of 300 respondents affirmed that the revolving process of *Girinka* between genocide survivors and former genocide perpetrators leads to strong interethnic bonding.

6.1.4 How Respondents Had Been Affected by the Land Conflict

The study sought to establish how land conflicts had affected households in the study area. Data on the same were collected, analyzed and the results presented in Table 6.1. Quantitative evidence in Table 6.1 established that 317 (29.7%) of respondents had been displaced and repossessed their lands, 247 (22.7%) of respondents indicated that they had been sexually violated, 113 (10.4%) (113) indicated that they had been displaced and dispossessed of their lands, 215 (19.8%) respondents had been tortured by KDF officers whereas 192 (17.4%) respondents indicated being tortured by SLDF.

Table 6.1: Table Showing Effect on Land Conflicts on Respondents in Mt. Elgon Region

		N	Percentage	Rank
Effect of Conflict	Displaced and repossessed my land	317	29.7%	1
	Sexually violated	247	22.7%	2
	Displaced and dispossessed	113	10.4%	5
	Tortured by KDF	215	19.8%	3
	Tortured by SLDF	192	17.4%	4
Total		1084	100.0%	

Source: Field Data (2021)

In terms of rank, households which had been displaced but disposed their lands ranked first (317) in terms of effect, SGBV ranked second (247), torture by KDF ranked third (215), torture by SLDF ranked fourth (192) and those who had been displaced and disposed ranked last (113). It is important to point out that a good number of these violations happened at the peak of the 2006-2008 conflict. In addition, some of these violations are ongoing in the study area- such as land dispossession through forced

eviction programs by the government which double up as violation of human rights. Indeed, these findings were corroborated with qualitative data gathered during a key informant interview in the study area.

Kuna mambo mingi imefanyika hii mlima Elgon. Hapa Kamarang kama maeneo zingine ya mlima Elgon, watu walikatwa maskio na mdomo. Kuna vijiji hazina wanaume juu waliuliwa na kupotezwa kwa lazima na vitengo vya usalama. Iko familia kadhaa hawajawahi rudi kwa boma na shamba zao tangu vita ya 2006-2008. Vile tunaongea hata hii leo, iko watu wanadhulumiwa kihaki za kibinadamu na vitengo vya usalama.

In Kamarang for instance, a lot of violations happened just like the rest of Mt. Elgon region. People had their ears and body parts mutilated. We have almost an entire village here in Kamarang with women whose husbands were either killed or disappeared. Some families have never come back to their lands following the displacements. As I speak to you today, there are so many violations being conducted by the state security agencies (Interview with a community elder in Kamarang Village. 02/12/2021)

The aforementioned excerpt paints a picture of gross human rights violations in all its forms. They point to factors that are likely to feed into extremism and grievance in the study area. For instance, displacement and dispossession means that a number of households have for almost fifteen years lacked land to support their livelihoods. The implication is that those households live in the squatter dorms of Mt. Elgon with no source of livelihood. The others are issues of SGBV which not only affected the women in the study area, men too underwent horrible happenings akin to castration which means a good number are unable to give life to future generations. The current study authoritatively argues that castration in all its forms is violent extremist proper, but it needs to be interrogated from the lens of ethnic cleansing which is common place in extremist and genocidal studies. In addition, a number of respondents experienced torture from both the SLDF and state security agencies. During both male and female FGDs, 100% of the respondents indicated that they had not accessed justice following the violation. To this end, therefore, the current study poses two fundamental questions:

Where do the people of Mt. Elgon run to? Who can they trust? The researcher opines that only the government of the day can fast track the issues of the mountain with further delays feeding into grievance and extremism and undermining its legitimacy. These findings are supported by Christian *et al.*, (2011) study on SGBV against men in Democratic Republic of Congo which established that SGBV against men, as for women, is multi-dimensional and has significant negative physical, mental, social and economic consequences for the male survivor and his family. SGBV perpetrated against men and boys is likely common within a conflict-affected region but often goes unreported by survivors and others due to cultural and social factors associated with sexual assaults, including survivor shame, fear of retaliation by perpetrators and stigma by community members. Male survivors and service providers also stated that rape was a strategy to humiliate men by emasculating them, as raping a man changes that man to a woman in the eyes of their family and community.

Study findings on SGBV are consistent with Ryanga (2010) study which examined rape as a weapon in the Mt. Elgon conflict. Ryanga (2010) study established that rape was the ultimate weapon of terror and the SLDF used it to their advantage. Rape when wielded as a weapon is often used to terrorize the masses and demoralize the enemy in a way only sexual violence can do. Rape is the violation of the woman. It signals the enemy's failure as a man to protect his woman. It is an effective way to dishearten and break the enemy's resistance. Physical weapons, such as *pangas* and guns, were used but they were not as damaging as rape as a weapon. A broken leg heals faster than a broken heart or spirit which is exactly why rape was used. This is because it has destructive effects. In the Mt. Elgon conflict, rape achieved what bullets and guns could not; humiliation, abject fear and total submission of the enemy. The study concluded

that sexual violence not only affected the women but the entire society. It not only impacted the victims, but also the perpetrator as they both grappled with the wide range of consequences that shattered the values and integrity of the Mt. Elgon community. These ramifications run from social issues, such as the rise of prostitution and divorce, to physical impacts like miscarriages, disabilities or diseases like HIV to psychological results like depression, low self-esteem and even suicide. These and a host of other consequences have indeed torn the fabric of the Mt. Elgon community in terms of trust, security and harmony.

Study findings on SGBV are corroborated by Gnanadason *et al.*, (2009) study which advanced that sexual violence against women in armed conflict situations is largely based on traditional views of women as property, and often as sexual objects. Women are transmitters of culture and symbols of nation or community. Hence defeating the enemy with the use of rape exhibits an expression of absolute power, a symbolic retribution, and blatant propaganda where “the body of a raped woman becomes a ceremonial battlefield, a parade ground for the victor’s trooping of the colors” (Turshen & Twagiramariya, 1998). As such, sexual violence directed against women is often considered an attack against the values or honor of a society and therefore is a particularly potent tool of war.

Women in the Sabaot community are not viewed any differently. They are seen as the keepers of the community’s identity and culture. Raping them thus is a violation of their cultural identity. Rape is considered a gross violation of the woman and Sabaot culture; it is lack of respect for the community. Rape is further considered to be the highest form of humiliation in the Sabaot community; better death than rape. Rape is seen as “a way of killing a person while they were still alive” (Turshen & Twagiramariya, 1998).

According to Ryanga (2010), some of the acts of rape were done in front of family members; especially in the presence of their husbands and children. This was aimed at demoralizing the men who were unable to protect their wives from sexual violation. It was meant to crush their spirits and beat them into total submission and ensure the supremacy of the SLDF.

Rape was also used to annihilate the Mosop; it was a silent killing machine. The SLDF youth intentionally never used condoms during the act. This was to ensure that women were infected with the HIV virus. This was a method of slowly killing them rather than ‘wasting’ their bullets. The infected women would in turn infect their own husbands and thus slowly kill their community. It was meant to wipe out the ‘enemy’ community (Ryanga, 2010).

On a less strategic level, rape was also used as a tool of vengeance. The SLDF youth raped girls who had refused to date or marry them before the war as a payback for their earlier rejection. This was the consequences of “*maringo yao*” (their pride). The Moorland Defence Forces are said to have also raped Soy women in retaliation of their own women being defiled by the SLDF. It is also said that the Kenya Army and GSU raped women on both sides as a tit for tat for all the female officers who had been raped while on the reconnaissance fact gathering mission. The Kenya Army are said to have raped women as a payback for the rape of their own female comrades (Ryanga, 2010). All these narrations explain the extremist nature and dynamics of the Mt. Elgon conflict.

It is important to note that women are not the only ones who suffer sexual violence during times of conflict. Men fall prey to sexual violence too. This sexual violence often comes in the form of sodomy. The goal of sodomy is humiliation and submission (Cockburn, 1998). In the Mt. Elgon conflict sodomy was used for this exact purpose. A

male member from Kopsiro was one such victim who was assaulted and later forced to join the SLDF. He was forced to engage in sodomy and oathing by many men so that he could not reveal their secrets and behave like them (Ryanga, 2010). It is evident that sodomy was employed as a weapon by the SLDF; a weapon to humiliate the ‘enemy’ men or force them to join the SLDF. Kimkung & Espinosa (2012) add that while men were also targeted for GSBV, these attacks were more targeted to young adult men who were tortured, castrated or raped. Reports estimated that approximately 600 cases of male castration were documented as part of the conflict in Mt. Elgon, crimes committed both by the SLDF militia and by the military deployed to stop the violence. There is no exact data on how many cases of female or male rape occurred during the conflict, due to the fact that perpetrators were still around and victims were afraid of the reprisals, not to mention the shame and trauma associated with the attacks. Male identity in terms of their masculinity had been strongly affected, either directly as a result of castration or rape or indirectly when unable to defend their family, property or clan against the SLDF or the militia. The current study argues for the need to interrogate sodomy- an act that is understudied in studies of homegrown extremism in the African continent.

On displacement and dispossession, the findings of the current study are in agreement with Kobusingye *et al.*, (2017) premise that, war creates ‘free’ land, which facilitates land grabbing. During and immediately after war land appears to be vacant, free or ungoverned due to displacement that took place. This attracts both outsiders and local people to appropriate land. In particular, communal land, is vulnerable to such land grabbing and these presents an important dynamic in post-conflict settings is that land virtually becomes the only source of livelihood, fueling the potential for land disputes.

The findings of the study on torture by SLDF are consistent with Ryanga (2010). The Mount Elgon Resident Association (MERA) estimated that over 1,600 civilians were killed within the three - year span of the conflict. This figure is, however, not exact as there are still those who are missing and thought to be dead in the forests of Mt. Elgon. The common method of killing used by the SLDF was beheading. The weapon of choice for these beheadings was *pangas* and *machetes*. After beheading, the bodies were thrown in latrines. It was seen to be the easiest way of disposing of the corpses. A victim of the brutality of the SLDF, compared the severity and callous killings by the SLDF to a slaughter house. He narrated that innocent civilians were being slaughtered like animals.

Furthermore, these killings were not random but organized. According to former SLDF soldiers, the SLDF had a ‘hit list’. This was a list of people who were marked for death. This hit list entailed individuals deemed to be a threat to the SLDF. These individuals included men who refused to join the SLDF militia or those who had deserted the SLDF. The SLDF had no mercy in their dealings with them. According to a former SLDF soldier:

Kulikuwa na hit list. Ukipatikana kwa hiyo list, lazima utauliwa. Tuliambiwa hao watu wanafaa kuuliwa mara moja. Tuliambiwa shoot on sight.

There was a hit list. If you were found on that list, you had to die. We were told that those people must be killed at once. We were told to shoot them on sight (Male victim of land conflict. August 18, 2021).

Other civilians who were marked for death were witches and wizards. The SLDF feared that they would cast spells or kill them and therefore eradicated them so that they would not impede their plans. Individuals found sheltering the ‘enemies’ of the SLDF, who were mainly deserters, were also killed as a form of punishment for aiding the enemy.

Brokers were also killed. 'Broker' was the name given to snitches and deserters of the SLDF. They were killed as a means of preventing the secrets and strategies of the SLDF from being divulged to the police force. In an interesting turn of events, members of the SLDF were not exempt from these killings. The SLDF had a strict code of conduct which if not adhered to resulted in dire punishment. SLDF soldiers who failed to comply with the rules of operation or those who could not keep up with the regime were reprimanded by beatings, mutilations and even death.

Aside from the killings, the SLDF also were known to beat civilians. These beatings would be done either using their fists or canes. The SLDF would beat civilians who refused to join their cause. According to former SLDF soldiers, one could receive up to one hundred strokes of the cane. The last form of physical violence that the SLDF employed was mutilation. These mutilations ranged from chopping off of ears and hands to padlocking one's mouth. These mutilations were done for specific reasons. The most prevalent form of mutilation was the chopping off of ears. They mainly used *machetes* to achieve this. It was done as a punishment to the disobedient and as a warning to others. Reasons for this form of mutilation were drunkenness, giving information to the police, disobedience and refusal to join the SLDF. Drunkenness was outlawed by the SLDF. They feared that if one was drunk, he would blab information about the SLDF to the police and thus weaken their operations. This served as a powerful deterrent for any opposition against the SLDF.

Besides chopping of victims ears, the SLDF also cut off people's hands using *pangas* and *machetes*. The SLDF had its own court system where 'guilty' residents were accused, tried, charged and sentenced. The SLDF became the prosecutor, judge and jury. The punishment of cutting off hands was for thievery. Furthermore, the SLDF, in

a bid to silence those who would reveal their secrets to the police, padlocked the mouth of police informants. This was done by taking a hot rod and piercing it through the upper and lower lip of the individual thus creating a hole; they would then insert a padlock in and lock the lips together. This was meant to be a warning to ‘loud mouths’; they would share the same fate if they divulged information about the SLDF to the police. The brutal nature of the physical violence and the weapons used leads one to conclude that it was done with the intent of instilling abject fear in the residents and squash whatever resistance they may be harboring in their hearts.

On torture by KDF, the findings of the current study are consistent with Ichani (2019) study. Ichani (2019) study, on respondents’ perceptions of military intervention in the Mt. Elgon Conflict established that KDF were the “lesser evil” as compared to SLDF. The current study opines that the tag lesser evil may have been used to give justification to the fact that in as much as the KDF may have committed acts of gross human rights violations, they did succeed in at least ending to two years long carnage of the Mt. Elgon conflict. Some of the of the human rights organization reports that documented on alleged human rights abuses and crimes against humanity by the military were: “*All the Men Have Gone: War Crimes in Kenya’s Mt. Elgon Conflict*” a report by the Human Rights Watch (2008). Second, “*Double Tragedy: Report on Medico-Legal Documentation of Torture and Related Violations in Mount Elgon Operation Okoa Maisha.*” Third, was the Medicines’ Sans Frontiers’ (2008) report, “*Mt. Elgon: Does Anybody Care?*” Finally, the Kenya National Commission on Human Rights’ (2008) report, “*Mountain of Terror*”. The negative reports over the military intervention was further given credence by the report of the special rapporteur on extrajudicial, arbitrary or summary executions who claimed that the police killings were officially sanctioned

and that there existed a police ‘death squad’. The report also highlighted that the government laxity which had allowed organized criminal gangs to operate with impunity amounted to abetting crime, claims which the government refuted. The government asserted that no torture had ever taken place and it did not condone extra-judicial killings. Instead the government was committed, to ensuring the rights of all. The government also reiterated its determination to help the people of Mt. Elgon area prior to operation *Okoa Maisha* through the Operation *Tafuta Amani*. But civil society groups insisted that the military operation was characterized by torture which amounted to human rights violation. The military strategy of rounding up all men was abhorred, the residents of Mt. Elgon District supported the intervention for ending the violence. The residents perceived the military action at least as a “lesser evil” (Ichani, 2019). Arising from the findings and discussions, the current study alludes that the effects of land conflicts on the respondents indeed play a role in feeding to grievance and risk of extremism in addition to perpetuating the intractable land-use conflicts in the study area.

6.1.5 Whether Respondents Had Made Attempts to Pursue Justice

The study sought to establish whether respondents had pursued justice following the effects of the conflict. Data on the same were collected, analyzed and the results presented in Figure 6.5.

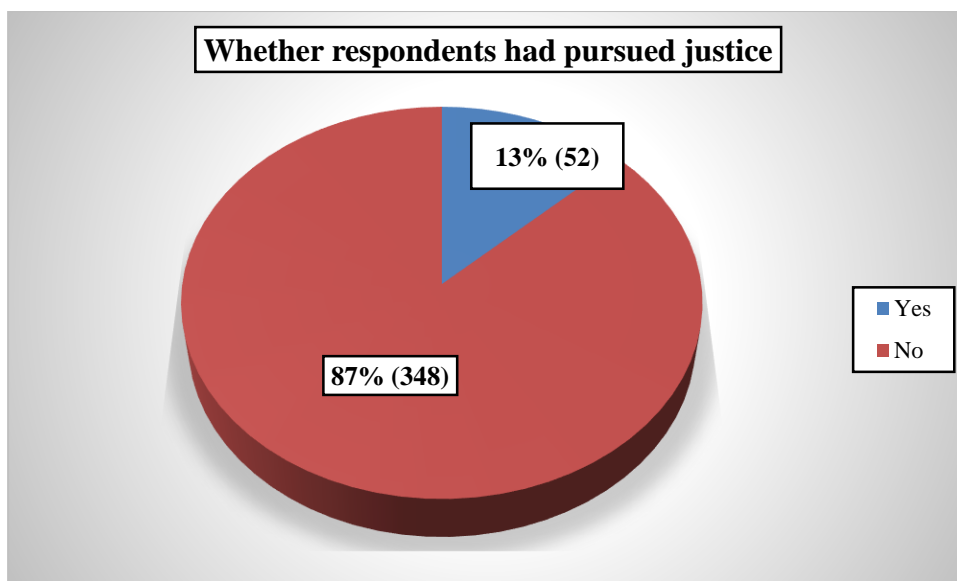


Figure 6.5: Whether Respondents Had Pursued Justice

Source: Field Data (2021)

Quantitative evidence in Figure 6.5 established that majority of respondents 348 (87%) respondents had not pursued justice whereas 52 (13%) respondents had pursued justice following the effects of the conflict in the study area. The current study based on the results in pursuit for justice reveal low access to justice which is a negation of SDG 16 towards attaining peaceful, just and inclusive societies. This, in particular given the fact that most of these atrocities had occurred over 13 years ago from the time of the study. These results, therefore, point to grievance and inform the risk of extremism. This is because, as it stands today, the conflict in Mt. Elgon in as much has been traditionally land based, is today enveloped with gross violations-a domino effect arising from past attempts to pursue land justice. There is therefore an urgent need for households in the study area to access justice in all its forms without which is a pre-condition informing current and future risk of extremism. The study adds that access to justice is a problem to marginalized and poor communities and this could be a factor informing the high response rate of 87% (348) respondents failure to pursue justice.

Study findings on access to justice were corroborated by FGD discussions. The following is an account given by male victim respondents during.

Singethubutu kuripoti dhuluma na mambo mabaya yenye nilifanyiwa kwa watu walionifanyia. Kuna watu waliumizwa na kudhulumiwa zaidi ya mimi na hawakupiga ripoti juu walidhulumiwa na ofisa wa serikali. Hatukuwa tunaamini kuwa unaweza ripoti dhulum kwa aliyejutendea dhuluma na upate haki.

I could not report torture to the people who caused harm to me, there were even cases that were more serious than mine and those were not reported, we did not trust that they could actually do anything to help us get justice (FGD with male victims, Sasuri Location, August 18, 2021).

TJRC pekee ndio ilikuwa inatupea Amani, juu baada ya wao kumaliza kusemezana na watu wa mlima Elgon baada ya wiki kadhaa, tuliadini ni hao tu ndio wangetatua shida zetu ndio tupate haki na usawa. Lakini, ripoti ya TJRC ilipotoka imebakia tu kwa Bunge.

Our only hope was TJRC, after weeks of consultations with the Commission, we believed that that could have served as our road to justice, but unfortunately, that was presented to parliament and the recommendations were shelved (FGD with male victims, Sasuri Location, August 18, 2021).

Mabibi na watoto wetu walinajisiwa, wake na waume. Wanaume walipotezwa kwa lazima na we wengine walitorokea Uganda. Tunatumai kuwa watawahi rudi siku moja kama bado wanapumua.

Our women were raped, even our boys were sodomized. There is a village that when keen while walking around, you must have noticed that there are no men. These men disappeared during the war and have never been seen again. Some of them were killed but it is said a number also escaped to Uganda across the mountain. We hope they will come back some day, if they are indeed alive (FGD with male victims, Sasuri Location, August 18, 2021).

Mimi ni skuota, baada ya kurudi baada ya fujo kutulia, nilipata skuota wenzangu pia wamekaa kwa mahali nilikuwa naishi kwa sababu serikali ilikuwa imekataza kukaa sehemu zingine. Ilibidi tuendeleo kukaa pamoja na tuendeleo kutafuta haki na usawa.

I am still a squatter, when I came back, I found other squatters had settled in my space, there is nothing I could do but just join them in the

pursuit for justice (FGD with male victims, Sasuri Location, August 18, 2021).

The current study argues for justice in two folds. First, the term justice refers to “the broadly held notion of fairness,” which, despite differences in context, is a universally relevant, albeit subjective, concept relating to just processes and outcomes regarding the distribution of power, resources, opportunities, and sanctions. A perception of unfairness is a key aspect of the relationship between grievances and mobilization to violence. Second, the institutional side of justice refers to “the institutions that are central to resolving conflicts arising over alleged violations or different interpretations of the rules that societies create to govern members’ behavior and that, as a consequence, are central to strengthening the normative framework (laws and rules) that shapes public and private actions” (World Bank 2011). Justice systems include the framework of institutions that determine how power is acquired and distributed, and they define the sanctions against abuses. They also adjudicate grievances in society and are the primary mechanism for redressing disputes and wrongs done. As such, justice systems go beyond the rule of law, which refers to the general compliance with laws in a society. The distinction is important, in that it is possible for a regime to act in accordance with the rule of law for its particular context and still violate, and be accountable to, the international system of justice.

This study is anchored on SDG 16 on peaceful, just and inclusive societies in support of peaceful and inclusive societies around the world by 2030, notably by: promoting the rule of law, transparency, accountability, good governance, and non-discrimination at all levels of government; ensuring equal access to justice for all and protecting everyone’s fundamental freedoms; significantly reducing violent deaths, torture, abuse,

exploitation, discrimination, human trafficking, corruption, and organized crime and significantly reducing all forms of violence and promoting peace. The current study points to the fact that 348 (87%) respondents non pursuit for justice is indeed alarming. It therefore alludes to a number of barriers to justice which may need to be rectified in pursuit for sustainable peace in the study area.

Study findings on lack of access to justice are corroborated with Carmona & Donald (2014) study on access to justice for persons living in poverty. The study highlighted a number of barriers to access for justice. First, stigma- due to deeply entrenched discriminatory stereotypes that assume that persons living in poverty are lazy, irresponsible, indifferent to their children's health and education, dishonest, undeserving and even criminal, police officers, court staff and other justice sector personnel, who reflect the discriminatory attitudes of wider society, often show discrimination or bias against the poor in their decisions or behavior. As a consequence, persons living in poverty are not treated fairly, efficiently and effectively throughout the justice chain, or in informal adjudicatory mechanisms. Stigmatization and prejudicial attitudes generate a sense of shame, discouraging persons living in poverty from approaching public officials and seeking the support that they need. This situation may be exacerbated when people living in poverty belong to groups that are under-represented in the justice sector and law enforcement personnel, such as ethnic minorities and indigenous peoples.

Carmona & Donald (2014) study added that, persons living in poverty may choose not to seek justice due to fear of reprisal or sanction from more powerful actors within or outside their community. The fact is that some persons living in poverty may not have a full legal status in terms of their housing, civil registration or immigration status and

in the case of Mt. Elgon-land title deeds, may prevent them from going to a formal court for fear of being sanctioned. In addition, persons living in poverty suffer from chronic powerlessness and may be economically dependent on or socially subordinate to other groups or persons. This severely undermines the likelihood that they will be willing or able to bring justice claims relating to those who are in a position of power over them.

Carmona & Donald (2014) study also added that the majority of the world's poor live outside of urban centers, often in remote, hard-to reach areas at great physical distance from police, prosecutors, courts, information and registration centers. Travel costs as well as indirect costs such as foregone work and childcare are unaffordable for many people living in poverty, and therefore the centralization of national justice systems constitutes a serious obstacle to access to justice for them. Police officers, prosecutors and lawyers are also concentrated in urban areas, along with registries for land titling, and births, deaths and marriages. Such factors often act as a persuasive deterrent against seeking redress from judicial or adjudicatory mechanisms, or may indeed represent an insurmountable obstacle for the poorest and most marginalized. For the poorest people, the need to travel a long distance to reach police stations, court houses or public registers often implies that they are in practice unable to seek redress or protection from violence, abuse and exploitation, and have greater difficulty in accessing documents such as birth certificates or land titles that are essential as evidence of their rights when they are contested, in land or inheritance proceedings or even forced evictions. Such distances may also affect the efficacy of the justice system and imply delays and needlessly lengthy detention periods. Moreover, high cost, complexities, excessive documentation requirements, geographically distant offices and time-consuming

processes of registration are great disincentives to accessing registration services for the poorest and most marginalized.

While the general population may find it difficult to understand legal or judicial terminology, the complexities increase in multilingual and multiethnic societies. In such countries, legal proceedings are often conducted in the official language, while many persons living in poverty only speak local languages or dialects. Similarly, judicial systems that are heavily reliant on paper forms and written submissions put illiterate persons in a disadvantaged position. While individuals facing a criminal charge have the right to a free interpreter under international human rights law, in practice this service is often limited, unavailable or reserved for those who speak a foreign language, rather than a minority language or local dialect, and is rarely provided in civil cases (Stroud, 2010).

The justice system, especially the formal justice system, is the space where rules and power are ultimately defined. These rules protect the basic rights that allow individuals to enjoy the benefits from the other arenas. The justice system is the ultimate guarantor of the right to physical integrity, which underlies all other rights through the sanctions it imposes on violators. Most governments have strong written policies that guarantee the right to physical integrity, which includes the right of protection from extrajudicial killing, torture, political or wrongful imprisonment, or enforced disappearance. If the state violates these rights or tolerates impunity for their violation, it can exacerbate grievances, particularly when these manifestations of injustice overlap with perceptions of exclusion, unfairness, or inequality (Cingranelli *et al.*, 2017).

It is important to point out that, access to the justice arena partly determines fair access to the other arenas. Perceptions of injustice can be situated or can originate in the other

arenas, but are ultimately resolved within the justice and conflict resolution systems. For example, unfair outcomes in access to natural resources and their benefits are addressed within the justice system. Put another way, the credibility and legitimacy of the justice system has an impact on the functioning of other arenas and on the population's perceptions of fairness and legitimacy overall.

The security and justice arena is central to understanding and preventing violent conflict. Security and justice institutions, whether formal or informal, impose sanctions on violence and limit the harm that violence can cause. Severe deficits in the governance of this arena, including lack of accountability, transparency, and responsiveness, can result in a breakdown in the rule of law and, consequently, impunity. If rules and norms regarding violence are discriminatory or poorly enforced, groups may cease to rely on institutionalized security and justice sectors and may seek security and justice elsewhere (World Bank, 2011). These issues are specifically addressed in the 2030 Agenda. SDG 16 emphasizes effective, accountable, transparent, and inclusive institutions and specifically aims to reduce all forms of violence (target 16.1), particularly against children (target 16.2), promote the rule of law at the national and international levels and ensure equal access to justice for all (target 16.3), and, develop effective, accountable and transparent institutions at all levels (target 16.6),

6.2 Government Based Approaches to Land Conflicts

This section presents and discusses findings on the role of government approaches in ensuring equitable access to land and preventing land injustices in the study area. The section presents and discusses findings on the usage of Ministry of Lands and the

National Lands Commission in the management of land conflicts in Mt. Elgon Region, Kenya.

6.2.1 Whether Respondents Had Encountered the Ministry of Lands

In the Global South, land is a central issue in governance systems. Therefore, governance systems play a fundamental role in ensuring equitable distribution and access to land without which leads to conflicts, sometimes intractable as the case of the study area. In Kenya, one such actor that appears to be key in and issues, is the Ministry of Lands and Physical Planning. The current study sought to establish whether respondents had encountered the Ministry in their pursuit for land justice in the study area. Data on the same were collected, analyzed and the results presented in Figure 6.5.

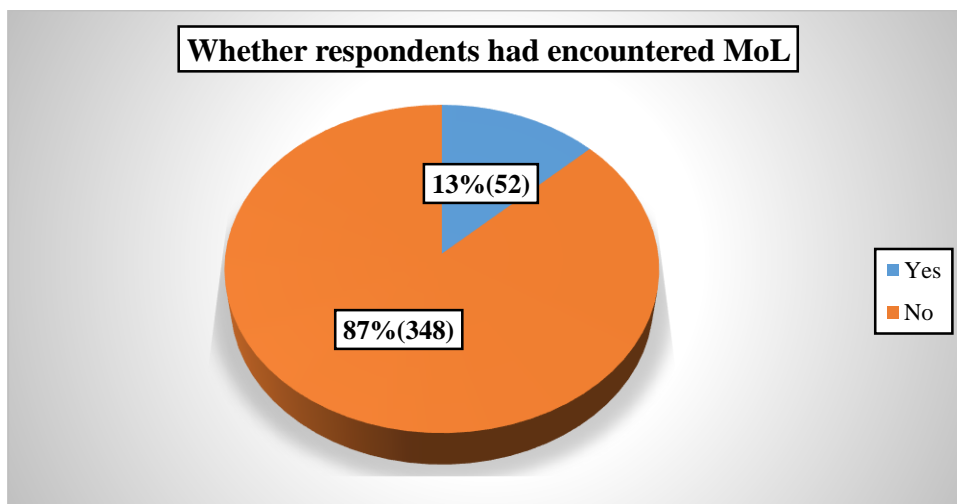


Figure 6.5: Whether Respondents Had Encountered the Ministry of Lands

Source: Field Data (2021).

Quantitative evidence in Figure 6.5 reveal that majority 348 (87%) of respondents had not encountered the Ministry of Lands with only 52 (13%) of respondents agreeing to having encountered the MoL in pursuit of their land issues. Based on the aforementioned results, the current study is cognizant of the fact that despite the

existence of historical land issues in the area- dating almost five decades old, households' encounter with the MoL remains significantly low for an issue that is historical in nature. To this end, the current study advances a number of arguments that are likely to feed into issues of encounter with the MoL. First, the study opines that MoL is or ought to be the first line of response on land issues in Kenya, and as such, the statistics in this finding raises a number of questions. One such is the question of access and availability of the MoL offices and officers in the study area and their availability to the land issue which points to the issue of systemic violence.

The second question is that land issues of such a magnitude that have even culminated to carnage of conflicts threatening national security structures leading to deaths, gross human rights violations, destruction of property and massive displacement of populations, who reaches the other? Is it the MoL that reaches out to households or vice versa? The current study opines that it is unlikely that households will reach out the MoL for lack of tenure security through legal documentation and identity of land in the form of title deeds and allotment letters in addition to existing systemic barriers. However, in the government's quest for sustainable peace in the study area, the MoL ought to be at the vanguard of the management of land issues. Their presence in the area ought to be pronounced and assuring following the 2006-2008 massacre, this way, the current study advances would be the one of the ways to assure post-conflict co-existence of communities and a method to reduce grievance as communities alongside the MoL work towards sustainable approaches to land governance. In addition, MoL's pronounced presence would also serve to inspire confidence of the affected communities of their commitment to ending the land stalemate. Study findings on

absence of the Ministry of Lands in the study area were corroborated with a key informant interview who gave the following account of the MoL.

Watu wa Mt. Elgon hatujawahi ona Wizara ama waziri wa Ardhi. Tuliwaona miaka ya kale wakikuja na masaveya kupima mashamba. Karibu tushawahi kuwa na hii wizara ya ardhi ni wakati Rais alikuja kupeana vyeti ya mashamba wakati wa siasa 2017 akitafuta kura. Ukiongezea ni ati kuwa ofisi za wizara ya ardhi ziko mbali sana na hapa. Ziko Bungoma. Maafisa wa wizara ya ardhi hatujawaona hapa tangu vita iishe. Kama hao hawaonekani inakuwa ngumu kwetu kutatua hii mashida ya shamba tunayopitia mlima Elgon.

We have never seen MoL officials since their surveys that lacked transparency in the build up to the conflicts. The closest we have been to the MoL is when the President came here in 2017 while asking for our votes with the promise to address our land issues. The closest office from here is in Bungoma, but how can we possibly get started when we do not have land documentation? The Ministry should perhaps reach out. We interact more with the security forces than the Ministry in our areas. The MoL has been absent and we do not know how to overcome these hurdles (Interview with a community elder in Kamarang Village. 02/12/2021)

The findings of the current study are a negation of the supreme laws of Kenya which seek to ensure equitable distribution of land and resources. The Constitution of Kenya (2010) declared that “land in Kenya shall be held, used and managed in a manner that is equitable, efficient, productive and sustainable, and in accordance with the following principles: equitable access to land; security of land rights; sustainable and productive management of land resources; transparent and cost effective administration of land; sound conservation and protection of ecologically sensitive areas; elimination of gender discrimination in law, customs and practice related to land and property in land; and encouragement of communities to settle land disputes through recognized local community initiatives consistent with this Constitution” (Article 60). These are conducted by the MoL State Department for Lands. All these variables seem to be absent in the study area and hence, a factor that feeds into grievance and extremism.

The MoL in the case of Mt. Elgon seem to be a factor that feeds into the intractability of the land conflict and extremism within and among communities. The study, based on the findings advances that the perceived absence of lack of prominence of the MoL also informs issues of state legitimacy and provision of services. The current study opines that, it is the lack of state legitimacy and pronouncement of MoL's authority in addressing the land question in Mt. Elgon that led to the formation of non-state extremist actors in the form SLDF, MDF and PRM at the peak of the conflict in 2006-2008.

Study findings on seeking alternative avenues (SLDF) to existing governance structures are in agreement with studies by Omeje (2004) and Omotola (2006), both in the Niger Delta who argued that it is no coincidence that one of the worst forms of political violence in Nigeria originated in the most socio-economically deprived parts of the country. Omeje (2004) noted that, in the North, for example, where unemployment and chronic poverty are rife, radical Islamists groups have continuously challenged the authority of the state. In the South-East, specifically the Niger Delta where Nigeria's oil resource is located, environmental degradation caused by irresponsible oil practices has compromised the major source of livelihood of indigenous people. This, in turn, has given rise to various militant groups in the region, often consisting of unemployed youths, who have engaged in kidnappings, oil pipeline vandalizations, extortion, car bombings, and other forms of violent attacks against the Nigerian state and its oil infrastructures (Omeje 2004; Omotola 2006).

The findings of the current study on access to services are consistent with Omoeva & Buckner (2015). According to Omoeva & Buckner (2015), service delivery can affect the risk of violence in that it affects state legitimacy. While service delivery is not the

only determinant of state legitimacy, it is a primary way by which many citizens directly encounter the state and shapes their overall perception of it. In the hierarchy of political goods, the relevance of services has been referred to as giving “content to the social contract between the ruler and ruled”. Specifically, the delivery of education, health care, water, sanitation, and even justice and security have been described as “the glue” that binds state and society together. These services are the most tangible expression of the basic minimum that citizens expect from the state in exchange for their deference to the state’s rule over them. The degree of legitimacy that the state enjoys depends on people’s expectations, which are, in turn, shaped by their prior experiences, geography, identity, and culture (Sturge *et al.*, 2017).

Uneven coverage of services can undermine state legitimacy, when it is viewed as a manifestation of group exclusion. Perceptions of unequal or exclusionary access to services influence the way citizens regard the “rightfulness” of the state (Dix *et al.*, 2012). According to one study, patronage politics in Sri Lanka has meant that poorer and less well-connected individuals fail to access social protection transfers as a result of a bargain forged among wealthier and more powerful members of society (Nixon *et al.*, 2017). In Colombia, Liberia, and Nepal, unequal or exclusionary access to public goods has also been detrimental to perceptions of state legitimacy (Dix, *et al.*, 2012). In these cases, uneven service delivery can stoke grievances against the state or against groups that are seen to be receiving unfairly disproportionate access. Reforms of service delivery can generate grievances that lead to violent conflict “when the rules and patterns of distribution are perceived by some to be unjustifiable and unfair” (Sturge *et al.*, 2017).

The legitimizing effect of service delivery also depends heavily on how services are delivered. A five-country study of citizen perceptions and service delivery in conflict affected contexts established that, with regard to state legitimacy, fairness and inclusiveness in the service delivery process matters as much as, if not more than, the quality of services or who delivers them (Sturge *et al.*, 2017). Similarly, other research studies across different contexts established that "the perceived fairness of the process by which authorities and institutions make decisions and exercise authority is a key aspect of people's willingness to comply with it" (Mcloughlin, 2015a).

When services are not delivered appropriately, state legitimacy suffers. Service delivery that falls short can undermine perceptions of government and can have a delegitimizing effect (Sturge *et al.*, 2017). Legitimacy is grounded in justifiable rules and can unravel when power is used in ways that are not justified (Mcloughlin, 2015a). Delegitimization can happen when institutions or individuals charged with exercising authority breach social norms or when these norms change in relation to governing rules and practices (Mcloughlin, 2015a). These point to relative deprivation and when households are exposed to injustices over extended periods of time, this will likely feed into grievance and the risk of extremism not only in the study area but all other areas where the research problem can be replicated.

6.2.2 Whether Respondents Were Satisfied with Ministry of Lands

The study also sought to establish whether respondents were satisfied with the MoL in terms of accessibility, affordability, time taken, ease of procedures and provision of equal opportunities. Data on the same were collected, analyzed and the results presented in Table 6.2. Quantitative evidence in Table 6.2 revealed that majority of respondents

were in disagreement with satisfaction with their encounter with the Ministry of Lands in terms of: Accessibility where 348 (87%) of respondents disagreed with only 52 (13%) agreeing; Affordability where 388 (97%) of respondents disagreed with only 12 (3%) agreeing; Time taken where 400 (100%) respondents disagreed with (0,0%) agreeing and on provision of equal services 392 (98%) respondents disagreeing with only 8 (2%) agreeing.

Table 6.2: Whether Respondents were satisfied with the Ministry of Lands

	Item	Yes	Frequency	No	Frequency
1.	Accessibility	13%	52	87%	348
2.	Affordability	3%	12	97%	388
3.	Time taken	0%	0	100%	400
4.	Ease of procedures	2%	8	98%	392
5.	Providing equal opportunities	2%	8	98%	392
	TOTAL	100%		100%	

Source: Field Data (2021)

Study findings on satisfaction with MoL services indeed align with MoL Strategic plan for 2020-2024 which identified challenges that are hampering effective service delivery. These hurdles included manual land records which hindered the Ministry's efforts towards expeditious land transactions, outdated pieces of legislation, high number of litigation cases leading to delays in the determination of the claims and economic use of the land. These, amongst other issues led to the identification of four (4) strategic focus areas: digitalization of land records and processes, national titling

programme, policy, legal and institutional reform, and decentralization of land administration services and processes. These findings thus pointed out to an acknowledgement by MoL on their inability to conclusively address land issues not only in the study area but also in Kenya. This, if not sorted will likely continue feeding to grievance and the risk of extremism in the study area but also in areas with emergent land problems.

6.2.3 Respondents' Rating of Ministry of Lands

The study also sought to establish from the respondents encounter with the Ministry of Lands how the various services rated. Data on the same were collected, analyzed and the results presented in Table 6.3.

Table 6.3: Ministry of Lands Rating by Respondents based on Parameters

	Item	1-3 (Poor)	4-6 (Average)	Above 7 (Good)
1.	Issuance of title deeds	97% (388)	3% (12)	0% (0)
2.	Land registration	100% (400)	0% (0)	0% (0)
3.	Securing land tenure	98% (392)	2% (8)	0% (0)
4.	Enabling equitable access to land	100% (400)	0% (0)	0% (0)
5.	Sustainable management of land	83% (332)	12% (48)	5% (20)

Source: Field Data (2021)

Quantitative evidence in Table 6.3 revealed that out of 10: On issuance of title deeds, majority 388 (97%) of respondents gave the MoL a score of between 1-3, 12 (3%) of respondents gave MoL a score of between 4-6, whereas no 0% (0) respondents gave the MoL above 7. Based on the Likert scale indicators, on issuance of title deeds, MoL was

rated poorly. The current study argues that issuance of title deeds in Mt. Elgon by MoL is extremely low to inspire any hope against the risk of extremism in the study area. Indeed, findings during the FGD discussions indeed confirmed that 400 (100%) of respondents had not accessed any documents including those that were allegedly distributed during the general elections campaign period of 2017.

On land registration, majority 400 (100%) of respondents gave MoL a score of between 1-3 with no respondents giving 4-7 or above 7. Based on the Likert scale indicators, on land registration, MoL was rated poorly. Land policies are required to improve tenure security and maintain land transactions in developing countries (Jayne *et al.*, 2019). Securing land rights requires developing and implementing policies as well as legal and practical tools tailored for different groups and circumstances, and paying special attention to the specific needs of vulnerable groups. A sound land administration system is key to protecting land rights and maintaining sustainable development by integrating records of land ownership, land value, and land use with sociological, economic, and environmental data. Moreover, strong institutional arrangements and procedures are crucial for the successful implementation of a sustainable land administration system. Modern land administration systems comprise an extensive range of processes to manage land tenure, land value, land use, and land development, which facilitate economic, social, and environmental sustainability (Williamson *et al.*, 2010). Land administration is about the common tenure processes, such as titling of land, transferring of land, and establishing a cadaster. Hence, good governance in land administration protects the property rights of individuals.

In addition, study findings on land registration are not consistent with Boone (2018) who advanced that land rights formalization is seen by land rights advocates as a way

of protecting ordinary farmers and pastoralists from the threat of predatory states and markets: registration is seen as a means of legal empowerment that enables the poor to defend their property rights. Human rights advocates promote registration as means to legally-empower marginalized ethnic groups and indigenous peoples at risk of territorial encroachment and dispossession: it is part of ethno-justice agendas in parts of Latin America, Africa, and beyond.

On securing land tenure, majority 392 (98%) respondents rated the MoL between 1-3, 8 (2%) of respondents rated the MoL between 4-6 whereas no respondent gave the MoL above 7. Based on the Likert scale indicators, on securing land tenure, MoL was rated poorly. This poor rating of MoL is a negation towards pursuit for the SDGs. Securing land rights is recently recognized as a key strategy for the achievement of global sustainable development agendas. Reforms of land administration systems in developing countries are a precondition to achieving the UN Development Goals and to strengthening the tenure security of rural societies, since the diverse nature of customary land tenure systems in developing countries threatens the tenure security of rural households. The 2030 UN development goals, especially Goal 1 (end poverty), Goal 2 (end hunger), Goal 5 (achieve gender equality), and Goal 15 (life on land), particularly call for paying attention to access to and control over land as well as to sustainable management of land and associated resources. Hence, a modern land administration system, including formal land registration, titling, and certification, has been perceived as a precondition to secure property rights and agricultural development. For positive societal changes, land tenure should be administered properly by establishing formal land titling procedures (Biraro *et al.*, 2021). De Soto (2000), argued that land titles empower the poor. In particular, with regards to securing

land tenure for the respondents in the study area, the MoL of land based on rating seems to have performed to poorly and thus translating into more grievance and the risk of extremism.

On enabling equitable access to land, all 400 (100%) of respondents rated the MoL between 1-3, whereas none of the respondents gave the MoL a score of 4-6 and above 7. Based on the Likert scale indicators, on equitable access to land, MoL was rated poorly. Land registration and titling in Africa is often advocated as a pro-poor legal empowerment strategy (Boone, 2019), since in areas, where customary land tenure systems govern access to land, most land remains unregistered and without formal ownership or use rights document. To this end, therefore, formal land administration institutions and land certification and registration programs are currently implemented in many African countries (Holden *et al.*, 2010).

On sustainable management of land, majority 332 (83%) of respondents scored the MoL between 1-3, 48 (12%) of respondents gave the MoL a score of between 4-6 whereas only 20 (5%) of respondents scored the MoL above 7. The findings of the current study are not consistent with Behaylu *et al.*, (2008) study in Ethiopia which established that the strategies of sustainable development and poverty reduction of the Ethiopian government emphasized the land registration and certification process to guarantee land tenure security. It is a vital tool for farmers to invest in their land and improve productivity. The aim of Ethiopia's rural land administration and use is to maintain the sustainable management of natural resources and increase agricultural productivity by improving the land tenure rights of rural societies.

Overall, the rating of MoL are not consistent with the Ministry of Lands & Physical Planning (2022) report presented by the Cabinet Secretary (CS) to the National

assembly of Kenya. The report indicated that, the National Titling Program launched by the Government of Kenya in 2013 was as a result of the realization that lack of security of tenure. The program also recognized the fact that, lack of security of tenure had led to serious land disputes and hence a lot of capital was locked up in land since people without title deeds could not access credit. The aim of the programme was to fast-track the registration of unregistered land in the whole Country through a systematic registration of all property in the Country in order to provide security of tenure to properties. It also aimed at fast-tracking adjudication and settlement programmes through Rapid Results Initiatives (RRI) to carry out demarcation and surveying as well as resolving adjudication disputes.

The report outlined that the National Land Titling Program had made a number of achievements with regards to issuance of title deed to the citizens of Kenya. The Ministry report indicated that MoL had processed a total of 410,010 title deeds out of which 300,429 were from sub-divisions in counties; 63,657 were from adjudication sections, 4,479 from settlement schemes; 23,500 titles for Nairobi and Embakasi Ranching Company; 9,348 titles for informal settlements; 8,597 for dissolved Group; Ranches and Municipality area in Samburu County and 10 for community lands. On settlement of squatters and landless populations, MoL had spent a total of 755 million for the acquisition of land for settlement in in Mikanjuni in Kilifi and Kadzandani (Mafisini) in Mombasa. A 91-acre piece of land in Kilifi was acquired, surveyed and demarcated to accommodate the squatters (Ministry of Lands & Physical Planning, 2022). This study poses a question on why the report was silent on the squatter dorms of Mt. Elgon region. This further points to the issue of structural and systemic violence. How is it possible that issues in such a volatile area were not part of MoL's report?

Indeed, these findings reflect the fact that respondents in the study area had barely accessed the MoL offices and its officers in pursuit for land justice and thus perpetuation of systemic violence against the community. This, according the study is likely to feed into grievance and the risk of extremism in the study area.

6.2.4 Whether Respondents Had Encountered the NLC

The study also sought to establish whether respondents in their pursuit for land justice had encountered the National Lands Commission of Kenya. Data on the same were collected, analyzed and the results presented in Figure 6.6.

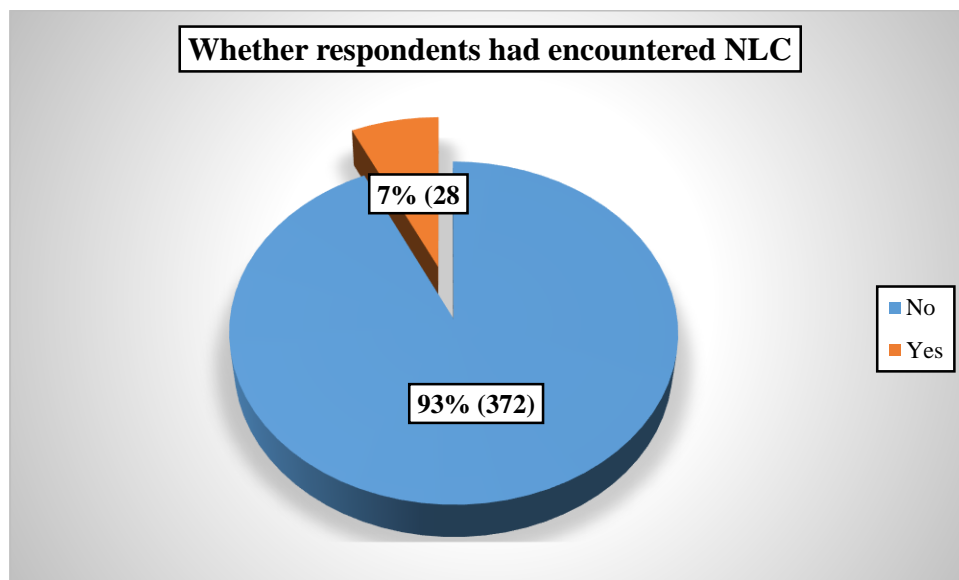


Figure 6.6: Whether Respondents Had Encountered NLC

Source: Field Data (2021)

Qualitative evidence in Figure 6.6 revealed that majority 372 (93%) of respondents disagreed to having had encountered the NLC in their land problems, only 28 (7%) of respondents agreed to having encountered the NLC. Study findings on majority 372 (93%) respondents non encounter with the NLC points to a problem of either access and availability and generally a systemic problem with regards to the land question in Mt. Elgon region. NLC is an important actor especially given that its establishment

coincides the land reform and structural peacebuilding agenda in Kenya following the violent period: first, the 2 years long violent and extremist contestations in Mt. Elgon and secondly, the post-election violence with the two conflicts bringing to light the need to address the historical land injustice question not only in Kenya's political landscape but also, Mt. Elgon ought to have emerged as a high priority area in the list of NLC's priorities. Yet, the current study points to a possible problem of extended structural violence against the Mt. Elgon community due to majority respondents non-encounter with NLC. The establishment of NLC in 2012 came as a long-term mediator in addressing the land question in Mt. Elgon region yet respondents' non encounter with is a negation of the establishment of the Commission. Lack of encounter with the NLC is an issue likely to feed into grievance and risk of extremism- especially when the respondents seem to have expected more from them in terms of the Commission's commitment in responding to the fairly entrenched land question in Mt. Elgon Region. The current study opines that NLC's presence in the area would inspire new hope with regards to managing land question and reducing grievance and the risk of extremism in the study area.

Study findings on access to NLC are a negation of NLC's Act of 2012 and the CoK (2010). Pursuant to article 67(2)(e) & (f) of the Constitution of Kenya, the Commission has the mandates of initiating investigations, on its own initiative or on a complaint, into present or historical land injustices, and recommend appropriate redress; and encouraging the application of traditional dispute resolution mechanisms in land conflicts. Additionally, under Article 252(1)(b) of the Constitution of Kenya, the Commission has the necessary powers for reconciliation, mediation and negotiation. These Constitutional mandates suggest that the Commission has critical role to play in

fostering conflict resolution on land matters throughout the country by applying the practices of civil litigation and Alternative Dispute Resolution (ADR).

The Land Laws (Amendment) Act of 2016 gave the Commission five (5) years to receive historical land injustices (HLI) claims. This period lapsed on 21st September, 2021. The Commission received 3,663 claims from 2017 to 2021. Kilifi County had the highest submitted claims (54%) while Nyamira had the lowest (1%). Bungoma County had only 17 claims accounting for 0.5% of the cases of land injustices. The current study based on the extremely low numbers in Bungoma- which Mt. Elgon region is part of questions whether these low numbers are indeed an issue of accessibility Kilifi, Mombasa and Kwale Counties had the highest claims accounting for 65% of all the cases. Overall, findings on encounter with NLC are crucial in understanding the risk of extremism with regard to NLC as an actor, yet its absence in the study area paints a picture of extended marginalization and thus a risk factor of grievance and extremism,

6.3 Law Enforcement Based Response Approaches to Land Conflicts

This section sought to evaluate the role of state security law enforcement agencies in the management of intractable land issues in the study area. It presents and discusses findings on frequency of police usage in the land conflict, their effectiveness and their role in managing the conflict. In presenting and discussion of study findings on police usage, the following three eras are considered. First, in the pre-2006-2008 era, during the 2006-2008 war and last in the post 2008 era. These are presented and discussed in subsequent sub-sections.

6.3.1 Frequency of Police Usage in Land Conflicts in the Area

The study sought to establish how often police officers were involved in land disputes in the study area. Data on the same were collected, analyzed and the results presented in Figure 6.6. Study findings in Figure 6.6 revealed that 188 (47%) of respondents indicated that police officers were very often used, 104 (26%) respondents indicated that the police officers were occasionally used, 88 (22%) respondents indicated that police officers were rarely used, 12 (3%) respondents indicated that the police were never used and 8 (2%) of respondents indicated that the police were rarely used. Quantitative evidence points out that respondents agreeing to police usage in the study area indicated at 47% and 26%, accounting for 292 (73%) of all responses for this item that the police were very often and occasionally used in solving the land conflict in the study area.

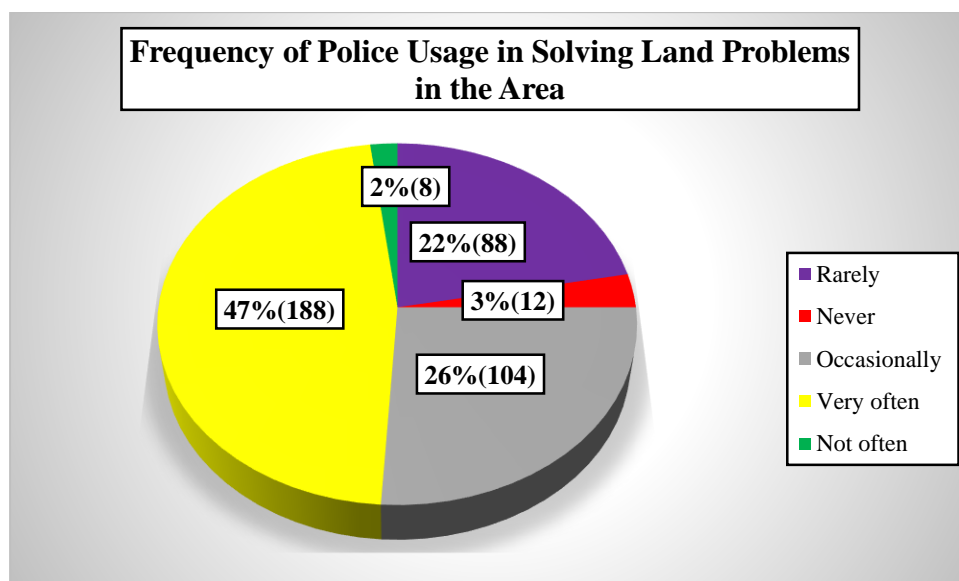


Figure 6.6: Frequency of Police Usage in Land Problems in Mt. Elgon Constituency

Source: Researcher (2021)

Arising from the findings, the current study raises a number of questions. One such is the role of police officers in solving land disputes. The second one is the role of the

police response approaches in informing grievance. The third question is the rationale of usage of police in a conflict environment where the governance systems have been accused of bias. The current study advances that the role of the police is maintenance of law and order this may have been applied extensively during land survey periods, balloting and during the period that followed the carnage of the conflict. Yet, from the data collected, respondents revealed that the police have been an almost omnipresent figure in the study area. Respondents accounts of police officers during FGD discussions revealed that the police have been the most visible actors of all government actors- and not appearing in their role as agents of maintenance of law and order. Respondents during FGD gave the following accounts when asked about the frequency of police usage in the study area.

Naweza kuambia hii vita ni kama imekuwa yetu dhidi ya polisi. Mara yenye sisi huzozana na polisi ni mingi sana kuliko vile sisi huzozana wenyewe kwa wenyewe dhidi ya hii vita ya mashamba. Wakati tumepanda, haiwezi pita mwezi moja bila kuona malori ya polisi ikipita. Sisi huona polisi kuliko watu wa Wizara ya Ardhi. Sasa sijui hii mzojano ya mashamba imegeuka kuwa yetu na polisi ama?

I can tell you today that as a matter of fact that because of our regular interaction with the police, the land issue in Mt. Elgon seems to have turned out to be a battle between us and the police. It is not rare to see police lorries here. The Ministry of Lands is absent and the police are omnipresent, we don't know whether it is the police who are supposed to give us land title deeds. (FGD with male victims of land conflict, Sasuri Location, August 18, 2021).

Hata miezi mbili haijaisha, ukiangalia ile nyumba pale ni ya huyu hapa, alikuwa ameanza kujenga lakini walikuja kuhamisha yeye na sisi wengine. Saa ingine ni kama wao tu hukuja kujaribu kuona kama tumepanga vita. Hatuwezi pigana tena, tunataka tu serikali itupee mashamba yetu. Vita ile ya SLDF haikuwa ni ya ubaya na mtu yeyote ila kupigania haki ya sisi maskini wa Mt. Elgon.

It's barely two months, you see that structure over there, I had began building but the police came to evict us. Sometimes we think that they always come around to see if we are engaged in any forms of training

and preparation for violence. No! we will never engage in unconventional means of trying to solve the land issue in Mt. Elgon. Even when we formed the SLDF, we had no ill intentions, it was all in our quest to fight for land rights which the government had failed to address.... (FGD with male victims of land conflict, Sasuri Location, August 18, 2021).

Polisi wamezoea kuja na kutupima imani na kuangalia kama tunaweza leta vurugu. Mara ya mwisho walikuja na malori mbili imejaa. Hawakuongelesha mtu, wakakuja na kuanza kuchoma nyumba na kukata mazao yetu vitunguu, cabbages na viazi. Na saa hiyo ni mazao inakaribia kuvunwa. Saa hii hakuna chakula kwa hii mlima.

More often than not, the police come to provoke us to see if we as a community can react to their provocations. The last time they came here with lorries and without addressing anyone- went straight to our plantations, slashed and burned them- onions, cabbages and potatoes. All those were about to be harvested. They left. And today, we have no food. (FGD with male victims of land conflict, Sasuri Location, August 18, 2021).

On usage of police officers in solving land disputes, the findings are consistent with Botha & Abdille (2020) study. According to Botha & Abdille (2020), in view of the imminence of violent extremist attacks and the continued recruitment of individuals into extremist groups, Kenya introduced a robust legal framework in response to violent extremism. This legal framework was set against the backdrop of critical institutions established by the Constitution of Kenya with reference to the Kenya Defence Forces, the National Intelligence Service and the National Police Service. Other critical organs include the judiciary, the Kenya Prisons Service and the Probation and Aftercare Services. To specifically respond to violent extremist activities, the National Counter Terrorism Centre was established and consists of appointees from the National Security Council, National Intelligence Service; Kenya Defence Forces; the Attorney-General Directorate of Immigration and Registration; the National Police Service and such other national agencies, as may be determined by the National Security Council.

The findings of the current study on police usage are a departure from the philosophical acumen of Pragmatic Africanity upon which this study is anchored on. The findings establish that current response approaches to extremism are tailored towards external extremism such as the one argued for by Botha & Abdille (2020) study. It also argues that despite these, it seems that it is these strategies that are being applied in the management of homegrown extremism. These strategies heavily borrow from Euro-American approaches in the fight against external extremism. The current study argues that the two levels of extremism cannot be used in the fight against homegrown extremism and as a matter of fact, even those external based approaches have proven not to be effective in addition to being counter-productive in the management of (Amakanji *et al.*, 2018)- this counter-productiveness seems to be replicating in Mt. Elgon. There is need to address the underlying causes of extremism, in this case, intractable land conflicts in Mt. Elgon Region using human development based approaches. Use of police force could exacerbate the problem and feed into grievance and extremism. In addition, current scholarship on approaches to management of homegrown extremism is scarce and therefore a key contribution of this study to academia and policy. Both policy and scholarly literature need to explicitly address the fact that there is need to address structural issues in both cases of extremism.

The current study also points to the fact that the current pieces of legislation- Prevention of Terrorism Act (PTA) of 2012- heavily borrow from Euro-American approaches to extremism. PTA (2012) makes provision for the prevention, detection and prosecution of terrorist activities as being Euro-American and that applying this “one size fits all” approach may not be effective in the management of homegrown extremism. As a result of focus of current pieces of legislation, Bungoma was not earmarked as a hotspot

because current pieces of legislation seem to be blind to homegrown extremism since counter violent extremism were launched in Mombasa, Kwale, Lamu and Kilifi Counties- which have been traditional epicenters for radicalization by external extremist groups. In addition, apart from a robust legal framework designed to combat violent extremism, Kenya has also strengthened community policing, referred to as the “*Nyumba Kumi*” initiative, with the purpose to enhance detection of extremist groups. However, according to International Alert and the KMYA (2016), mistrust of the State by affected communities has undermined the operations of community policing. The current study advances that as initially envisaged, community policing was intended to address external extremism and would not effectively address homegrown extremism. This is because, in homegrown extremism, its members of the community that are radicalized over land issues and thus no “new” members external to the community may necessarily emerge. The use of *Nyumba Kumi* as a strategy in community policing was envisaged to deter criminal subjects from settling within a community. Since in the case of Mt. Elgon, radicalization takes place around land issues, as a strategy, community policing would be ineffective.

In the Prevention of Terrorism Act of 2012, radicalization is criminalized and is defined in very broad terms which capture a wide range of actions geared towards promoting ideologies supporting extremist violence. How would the Act be able to measure homegrown extremism in the study area? an area which respondents seem to be radicalized over land issues. Secondly, punitive sanctions are prescribed for terrorist crimes. Third, the rights of individuals suspected of having committed terrorist activities may be limited. Section 35 of the Prevention of Terrorism Act provides that the right to bail, freedom of expression, freedom of security and the right to property

may be limited. With respect to the right to bail, the cumulative extension by the court of periods in which suspected members of terrorist groups are remanded can extend to three hundred and sixty days. Fourth, the Act gives authority for the designation/listing of individuals or entities amenable to sanctions for their involvement in terrorist activities. Sanctions include freezing or seizing funds or property belonging to the designated individuals or entities involved in terrorist activities. However, the current study points out that external and homegrown extremism have defining points of departure which the PTA (2012) fails to address.

The findings of the current study on police usage in conflict management deviate from Wabwire (2017) study on the role of Uganda Police in peace and conflict resolution. The findings fall short of the ideals of policing where the police in Mt. Elgon seem to be operating in “above the law” mode. Wabwire’s (2017) study established that the police play their roles in three folds namely: Investigative role, which determines whether an individual or group needs to be charged; Operational role and the role to protect the rights of suspects. Juma & Odhiambo (2021) study opined that the police are arguably the most visible representatives of government that regularly interact with the public. Ideally, the police are to conduct investigations and act based on the findings of their investigations, however, and making reference to the FGD excerpts in the study area, it seems the police are used to spread fear and dehumanize the local populations. These approaches seem to be feeding into the already existing grievances and further sub-consciously radicalizing community members to extremism over land conflicts.

The findings of the current study concur with Botha & Abdille (2020) study on the usage of police in counter violent extremism efforts. According to Botha & Abdille (2020), the criminal justice system is at the center of curtailing radicalization and

terrorism. Despite many youths having been arrested, prosecuted or even eliminated, youth radicalization seems to be on the rise which points to the fact that the very criminal justice system has the capability to radicalize individuals into extremism. Botha & Abdille (2020) study established that police show low level of professionalism while dealing with the problem of radicalization.

Whereas from the FGD findings, police officers show up to provoke members of the community, in Botha & Abdille (2020) study, suspects are often profiled and either arrested and charged in court or arrested and never to be seen again. Similarly, the police do not engage the community when dealing with the problem of radicalization. Juma & Odhiambo (2021) study also established that the legal framework on radicalization and terrorism is a bit weak. It concluded that the Criminal Justice System (CJS) is part of the problem of radicalization in the study area. Therefore, there is need for the CJS to change its tactics in solving the problem. There is need to change the hard tactics which are mainly militaristic. The law has to be enforced and those who commit criminal acts and not just through police profiling.

Study findings on police utility also deviate from studies on the need for community police partnership in countering violent extremism (Amakanji *et al.*, (2018) and Mazerolle *et al.*, 2020 study. According to Mazerolle *et al.*, (2020) police can play a role in tackling violent extremism through disrupting terrorist plots and by working with communities to identify individuals at risk of radicalization, yet this seems not to be the case in Mt. Elgon Region. Police programmes to tackle violent extremism can involve a range of approaches and partnerships. One approach includes efforts to improve community connectedness by working to address social isolation, belonging, economic opportunities and norms and values that may lead people to endorse or

support violent extremist causes and groups. The assumption is that the risk of an individual being radicalized in the community can be reduced when police work with community members and groups to mobilize and support activities that help generate a sense of belonging and trust. Police programmes that build a sense of belonging and trust may help ensure individuals are not influenced by activities that violent extremists use to attract support for their cause. The study opines that, lack of police-community trust erodes police legitimacy and thus a driver of grievance that may push communities towards seeking alternative sources and guarantors of security. Previously, community members resorted to the SLDF, MDF and PRM as alternative guarantors of security and land justice. The usage of the police still seems to be problematic in Mt. Elgon region and thus an area that needs to be improved if pursuit for sustainable peace and the management of homegrown extremism over intractable inter-communal land-use conflicts is of high priority. In an attempt to manage the risk of homegrown extremism and rising grievance, the police could consider applying human rights based policing in the study area.

6.3.2 Police Rating in Involvement in Land Conflicts in the Study Area

The study also sought to rate efforts by the police in pursuit for land justice in the study area. Data on the same were collected, analyzed and the results presented in Figure 6.7. Quantitative evidence on police rating revealed that majority 332 (83%) of respondents rated police response approaches between 1-3, 56 (14%) of respondents rated the police between 4-6 and only 12 (3%) of respondents rated the police above 7. Overall, a super majority 332 (83%) respondents rating police involvement in land issues in Mt. Elgon is a score indicative of a number of parameters.

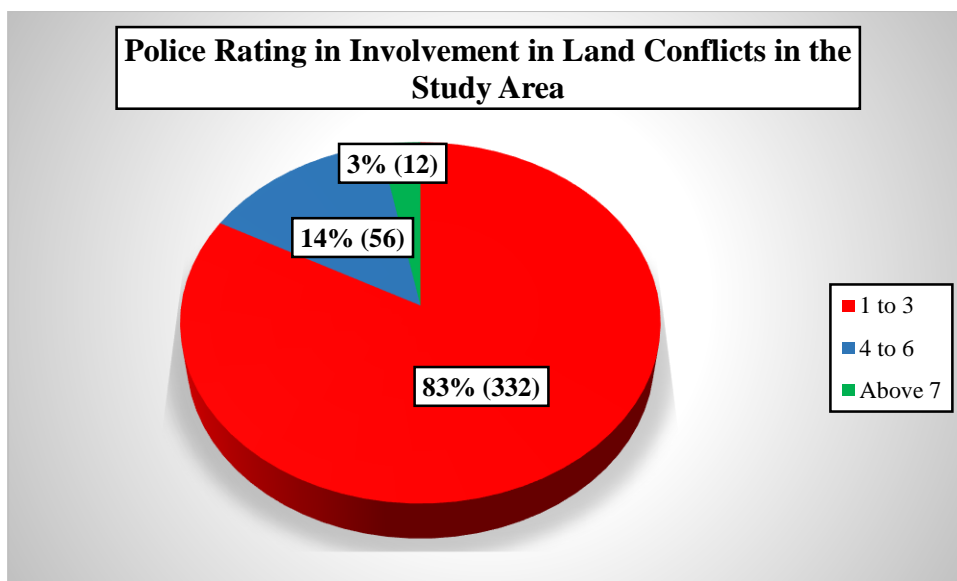


Figure 6.7: Police Officers Rating in Involvement in the Land Conflict in Mt. Elgon Region

Source: Field Data (2021)

First, the current study opines that this could be attributable to past and present commissions or omissions without accountability by the police in the course of their duty and involvement in the land conflict in Mt. Elgon. Secondly, it could be an indicator that the police are absent in the area. Absence in the sense that their presence means so little to the households or absence in the sense that being a study area in the periphery of the country, police officers and police posts are hard to come by with most of the police-community interactions coming during forced eviction programs as put forth by a community elder during an interview. Those in the second tier who rated the police between 4-6 could reflect the group that possibly believes the police helped them at some point but are also aware or have had encounters with police omissions and commissions, while the third category who rated the police at above 7 could be the group that have had the experience of police protection. The following is an account of a community elder during an interview at Kamarang village.

Kwa mara mingi, sisi hupatana tu na polisi wakati wamekuja kuturusha kutoka kwa mashamba yenye serikali yenyewe imetupea hapa kwa mlima. Ni mbaya sana ati sisi huona tu polisi kama wamekuja kuharibu mavuno yetu. Jee huu ni utu. Stesheni ya polisi karibu na hapa ni Cheptais, hata ukitembea najua haujaona stesheni yoyote karibu na sisi.

Most of the time, our encounters with the police are usually when they come to evict us or when they come to destroy of food crops. Is this really being humane? The closest police station is near Cheptais, yet whenever they come, they come to “provoke” us (Interview with a community elder in Kamarang Village. 02/12/2021).

From the interview excerpt, the current study points to the fact that police based approaches seem to have tilted the already complex dynamics of a land question traditionally touching on community versus community but now seems to have evolved into a community versus police kind of conflict with the government using the police to cause havoc to the households in Mt. Elgon thus provoking debates on state bias in responding to the land question in the study area. Police based approaches seem to be feeding into grievance and extremism, adding to structural and systemic violence and diminishing their legitimacy as protectors of the citizens but as perpetrators of the already existing structural deprivation. The findings on police rating concur with Botha & Abdille (2020). Botha & Abdille (2020) study opined that in this ‘us’ versus ‘them’ mind-set, the police can easily start to interpret the legal framework – especially human rights – as working against ‘them’, developed to protect criminals or to tie the police’s hands behind their backs. As a result, it can become ‘acceptable’ for officers to see themselves as being above the law to ‘allow’ them to work around the criminal justice system, seeing that it is being perceived as protecting criminals rather than actively facilitating the prosecution and conviction of criminals. In other words, rather than investigate, gather evidence and follow criminal procedure to secure a conviction, officers resort to taking justice into their own hands through eliminating (executing) a possible suspect, instead of acting within the boundaries of the law. In becoming the

‘judge, jury and executioner’ by resorting to extrajudicial killings, these police officers become part of the problem and criminals themselves.

Respondents’ low rating of police officers is also a pointer that there is “distance” between the police and the households in the study area. Study findings on police rating concur with Mazerolle *et al.*, (2020) study which advanced that police response programmes may generate community connectedness in addition to affecting violent extremist behavior, attitudes and beliefs. As frontline practitioners, police are well placed to promote social inclusion and social connectedness, and thereby preventing violent extremism. In the general policing literature, when police engagement with the public is undertaken in an inclusive and fair manner, police can be instrumental in fostering a deep understanding of the local communities they police, creating opportunities for improving community relations (Gill *et al.*, 2014).

Study findings on police rating are corroborated by Fink & Hearne (2008), who advanced that the typical way of responding to violent extremist groups—whether violent white supremacists, religious fundamentalists, or ethnic nationalists—is to target the “bad guys” by imprisoning or even killing them, based on the assumption that doing so will diminish their capability and/or deter further violence. But, as this research indicates, direct threats like these can easily backfire by only further solidifying the extremist identity of such groups, reinforcing their sense of purpose and perceived need for self-protection, and facilitating their mobilization of new recruits. There is therefore need for policing to shift to pro-active as opposed to reactive response approaches the CVE as the latter has been counter-productive.

Strong police-community relations are likely an important foundation for police being in a position to identify individuals who might be at risk of radicalization and violent

extremism and then work with community leaders to counter the influence of a variety of different types of violent extremist groups including those from the far right, the far left, environmental extremism, political and religious extremism groups. Police can, therefore, be key agents in promoting community connectedness, working with community members to build trust, minimize social distancing particularly amongst culturally diverse communities and strengthen a sense of belonging by showing that they have the interests of the community at heart (Cherney & Hartley, 2017; Murray *et al.*, 2015).

An important aim of engagement is to build trust with minority communities through methods of consultation that help to enhance the perceived legitimacy of counter-terrorism efforts. In a counter-violent extremism context engagement becomes even more salient given that counter-terrorism policing and laws can alienate the very communities who are a key line of defense against terrorist propaganda and violent extremism and generate community backlash. Forms of community engagement are an important way of minimizing this backlash. For trust to be generated groups need to believe that authorities like the police have their best interests at heart (Cherney & Hartley, 2017).

Increasingly, police need to work with a range of different agencies, together actively engaging the community to reduce social isolation, improve economic opportunity and aim to create social and cultural norms that prevent violent extremism (Schanzer *et al.*, 2016). Yet it is unclear whether or not the range of police initiatives that foster community connectedness is able to reduce violent extremism. Thus, it is essential to understand the effectiveness of policing programmes aimed at promoting community connectedness and their impact on reducing violent extremism.

A community elder in Kamarang village during the interview also alluded to the fact that both SLDF, MDF and PRM were illegal non-state entities, but then the big question is, how is it possible that the state security agencies worked with MDF and PRM to pursue SLDF yet all the three were illegal formations? To this end therefore, the current study also observes an extension of this kind of bias with residents within the SLDF zones often subjected to police-based human rights violations, evictions and destruction of food crops. To this end, the current study advances that such visible bias could be a factor that feeds into grievance and extremism in addition to making the land problem more complex. The findings of the current study on bias are in tandem with Elfversson (2019) study of political conditions for peace making in Kenya. Elfversson (2019) study advanced that when bias is involved, the central government seeks to promote the interests of one side in the conflict. When government bias is present, the parties cannot trust the government's willingness to guarantee or uphold the agreement they reach. This makes them less likely to reach a peace agreement, because they cannot overcome the commitment problem- in the absence of guarantees, they cannot trust each other enough to resolve their conflict. The current study is of the view that such open bias is thus a factor that informed 332 (83%) respondents scoring police based strategies very low and thus the police could be a factor in informing grievance and extremism in the study area.

Study findings on low police rating concur with Spalek (2010) study which pointed to the fact that high level of trust between police and members of the community is a building block towards successful counter-extremism management. Spalek (2010) study advanced that in the wake of "new terrorism"- targeting Muslim minorities in the United States of America, amidst a low-trust context, it was important for police

officers to focus initially upon building contingent trust by trust-building activities that demonstrate trustworthiness. This suggested that police within specialist counter-terrorism units underpinned specifically by principles of community policing are best placed to provide the kind of long-term interaction and trust-building that is required for sensitive partnership work to take place, for contingent trust to be built into implicit trust.

The findings of the current study on the police scoring very lowly in the management of extremism over intractable land conflicts in the study area are consistent with Juma & Odhiambo (2021) study on the role of criminal justice system as a contributor to youth radicalization in Kenya. Juma & Odhiambo (2021) study established that the police show low levels of professionalism while conducting investigations. This lack of professionalism manifested in the shoddily done investigations which failed to collect sufficient evidence to successfully conclude a criminal case. Lack of objective investigations resulted in religious and ethnic profiling of suspects, and the exercise of strict secrecy in conducting investigations with less involvement of the communities. Further, arbitrary raids on homes and arrests which fall out of the laid down due process in law, and criminal procedure, indicate lack of professional criminal investigation on the part of the police. The study also indicated that suspects of terrorism and radicalization are not treated humanely by the judicial system. To this end, therefore, the current study advances that criminal justice responses to terrorism cannot be effective unless approaches are focused on the dual priorities of effectiveness and accountability.

The current study opines that the police act of burning crops and destroying property in Mt. Elgon is akin to Botha & Abdille (2020) study on profiling of the Muslim

community during the operation *Usalama Watch* that proved counter-productive in which is a key ingredient to the success of law enforcement strategies in countering violent extremism. The disproportionate impact of the *Usalama Watch* on the Somali community created a sense of victimization and was counterproductive to the efforts of the State in countering violent extremism. According to MUHURI and the Open Society Foundation (2013), allegations of forced disappearances, arbitrary arrests and extrajudicial killings of individuals linked to terrorist activities (also to be referred to in this study); perceived victimization of some communities and further diminished trust between the State, especially the security organs – and the said communities. This diminished trust is taken advantage of by violent extremist groups and fits into their victimization narrative which they employ when recruiting individuals. Overall, study findings on police rating indeed point to irresponsible policing mechanisms which if uncontrolled will likely inform grievance and development of extremism in the study area.

6.3.3 Awareness of Past and Present Violations by Law Enforcement in Land Disputes

The study sought to establish respondents' awareness of present and past violations by law enforcement agencies in their utility in land disputes in Mt. Elgon Region. Data on the same were collected, analyzed and the results presented in Figure 6.7. Study findings on respondents' awareness of past and present human rights violations by law enforcement agencies revealed that majority 392 (98%) of respondents indicated that they were whereas only 8 (2%) indicated not being aware.

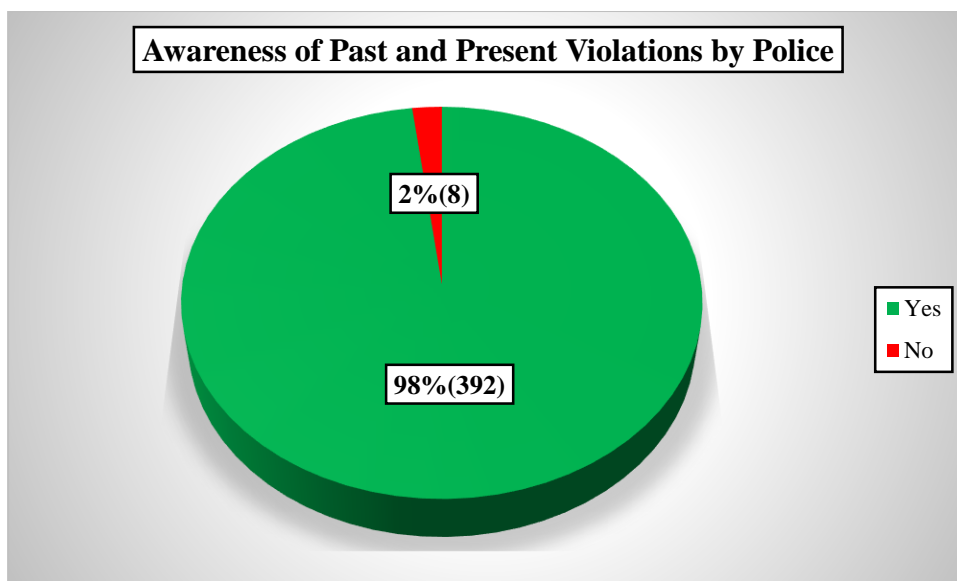


Figure 6.7: Respondents’ Awareness of Past and Present Violations by Law Enforcement Agencies in Mt. Elgon Region

Source: Field Data (2021)

Quantitative evidence reveal that the law enforcement agencies in the course of their management of land disputes have violated human rights. From the findings, the study reveals an awareness level of 392 (98%) on awareness of human rights violations in alarmingly high. This could be attributable to exposure to not only past human rights violations but based on current experiences of households in the study area. Study findings on awareness of past and present human rights violations by law enforcement agencies are corroborated by FGD discussions.

Hadi wa leo, hakuna mtu mmoja tunajua aliyepata haki kufuatia kudhulumiwa na maafisa wa serikali...tunaendelea kuangaliwa kama wananchi wasiofaa na serikali yetu na maafisa wao. Hawajaacha kutufurusha, kutuchomea nyumba, na kuharibu vyakula kwa shamba lakini hatuwezi piga ripoti juu ripoti inafaa tupige kwa wanaotudhulumu.

To date, there is no single person whom we know that has been able to access justice on land or arising from the gross violations of human rights...we continue to be treated like sub-humans with frequent threats of evictions, torching down of houses and destruction of food in our farms but we cannot report anywhere since those who we are supposed

to be reporting to, are the ones violating our rights. (FGD with male victims of land conflict, Sasuri Location, August 18, 2021).

Study findings on human rights violations are corroborated with a HRW (2008) report "*All The Men Have Gone": War Crimes in Kenya's Mt. Elgon*" whose findings established that throughout 2007, the police, General Service Unit (riot police), and Anti Stock-Theft Unit conducted some operations against the SLDF but they were sporadic and not sustained. They were marred by allegations of human rights abuses, including beatings, burning of houses, and attacks on villages viewed as supporting the SLDF.

In conflict ridden areas such as Mt. Elgon, the police have a responsibility to ensure that grievance over land issues does not re-escalate again. The police, therefore, need to be not only guarantors of peaceful coexistence but also accountable to their commissions of omissions. Police have a responsibility to prevent crimes and reduce the opportunities for the commission of crimes through preventive measures and strategies like community policing and inter-agency approach to policing to foster cooperation with other stakeholders for the good of society. Study findings are a negation of Agastra (2018) study which indicated that police intervention in conflict situations is targeted primarily at preventing conflicts from escalating and causing physical, economic and psychological damage. This is buttressed by Thompson and Hudson (2017) who posit that order maintenance by police is concerned with making sure that situations do not get out of hand. However, in Mt. Elgon, this seemed not to be the case in police interventions even in the post-violent conflict area thus pointing to a perpetuation of a culture of impunity by the police.

Study findings on human rights violations are consistent with Frank (2017) study which advanced that efforts to address terrorism and violent extremism have violated human

rights, contributing to cycles of violence and the complexity of these global problems. There needs to be a commitment to rights-based criminal justice approaches and greater accountability amongst governments. Frank (2017) added that ensuring criminal justice functionality and accountability are equally important. Evidence-based methodologies and effective communications are also key elements for a renewed approach in counter violent extremism.

Study findings on awareness of past and present human rights violations disagree with Cherney (2018) study. According to Cherney (2018), worldwide, police are mandated by their governments to, among other things, uphold and enforce the law fairly, and to protect life, liberty, property, human rights, and dignity of the members of the public. They work to promote and preserve public order as well as to protect internal security by detecting and preventing terrorist activities, to thwart militant activities and any form of violence affecting the tranquility of the state.

These findings do not conform to United Nations CVE strategies. According to the United Nations (UN) “development, peace and security, and human rights are interlinked and mutually reinforcing’ and human rights and the rule of law are central to addressing the threats posed by violent extremism and terrorism (Ugwueze & Onuoha, 2020). The UN has asserted that ‘responses to violent extremism that respect and protect human rights are more effective and sustainable.’ Nonetheless, counter-terrorism practices have largely ignored these values and principles. Counter-terrorism campaigns have taken a significant toll on civilian lives and there is substantial evidence of abuses of human rights and freedoms. States continue to rely on securitized and militarized actions, centered on the use of force, as core responses to security threats. This is despite the general view that regaining territory from extremist groups, or

eliminating “terrorists” through violent means will not provide long-term solutions. In 2015, then UN Secretary-General Ban Ki-moon released the Plan of Action to Prevent Violent Extremism (PVE), which brought a more expansive approach to global efforts to address violent extremism. This approach goes beyond ‘law enforcement, military or security measures to address development, good governance, human rights and humanitarian concerns.’ Preventive approaches broadly seek to address the factors associated with violent extremism and terrorism at their origins and substantially broaden the set of measures against violent extremism and terrorism to include social and development interventions.

Ugwueze & Onuoha (2020) study advanced that Nigeria continues to face the challenge of containing terrorism despite adopting diverse counter-terrorism measures. It concluded that, because counter-terrorism in Nigeria is lacking in soft approach, it will be difficult for the Nigerian state to defeat *Boko Haram* insurgency even with military force. Ndujihe *et al.*, (2018) added that intensified military response in the fight against *Boko Haram* terrorism forced the group to adopt guerrilla tactics of ambushes and suicide bombings. Thus, prompting the Federal Government of Nigeria (FGN) to consider negotiating with the group’s members willing to surrender. The implication here is that hard tactics in CVE are counter-productive. Oriola & Akinola (2018) study advanced that, at the domestic level, efforts aimed at diminishing the capability of terrorists to operate freely in Nigeria, such as poverty reduction, job creation and illegal migration have not been vigorously pursued. Instead, Nigeria continued to procure more arms. Statistics available showed that between 2014 and 2018 Nigeria spent over US\$3.9 billion in arms procurement.

The monopoly of the use of force is a main characteristic of the state's authority, and the state almost always has a strong role in governance and the provision of security, even if this role is uneven across a country's territory (Bagayoko & Hutchful, 2022). The security arena offers opportunities for conflict prevention. Security is a necessary precondition for other public goods and freedoms, such as freedom of movement and expression. Risks increase when security provision is weak, exclusionary, or predatory. Where security actors do not behave in a manner consistent with the rule of law, they can pose a threat to the very populations they are charged with protecting.

Even when managed by formal institutions, security actors—be they police units, individual patrols, or intelligence officers—are motivated by a range of political, social, cultural, and economic incentives. Exclusionary and biased security forces pose an especially high risk if access to and control of the tools to maintain security are instead used to maintain loyalty or dispense favors. Although the state should provide security, as a service, to its citizens, it may use security forces less to further the public good than to defend its own power and protect allied private interests. As such, decision making, the allocation of resources, and the use of force may reflect private, group, or partisan interests. Risks increase, for example, when police operations are conducted in accordance with private agendas and political and economic interests, rather than being operationally independent from political decision making and conducted in response to the population's concerns and demands for public safety (Bagayoko & Hutchful, 2022).

In more extreme cases, security forces are predatory toward the populations they are meant to protect. Examples of police and military forces participating in or facilitating mass atrocities abound, as do abuses during so-called "crackdowns" and other muscular approaches to security threats or even common crime. abuse of identity groups by

security forces will deepen grievances and may be a strong factor motivating people to identify with and join violent groups. The overall risk of weak, fragmented, exclusionary, or predatory security provision is popular disenchantment and loss of confidence in a society's willingness and ability to deliver security. Reform of the security sector, understood as the structures, institutions, and personnel responsible for managing, providing, and overseeing security, including informal or traditional security providers, can build the credibility, legitimacy, and effectiveness of a society. When security services have no legitimacy, they will struggle to be effective, and that effort will further undermine their credibility and delegitimize them in the eyes of the population. The UN Security Council recently recognized that a professional, accountable, and effective security sector is critical to consolidating peace and stability and to preventing countries from lapsing or relapsing into conflict (Deplano, 2022).

6.3.3.1 Whether Respondents' Had Pursued Justice over Human Rights Violations

The current study also sought to establish whether respondents had pursued justice with regard to past and present human rights violations. Data on the same were collected, analyzed and the results presented in Figure 6.8. Quantitative evidence on whether respondents had pursued justice over past and present human rights violations indicated that a majority 236 (59%) respondents had not accessed justice whereas 164 (41%) respondents indicated they had pursued justice over human rights violations. The current study contextualizes what past and present human rights violations by law enforcement agencies. Past human rights violations refers to those that occurred in build up to and during the 2006-2008 war whereas present human rights violations address issues of human rights violations following post-active conflict period.

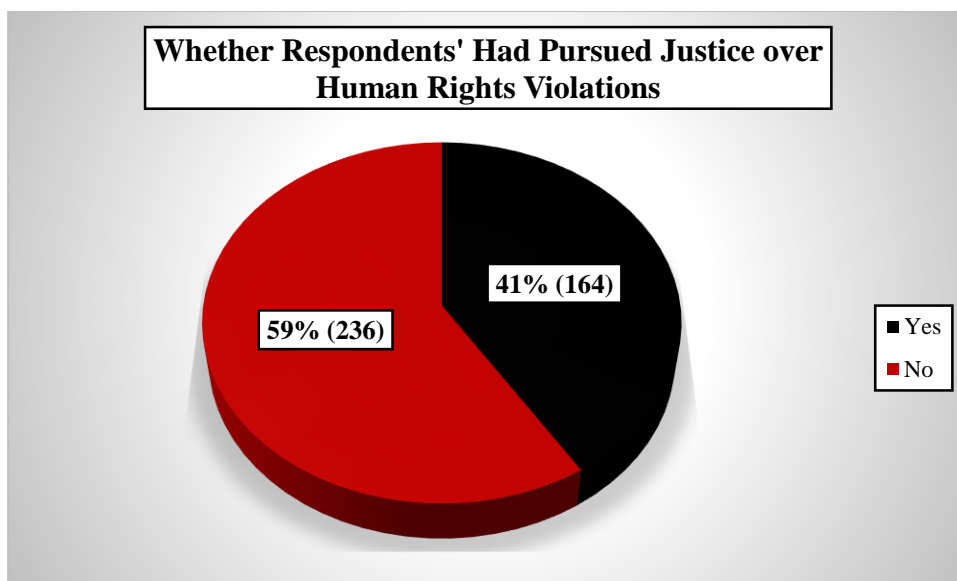


Figure 6.8: Whether Respondents had pursued Justice over Past and Present Violations by Law Enforcement Agencies

Source: Field Data (2021)

Study findings on whether respondents in the study area had accessed justice on human rights violations are corroborated with two reports that give a historical account of respondents' lack of access to justice; one by KNHRC (2008) titled "*The Mountain of Terror*" and another 2008 report titled "*All Men have gone*" by HRW. According to KNHCR (2008) report, respondents in the study area had difficulties accessing death certificates which would enable families of the disappeared from accessing compensation that would come with official recognition of their relatives' deaths. Several victims' family members told Human Rights Watch they were unable to access death certificates for their missing family members. Under Kenyan law a person is presumed to be dead when he or she has been missing for seven years. Almost two decades after the active conflict period, respondents in the study area still reported being denied access to official documentation by government officials. The current study argues that in such instances, it becomes easy to justify, condone, develop and turn such grievances into extremism.

In Kenya, a death certificate is important in accessing a number of benefits. For instance, death certificates are needed for widows or widowers to be able to secure ownership of land and other property in their deceased spouse's name. Proof of the death of a spouse or parent can assist in accessing certain benefits such as scholarships. During FGD discussions, one woman who indicated that she testified before the TJRC that she had been unable to access her husband's bank account because she lacked a death certificate. In addition, none of the families of the disappeared have been able to obtain death certificates or burial permits, which are required in addition to death certificates in order to access some benefits. Thus, the state's failure to conduct inquests has not only deprived victims' families of truth and justice—it had also prevented them from accessing material assistance.

The KNHCR (2008) further indicated that there was lack of initiative in undertaking further investigation. It advanced that, the Government of Kenya did not utilize several avenues available for further investigation into the atrocities committed in Mt. Elgon. Under Kenyan law the officer in charge of any police station, upon receiving a report that a person is missing and believed dead, is required to immediately inform the nearest magistrate. Magistrates, in turn, are required by law to conduct an inquiry into the cause of death. The Attorney General, under laws in effect at the time of the abuses in Mt. Elgon, had the power to order magistrates to open inquests; under Kenya's new constitution, which came into effect in 2010, that power lies with the newly-independent Director of Public Prosecutions, to date, no further investigation has been conducted in Mt. Elgon following human rights issues that transpired the Mountain. This further perpetuates the culture of impunity and makes the land issue more complex and thus feeding into grievance and extremism in the study area.

In addition, according to HRW (2008), there was lack of witness protection and victims of atrocities on both sides of the Mt. Elgon conflict told Human Rights Watch they were afraid to file a complaint because of fear of retribution from their neighbors. Their testimonies highlighted the need for Kenya to rapidly establish a credible witness protection program. The lack of witness protection is a serious barrier to seeking truth and justice in the Mt. Elgon disappearance cases. One woman, whose husband was disappeared by the army, explained the problem presented by living alongside “brokers,” SLDF defectors who assisted in the military operation in 2008.

An interview with a judicial officer in Bungoma law courts revealed that although a number of cases were filed against the state security agencies and the SLDF for a range of abuses, witnesses did not come to testify against them in trial due to the believe that the police would not be of assistance having been perpetrators and for fear of retribution by SLDF defectors who worked alongside the police. HRW (2008) report also established that one woman who filed a case in the Bungoma courts against the security forces was subjected to surveillance and intimidation by individuals her neighbors suspected of being police officers. She subsequently fled to neighboring Uganda for several months. Most victims of torture were also afraid to file legal complaints due to the lack of witness protection.

The current study also established that in pursuit of justice, respondents had sought justice in international platforms but with little or no progress. According to Ghoshal (2011), respondents, in pursuit for justice had reach out to the judiciary, East African Court of Justice among other but all to no avail. This was especially with regard to enforced disappearances. The subsequent sections describe a historical account of

attempts by respondents to seek justice from diverse arenas following past human rights violations. Subsequent sections present and discuss findings on attempts to pursue justice by respondents through a number of avenues.

6.3.3.1.1 Bungoma *Habeas Corpus* Case

According to HRW (2008) report, one victim's family sought the assistance of the Independent Medico-Legal Unit (IMLU) to file a *habeas corpus* case at the Bungoma High Court in July 2008, seeking to force the Kenyan security forces to produce Patrick Kipteyo Sewei, an assistant chief arrested by the army in April 2008. According to court documents consulted by Human Rights Watch, Sewei's wife, Phylis Tamnai Kipteyo, claimed that he had been taken to Chepkube military base; that she had seen her husband there being tortured on the morning of April 26, 2008; and that after that date, she had never seen him again.

The lawyer representing Sewei's wife faced several difficulties in moving the case forward through the judicial system. Initially one of the respondents, a commander of the Administration Police, refused to be served a summons, leading to delays. The lawyer also told Human Rights Watch that an affidavit he filed in December 2009, listing the names of three soldiers identified by Sewei's wife as being involved in his disappearance, disappeared from the court file. In March 2010 the court issued a ruling denying the *habeas* request on the basis that it could not determine with certainty that the victim's body had been in the custody of government forces. However, the court ordered the Attorney General, the Chief of General Staff, and the Commissioner of Police to "initiate an inquest into the disappearance of the said Patrick Kipteyo Sewei with a view of bringing to book any culprits who may be involved." The court ordered that a report be filed within 120 days.

The state repeatedly asked for extensions, and the report that the police finally submitted to the court indicated that the police did not interview any of the victim's family members or other witnesses. The judge rejected the report, ordering that a proper inquest be conducted by a magistrate. On March 2011 did police re-initiate the inquest. The victim's wife and several other witnesses testified in a public hearing at the Sirisia Magistrate's Court. However, the court ruled, in spite of witness testimony, that it could not determine whether the victim was dead, and the victim's wife received no relief. This case was inconclusive as no beneficial results have been accessed by the victims.

6.3.3.1.2 Complaint before the United Nations Working Group on Enforced or Involuntary Disappearances (UNWGEID)

A civil society organization, Western Kenya Human Rights Organization (WKHR) also reported that over 300 victims of disappearances had not been accounted for; most of them were believed to have been disappeared by state forces. WKHR had received reports of 126 victims alleged to have been abducted by the SLDF, 188 victims alleged to have been disappeared by the military, and 11 alleged to have been disappeared by the police. In May 2011 WKHR, with the assistance of the Geneva-based nongovernmental organization Tracking Impunity Always (TRIAL), filed an application before the United Nations Working Group on Enforced or Involuntary Disappearances in order to seek justice on behalf of victims. The initial application was filed on behalf of 20 victims whose family members had been disappeared, and the organizations intended to collect further documentation to add additional cases to the list. To date, there are no results on the conclusion of these investigations in pursuit for justice.

6.3.3.1.3 The East African Court of Justice (EACJ)

In July 2010 IMLU filed a case before the EACJ in Arusha, Tanzania, alleging that over 3,000 residents of Mt. Elgon were subjected to “executions, actions of torture, cruelty, inhuman and degrading treatment” between 2006 and 2008. The case charged the government with failure to prevent or prosecute these abuses, in violation of the treaty establishing the East African Community. IMLU’s application called upon the EACJ to declare that Kenya’s failure to investigate and prosecute the abuses, and its failure to compensate victims, were in violation of the treaty and its fundamental principles, and to make any orders to the Kenyan government that were deemed necessary as a result of this finding.

The case was first heard on March 31, 2009 covering preliminary points of law including questions of the court’s jurisdiction and the statute of limitations. The Kenyan government argued that human rights cases do not fall within the jurisdiction of the East African Court of Justice, and that the two-month statute of limitations on filing complaints had been exceeded. The court, however, found in favor of IMLU on both points in a June 29, 2009 ruling. The Kenyan government filed notice to appeal the preliminary ruling on July 26, 2009. At the time of writing, the court had not yet scheduled a hearing on the appeal.

6.3.3.1.4 The African Commission on Human and Peoples’ Rights

The Kenyan Section of the International Commission of Jurists filed a communication before the African Commission on Human and Peoples’ Rights in May 2010. The communication charged Kenya with violating provisions of the African Charter on Human and Peoples’ Rights concerning the right to equality before the law and equal protection of law; the right to life; torture and cruel, inhuman, or degrading treatment; liberty and security of the person; and peace and security. The complaint charged that

domestic remedies had been exhausted and called upon the African Commission to send an independent investigatory mission to Kenya to document the abuses. It also asked the commission to direct the Kenyan government to investigate and prosecute SLDF and state security agents found to be responsible.

The communication explicitly faulted the Kenyan government for failure to prevent and prosecute abuses committed by the SLDF, as well as abuses committed by state security forces. It noted international legal precedent according to which a human rights violation was not directly attributable to a state can still lead to a finding of state responsibility “because of the lack of due diligence to prevent the violation or to respond to it as required.” The communication was scheduled for consideration at the commission’s 49th session in Banjul, the Gambia, in April 2011, but consideration was postponed due to other business. At the time of data collection, no developments had been made with regards to attaining justice for the victims. The current study points to the fact that such numerous attempts by respondents in pursuit for justice without much success indeed feeds to grievance and the risk of extremism.

6.3.4 Whether Respondents were affected by KDF military operations in 2007/2008

This section sought to establish the role of KDF operations in the study through their commissions or omissions and how that played a role in feeding into grievance and extremism in the area. It has to be noted that at the time of writing, the KDF have maintained a “permanent” base in the study area since- Kapkota Military Camp. Data on the same were collected, analyzed and the results presented in Figure 6.9.

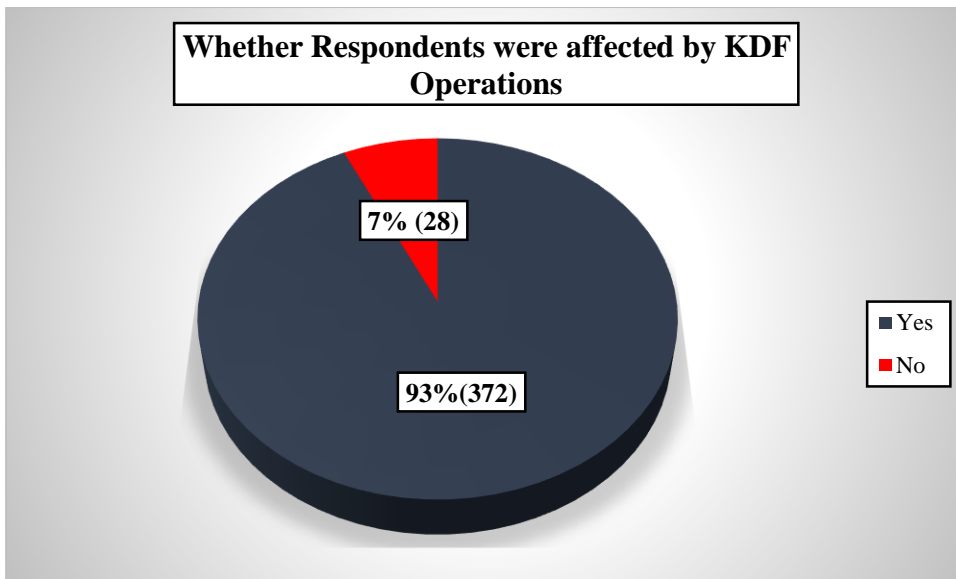


Figure 6.9: Whether Respondents were affected by the Military Operations

Source: Field Data (2021)

Quantitative evidence in Figure 6.9 revealed that majority 372 (93%) of respondents indicated that they were affected by the KDF operations whereas only 28 (7%) respondents indicated that they were not affected by the operations. The study points out that the 28 (7%) respondents who indicated not being affected by the military operations in 2006-2008 almost mirrors the 20 (5%) number of respondents of who had settled in the area for 6-10 years. The next section presents findings on how respondents were affected by the military operations.

6.3.4.1 How Respondents had been affected by the KDF Operations

The study further sought to establish how respondents had been affected by the KDF operations. Data on the same were collected, analyzed and the results presented in Table 6.3. Quantitative evidence in Table 4.3 present cumulative responses by respondents on the effects of the KDF operations. Data presented reveals that 375 (26.5%) respondents indicated that KDF had tortured innocent civilians, 312 (22.1%) respondents indicated that KDF had conducted sexual and gender based acts of violence, 217 (15.4%) respondents indicated that KDF enforced forced disappearances of civilians in the area,

311 (22.0%) indicated that KDF operations had led to arbitrary arrests and detention of civilian populations and lastly 197 (14.0%) respondents indicated that KDF operations had led to unlawful deaths of civilian population.

Table 6.3: How Respondents were affected by the KDF Operations

		N	Percentage	Rank
Effect of Military Operation	Torture of innocent populations	375	26.5%	1
	SGBV	312	22.1%	2
	Disappearance of population	217	15.4%	5
	Arbitrary arrest and detention	311	22.0%	3
	Unlawful deaths of civilians	197	14.0%	4
Total		1412	100.0%	

Source: Field Data (2021)

The results reveal massive violations of human rights in various dimensions following KDF operations in the area which largely remain unresolved. This is, in addition to the deeply rooted five decades long land problem which also seems to have been compounded by the state response approaches in the 2006-2008 intervention. To this end, the current study argues that the initial causes of extremism now seem to have been made more complex by accusations human rights abuses and thus further acting as catalysts and feeding into more grievance and extremism over intractable land-use conflicts in the study area.

Study findings on unlawful deaths of civilian populations are corroborated with Ghoshal (2011) study. According to Ghoshal (2011), while writing for HRW argued that mass graves were used by the KDF. Residents of Mt. Elgon told Human Rights Watch that both parties to the conflict the SLDF and the Kenyan security forces dumped the bodies of their victims in mass graves. Despite ample evidence that this was the case and recognition from the government that, at least, SLDF graves exist the government made little effort to identify and exhume these graves and allow for a dignified burial for victims. The state also refused requests to preserve evidence at mass gravesites, and took little initiative to legally and forensically exhume the graves, raising questions about what might be found within. Some bodies disappeared by the SLDF were exhumed in 2009, but residents claim that many remained. NGOs that attempted to investigate the mass graves were subjected to threats. In June 2011, widows told Human Rights Watch that 64 of them had gone to demand that the former District Commissioner at Cheptais allow them to go into the forest to search for the bodies of their husbands, but they were denied permission.

In addition, HRW (2008) report identified suspected mass grave sites in the study area for those disappeared to include: Kapkota Military Camp, Chebwek, Chebomoi, Kamarang- Meza (military operation base during the 2006-2008 operations), Kaptoboi, Cheserek, Kimama, Kaboriot, Kaptum, Banantega Military Camp, Kubra, Sosopel, Kapkong and Kaberwa- all in the study area with a majority in the Soy settlement side of the mountain. Residents of Mt. Elgon told Human Rights Watch that both parties to the conflict the SLDF and the Kenyan security forces dumped the bodies of their victims in mass graves. Despite ample evidence that this was the case and recognition from the government that, at least, SLDF graves exist the government has made little

effort to identify and exhume these graves and allow for a dignified burial for victims. Some bodies were exhumed during the military operation in 2008, but residents claim that many remain.

In May 2010 the TJRC visited Mt. Elgon and heard testimonies about the existence of mass graves. One resident who testified to the TJRC, the owner of a pit latrine into which bodies had been dumped by the SLDF, also told a reporter about this improvised grave: “We tried to exhume one body but it (the body) just fell apart. We asked the government to help us but no one has bothered.”

Despite the attention brought to this case by the TJRC, the bodies were still not exhumed. State officials also tampered with crime scenes, removing bodies that had been found in the forest in the absence of any legal process to record what was found or where the bodies were subsequently taken, despite requests from human rights organizations to preserve the crime scenes for independent documentation. Elsa (not her real name), was one of the victims whose husband’s body was found in the forest, and then disappeared once again (Ghoshall, 2011). A lawyer under instructions from IMLU petitioned the Bungoma Court in August 2008 to issue orders to preserve the scene where three women believed they had located remains and clothing of their husbands, but the court declined jurisdiction and transferred the matter to the High Court, which did not hear the case. Victims told Human Rights Watch they did not know the current location of these remains. A woman victim whose husband was arrested by the KDF on March 16, 2008 gave the following account of events during FGD discussions. She narrated how her husband had been tortured by soldiers from Chepkube. She also shared how the KDF soldiers threatened that they had brought the

husband for her to see him for the last time because they would shoot him to death. Another narrated during the FGD how her husband had been taken to Chepkube military camp by eight soldiers on April 25, 2008. She narrated how his body was covered in blood when she went to identify him in the camp. These narrations paint a picture of gross human rights violations that followed the military response to the land conflict in Mt. Elgon region.

The current study points that such accounts are not uncommon to families in the study area with many families repeatedly searching for their relatives in police stations, military camps, prisons, and morgues in addition to filing complaints with local officials with little or no follow up action taken by concerned government officials. A good number of women respondents reported being threatened in a bid to prevent them from making formal complaints.

Study findings are corroborated by Ichani (2019) study which concluded that from the onset, the civil society regarded government security response to SLDF abuses as lackluster, fostering a climate of impunity. Ichani (2019) added that, while the government's military involvement brought the widespread inter-community acts of violence to an end, it also left structurally intact both the economic determinants of the violence as well as its direct progeny in a form of individual and intercommunity resentments and grievances. In particular, no comprehensive solution was presented by Kenyan authorities to address the inherited economic stalemate concerning land distribution and to reconcile the interests of the various groups and the victims of pre-conflict economic injustice. This omission jeopardized the peace and security in the area, something that is escalated by the fact that perpetrators and victims of the violence lived next to each other and have easy access to small arms and light weapons.

Similarly, the widespread criticism that follows militarization of internal disputes may obscure any benefits of such operations. As such, military operations are not only a gamble but are also abhorred.

The findings of the current study on the whether respondents were affected by KDF operations concur with findings from a study by Waria (2017). Waria (2017) study established that there was no relationship between the role the Kenya Defense Forces (KDF) played in protecting state and human security during the Mt. Elgon clashes in 2006/2008. It was also noted that KDF “*Okoa Nchi*” Operation was associated with human rights violation incidences rather than protecting the victims. Waria (2017) recommended the need for KDF to enhance public confidence by reviewing their operation policies, and that emphasize on community partnerships, comply with human rights and United Nations policies during peace keeping missions particularly in internal security operations. These seem to have been largely overlooked during the 2006-2008 military intervention.

Study findings on the effect of military operations are corroborated by Odhiambo (2019) article titled “*Character Development Challenges and Opportunities Influencing Anglo-Kenyan Diplomatic Relations*” added that military professionalism has three characteristic: expertise, social responsibility and corporateness. Odhiambo (2019) opined that as a continent, due to lack of military professionalism, the continent has faced numerous *coup d'états* and thus the need for military operations to adhere to normative principles of interventions.

Study findings on effects of KDF operations are also consistent with Rawlence (2008) study of war crimes in Mt. Elgon. According to Rawlence (2008), there were numerous

reports of the security forces committing unlawful killings, arbitrary mass detentions, systematic beatings and torture, and the enforced disappearances of dozens of people taken into the custody. Rawlence (2008) argued that, the government's principal strategy to flush out the SLDF in Mt. Elgon including indiscriminate arrest of all adult and teenage males with some as young as 10 years arrested and taken for screening in Kapkota military camp where detainees were routinely beaten by security personnel, and some died as a result. In the mortuaries of Webuye and Bungoma in districts neighboring Mt. Elgon, Human Rights Watch (2008) revealed that dead bodies showed obvious visible signs of torture such as welts, bruising, swollen faces, broken wrists, and rope burns around the wrists. A former detainee from Kapkota told the KNCHR (2008) that a helicopter was always kept on standby at Kapkota to ferry bodies to the forest in addition to children being forced to help load bodies of victims of torture onto military helicopters in Kapkota camp.

Findings on effect of KDF operations are further corroborated with HRW (2008) report which revealed that dozens of men interviewed by Human Rights Watch described how military and police officers arrested them in their homes, on the street, in their fields. The soldiers asked them to show them members of the SLDF or the whereabouts of illegal weapons, and when they said they did not know, they were beaten. Eye witness accounts described to Human Rights Watch men being beaten to death at Kapkota. In addition, at the time, HRW (2008) indicated that Bungoma prison was holding a staggering 1,380 prisoners while its official capacity is 400. All of the detainees interviewed by Human Rights Watch described systematic torture, affecting every single person picked up by the military-police operation and taken to Kapkota. These accounts were from groups of victims interviewed separately, of different ethnicities

and in multiple locations, who were detained on different days throughout March 2008. IMLU concluded that 100 percent of those who had passed through Kapkota had been tortured.

Study findings on SGBV are corroborated by an IMLU (2008) report which indicated that residents complained of rape by security forces throughout the counter insurgency operations of 2007 and 2008. A Kenyan legal organization warned about rape as early as April 2007, estimating that three women a day were being raped by security forces in Mt. Elgon. At the beginning of the post-electoral violence in January 2008, several women complained of rape by GSU police. To date, the actual number of rape cases documented in detail is low. However, human rights and women's rights activists interviewed by Human Rights Watch claim that rape is common and widespread. There are significant social barriers to gathering reliable information; women often fail to report violations to the police or local authorities, since they are viewed as perpetrators. The only independent clinics in the area were operated by *Medicins Sans Frontiers* (MSF) who reported an increase in rape cases treated in their clinics as a direct consequence of the security operation, although they did not provide statistics. Several residents interviewed by Human Rights Watch complained of the destruction of their homes by security forces in recent months, both before and during the recent operation. Police appear to commit the attacks to punish villages they believe are supporting the SLDF.

6.3.4.2 Whether The Affected Have Been Served Justice Following The KDF Operations

The study also sought to establish whether the affected had been served justice following the KDF operations. Data on the same were collected, analyzed and the

results presented in Figure 6.10. Quantitative evidence presented in Figure 6.10 revealed that majority 392 (98%) of respondents indicated that they had not accessed justice whereas as only 8 (2%) of respondents indicated that they had accessed justice. From the results, the current study establishes that an overwhelming majority of respondents are yet to access justice arising from a spillover of historical land injustices. This implies that beyond land injustices which remains largely involved, there have been other injustices that have spilled over as a result of pursuit for land justice. This, therefore, implies that the conflict in Mt. Elgon today is not only about access to land justice but also other arenas of justice that may feed into grievance and the risk of extremism in future.

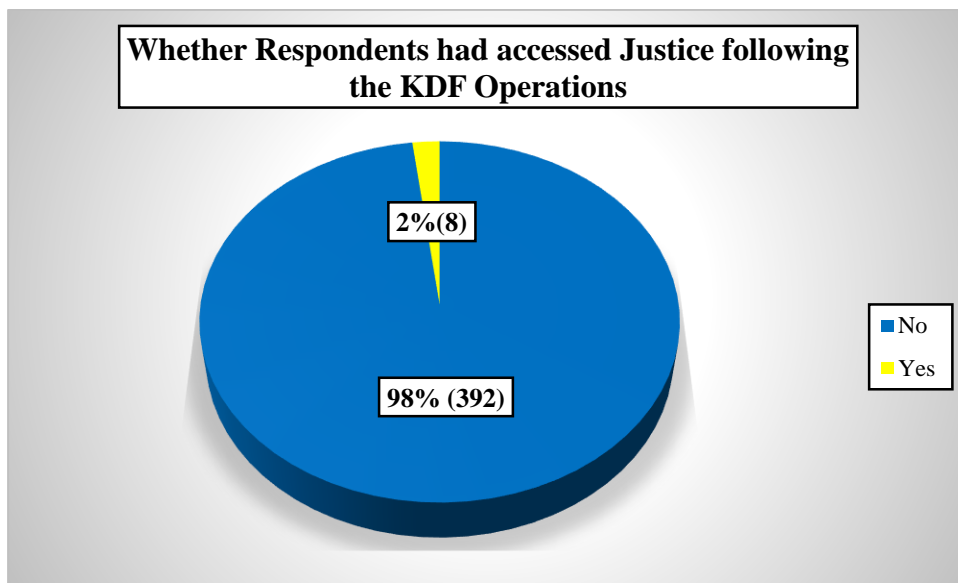


Figure 6.10: Whether Respondents had accessed justice following the KDF operations
Source: Field Data (2021)

The findings on majority 392 (98%) of respondents' failure to access justice following KDF operations are corroborated by HRW (2008) report which revealed that in the end, no state security agencies took responsibility for the commissions and omissions in Mt.

Elgon- yet taking responsibility and accountability ought to be first step towards access to justice. According to the military, the operation *Okoa Maisha* was a police operation involving the regular police, administration police, anti-stock theft unit and aided by the military. In the press, government spokesmen referred to the operation as a joint police-military operation. The Department of Defence spokesmen repeatedly refused to meet with HRW and referred researchers to the police claiming that the police were in the lead. These statements were matched by the then District Commissioner for Mt. Elgon, who assured HRW that the police were in charge. However, the reality appears to be that in the area of operations the military are running things. When asked about the allegations of torture at Kapkota camp the District Commissioner referred Human Rights Watch to the military command at Malakisi rather than the police, saying that the camp and surrounding area was under the military's control. Dozens of victims and witnesses who passed through Kapkota described being arrested by men in military uniform and transported in military trucks to Kapkota where soldiers beat them and asked them questions. Many people used the Swahili word "*jeshi*" meaning specifically army soldier, and not the word "*askari*" meaning any armed guard, whether police or military. The police normally wear blue uniforms. Riot police wear military fatigues but with distinctive red berets. Witnesses described to Human Rights Watch being apprehended by men in full military fatigues, not wearing red berets of the GSU, but the black and navy berets of the army.

Another case of blame games revealed by HRW (2008) was established when an intelligence officer working with the military told Human Rights Watch that army and police officers were working hand in hand rounding up and torturing suspects. Many police officers were present at Kapkota military camp but were dressed in military

uniform and taking orders from the military commander. He himself took his orders from the military commanders at Kapkota and Chepkube, where he said the military are firmly in control. According to him, orders pass directly from Nairobi to the military commander or via the Provincial Commissioner, but always to the military commander as effective head of the operation on the ground.

While international humanitarian law provides armed forces leeway to temporarily detain civilians for security reasons during military operations, conducting mass arrests without legal basis and mistreating those in custody is prohibited at all times. Both the Kenyan security forces and the SLDF are obligated to observe article 3 common to the four Geneva Conventions of 1949 (common article 3), the Second Additional Protocol of 1977 to the Geneva Conventions (Protocol II), applicable to non-international armed conflicts, and relevant customary international law. Kenya is a party to the 1949 Geneva Conventions and Protocol II.

Study findings on access to justice by respondents are a negation of the Global Counter Terrorism Strategy which advances that delivering justice in the context of counter-terrorism actions is a key pillar. The strategy and other UN resolutions assert the criminal nature of acts of terrorism, and this implies a focus on bringing terror suspects to justice in public proceedings that assert the due process of the law, respect for the rights of suspects and victims, and ultimately, the dispensing of appropriate sanctions to those found to be guilty. For the public, such processes have the potential to humanize ‘terrorists’ as criminal suspects, rather than as shadowy figures that are the subject of secretive security operations. The processes and outcomes of justice become visible, and amendable to scrutiny; and the practices of human rights and the rule of law are placed on display. The current study argues that failure to deliver justice to the

respondents is an indicator of extremism in the study area. Lack of access to justice translates to negative peace in the study area. Today, the people of Mt. Elgon not only need justice for their pursuit in addressing land issues but also from a spillover of atrocities arising from this pursuit. Indeed, the role of the military was to create a conducive environment for post-conflict settlement but opened room for other arenas of injustice as sustainable peace remains elusive in the area. Instead a key informant argued that the KDF had established a permanent base in the mountain and more land had recently been allocated to the GSU. The following is an account from a community elder with regards to establishment of state security bases.

Sasa wamechukua hiyo shamba yetu, wamepea GSU, Ukweli ni ati sisi watu wa mlima Elgon tunapendana lakini ukiangalia serikali imetumia sisi polisi na jeshi sana. Sisi hatuna haja na kupigana, tunataka tu haki na tupate mashamba, lakini serikali kuendelea kugawa shamba hata bila kutuhusisha si mzuri kabisaa. KDF wamekaa sana, sijui wanafanya nini lakini ni kuna uwezekano kuwa serikali inajua kuwa sisi hatuko sawa, hivyo wameweka hao kuchunga Amani na hawajatatua shida yetu ya mashamba.

No, we are yet to access justice, the parcels of land that were to be given to us have been given to the GSU. The truth of the matter is, we the people of Mt. Elgon love one another but the Government keeps sending security agencies to us. We have no intention to keep fighting. All we need is justice on the land issue. But the Government has kept allocating our lands without informing or involving us. The KDF have been here since around 2007, we don't know if they are literally keeping the peace in Mt. Elgon but they are yet to solve our land problem. (Interview with Community Elder in Sasuri Location on August, 18 2021).

The findings on failure of respondents to access justice over violations and human rights abuses speak to Buckley-Zistel (2008) concept of pretending peace and chosen amnesia following high voltage inter-communal conflicts. Beyond the historical land injustices, violations by SLDF and state security agencies in addition to lack of access to justice, how comes it is possible that respondents in the study area continue to co-exist? Are they pretending peace in the midst of the complex grievances? In the study “We are

pretending Peace” Buckley-Zistel (2008) advanced that the public forgetting of past cleavages and antagonisms, however, does not mean that these divisions are of no importance today. Rather, this chosen amnesia constitutes a deliberate social coping mechanism to deal with the disruptive experiences of the past. The code of silence that constrains much of the post-conflict discourse of these issues is expressed in the following quotation: “Just after the war there were many problems. People returned from exile; there were also revenge killings. People could not talk to each other. Everybody was afraid of everybody. Today, it is as if we have forgotten everything. At the moment it does not exist anymore. People never talk about the past because it brings back bad memories and problems. We pretend it does not exist.” The current study advances that there is need for actors- states and non-states alike to address issues of access to justice for respondents in Mt. Elgon. This would suffice as one of the ways to reduce grievance and the risk of extremism over intractable land use conflicts in the study area.

Ntampaka (2000) added that this coping mechanism is necessary since, against the backdrop of rural life, members of the community in post-conflict Rwanda often felt that they did not need to have the choice to articulate their grievances publicly because it would upset the social balance. Instead, they were concerned with going about daily life in the community. Ntampaka (2000) adds that, it may take two or three generations before the situation permits individuals to speak out about their experiences of the conflict. In many cases, motivations for local coexistence oscillate between pragmatism and fear. As for pragmatism, on the one hand, community members have an interest in living together, simply because they have no choice. In an environment in which all depend on all, as is the case on the Rwandan hills, survival and prosperity require collaboration. When people fall ill, for instance, neighbors help each other to carry the

sick to hospital. Cultivation of the fields is also more efficient when carried out collectively. Moreover, some survivors even find themselves dependent on the murderers of their family to bring water to their sickbed.

The Kinyarwanda phrases *Kwishyira mu Mutuzo* or *Kwihao Amahoro* mean “pretending peace” and signify a coping mechanism by which all antagonism is silenced to maintain the social equilibrium. According to Ntampaka (2000), this concept reflects many people’s *modus operandi* and often constitutes the only possible way of living in the midst of mutual distrust. This coping mechanism is what Ntampaka (2000) refers to as *chosen amnesia*.

Primary data collected through key informant interview with a community elder also challenged the decision for military camp in the study area in addition to establishment of a GSU camp, yet the land issues had not been touched. Respondents also alluded that some of the parcels of land allocated to the state security agencies were in the contested areas of Chepyuk III. The current study thus questions whether peace in Mt. Elgon is “enforced peace” and that what would be the consequences should the security agencies shift base from Mt. Elgon with the persistent land problems. The study also points to negative “enforced peace”- the implication is that underlying sources of the conflict remain untouched, thus likely to feed into grievance and extremism. Hammarstr & Heldt, (2002) study examined military success vis a vis the duration of intervention in a conflict. The study asserted that missions with longer duration have a larger chance of success than shorter operations. Chesterman (2005) argues that although a lengthy international presence does not ensure success an early departure guarantees failure of a mission. Long military presence in a conflict area deters belligerents from regrouping for another attack. Achievement of sustainable peace and success in the intervention

requires the troops to stay on for several years to manage a fragile peace process. Yet, the current study opines that military presence in the area has not been accompanied by any substantial effort to bring to an end the intractable land issues in Mt. Elgon. Hammarstr & Heldt, (2002) argued that the ending of civil war does not end societal suffering, division, and conflict. The authors assert that structural root causes of armed conflict may remain intact or may even be exacerbated long after military intervention. Though military victory is required in ending protracted conflicts, it does not translate to reconciliation.

Study findings do not conform to Lambourone (2004) who asserted that the ending of overt violence via a peace agreement or military victory does not mean the achievement of peace unless it is followed by reconciliation and justice because post-conflict situation may provide a new set of opportunities that can be grasped or thrown away. The author further argues that both justice and reconciliation are significant for successful post-conflict peace-building processes. Lambourone argues that warring communities need to overcome enmity through the acknowledgement of chosen traumas and developing shared histories.

Similarly, respondents lack of access to justice following military intervention are corroborated with Smith (2006) study which argued that interventions often fail because the military first fails to adequately distinguish between coercive and consensual operations. Secondly, the military fails to recognize the root causes of the conflict. Military thinkers such as Agypong (2005) advocate for military intervention. Agypong asserted that military interventions create an atmosphere conducive for peace.

6.4 Judicial Based Response Approaches

The international community, through their endorsement of Sustainable Development Goal (SDG) 16, set out a shared vision of the central role effective, accountable and inclusive institutions play in enabling sustainable development. This goal is not only important in its own right, but also contributes to the wider delivery of the United Nations 2030 Agenda. Peace, inclusion and the delivery of basic services all rest on the effective and accountable management of power. This section examined the role of judiciary in addressing homegrown extremism over communal land use conflicts in Mt. Elgon Region of Western Kenya. The results are presented and discussed in subsequent sections.

6.4.1 Whether Respondents Had Encountered the Judiciary in Pursuit of Land Justice

The study sought to establish whether respondents in their pursuit for land justice had encountered the judiciary. Data on the same were collected, analyzed and the results presented in Figure 6.10. Quantitative evidence in Figure 6.11 revealed that majority 284 (71%) of respondents had encountered the judiciary whereas 116 (29%) respondents indicated that they had not encountered the judiciary. A 71% (284) response rate to this item is a good indicator in terms of attempts to access justice by respondents in the region. The current also opines that this response rate reflects the perception of respondents towards the judiciary as a pathway to manage extremism over intractable land use conflicts and consequently the attainment of SDGs.

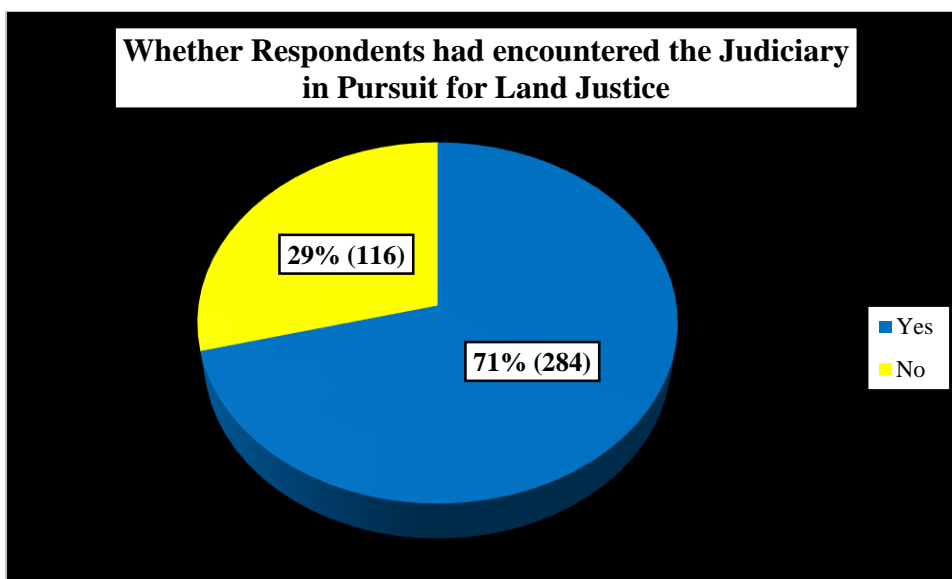


Figure 6.11: Whether Respondents had encountered the Judiciary in Pursuit of Land

Source: Field Data (2021)

The current study advances that addressing drivers of crisis, conflict and instability includes building inclusive and capable justice and security institutions and systems. These can address the underlying perceptions of unequal access to power and resources and mitigate the impacts to population groups feeling marginalized and excluded from decision making processes. Transitional justice and advancing the state’s ability to secure human rights are important parts of sustaining peace. SDG 16 aims to promote peaceful and inclusive societies for sustainable development, provide access to justice for all, and build effective, accountable and inclusive institutions at all levels. The 2030 Agenda recognizes the need to build peaceful, just and inclusive societies that provide equal access to justice and that are based on respect for human rights, on effective rule of law and good governance at all levels and on transparent, effective and accountable institutions. SDG 16 is identified as a Goal that is both an outcome and enabler of sustainable development. It is closely interlinked with other SDGs. Without peace, justice and inclusion, achieving goals such as ending poverty, ensuring education promote economic growth can be difficult or impossible. The next section presents and

discusses findings on the extent of application of judicial mechanisms in solving land conflicts in the study area.

6.4.1.1 Extent of Application of Judicial Mechanisms in Solving Land Conflicts in Mt. Elgon

The study also sought to establish the extent of application of judicial mechanisms in solving land disputes in Mt. Elgon Region. Data on the same were collected, analyzed and the results presented in Figure 6.11

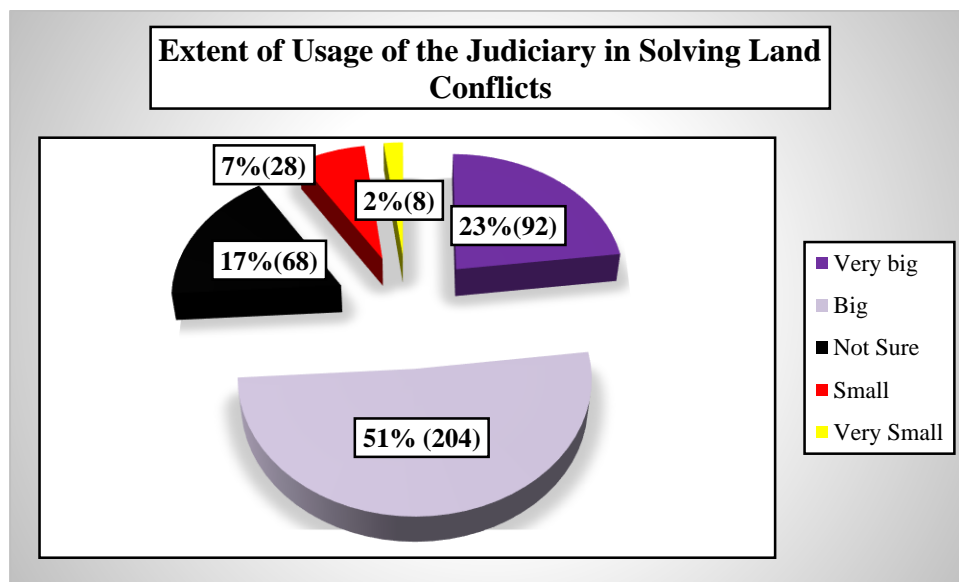


Figure 6.11: Extent of Usage of the Judiciary in solving land conflicts in Mt. Elgon Region

Source: Field Data (2021)

Quantitative evidence in Figure 6.11 revealed that majority 204 (51%) of respondents indicated that respondents used the judiciary in solving land disputes to a big extent, 92 (23%) to a very big extent, 68 (17%) were not sure, 28 (7%) of respondents to a small extent and 8 (2%) to a very small extent. It is important to note that from the findings, only 8 (2%) of the respondents agreed to using the judiciary to a very small extent whereas big 204 (51%) and very big 92 (23%) cumulatively accounted for 296 (74%)

responses which is an indication that respondents in the study area had some level of confidence in the judicial system as a response strategy in managing land issues in the study area.

6.4.2 Whether Respondents Were Satisfied with the Judiciary in Providing Service to Land Problem

The study also sought to establish whether respondents were satisfied with the judiciary in service provision in terms of the complexity of the procedure, accessibility and clarity of information, investment of time from the beginning to the end, economic investment/cost of legal services and quality of service delivery. Data on the same were collected, analysed and the results presented in 6.4.

Table 6.4: Respondents level of satisfaction with the judiciary in provision of service with regards land problem

	Satisfaction with Judiciary	Agree	Neutral	Disagree
1.	Complexity of judicial land procedure	7% (28)	14% (56)	79% (316)
2.	Accessibility and clarity of information	10% (40)	4% (16)	86% (344)
3.	Investment of time from the beginning to the end	0% (0)	2% (8)	98% (392)
4.	Economic investment/ Cost of legal services	0% (0)	2% (8)	98% (392)
5.	Quality of service delivery	12% (48)	25% (100)	63% (252)

Source: Field Data (2021)

Quantitative evidence in Figure 6.4 revealed the following. On complexity of judicial land procedure, study findings established that majority 316 (79%) of respondents were

not in agreement, 56 (14%) respondents were neutral whereas 28 (7%) respondents were in agreement. Overall, study findings on complexity of judicial land procedure indicated majority 316 (79%) agreement, an indicator that respondents in the study area were not “comfortable” with the judicial procedures.

On accessibility and clarity of information, majority 344 (86%) respondents were not in agreement, 16 (4%) were neutral and 40 (10%) respondents were in agreement. Overall, study findings indicated that majority of respondents in the study area could neither access information nor seek clarification on land issues in the judiciary.

Findings on accessibility and clarity of information are consistent with Muhanda (2015) study on “*Access to Justice for Persons Living in Poverty: The Legal & Institutional Framework in Kenya*”. According to Muhanda (2015), while many people find it difficult to understand legal or judicial terminology, the complexities increase in multilingual and multiethnic societies like Kenya where legal proceed are conducted in English making it difficult for the very poor who only speak their local dialect. Similarly, judicial systems like ours that are heavily reliant on paper forms and written submissions put illiterate persons in a disadvantaged position. In some cultural groups, different terminology maybe used for specific occasions or to speak to people in a different terminology may be described in different ways. Furthermore, inter cultural communication between indigenous people and the judicial officers can be impeded by difference in perception of politeness, cultural taboos which prevent the giving of certain evidence.

Maigua & Kariuki (2014) added that access to justice to all citizens can only be possible by giving legal advice and legal assistance to all people who cannot afford the services of a lawyer. It is therefore the duty of the state to ensure that all its citizens enjoy their right to justice which includes provision of legal aid services to those who cannot afford

a lawyer to represent them due to their financial status. Most Litigants in African countries are unable to access legal services due to non-provision of legal aid services from their home states and have thus been forced to approach the courts of justice without proper legal representation as most countries do not provide for mandatory legal representation for poor litigants.

The other aspect on accessibility, the current study argues has to do with geographical barriers where people of Mt. Elgon have to travel to either Kimilili or Bungoma to access the judiciary and land registries. It has to be pointed out that the feeder roads in Mt. Elgon are in a poor state. Muhanda (2015) opined that, while excessive police deployment is problematic in some communities living in poverty, the absence of police and other institutions necessary for the administration of justice in rural, poor and marginalized areas is a common problem. Courts, especially appeal courts are often located only in the Capital cities while police officer and lawyers are also concentrated in urban areas along with registries for lands, birth, death and marriages. In the circumstance, persons living in poverty often have to travel long distances at great costs to engage with the justice system, exposing them to unfamiliar environment and unsafe conditions. Such factors often act as a persuasive deterrent against seeking redress from judicial and adjudicatory mechanisms, or may indeed represent an insurmountable obstacle for the poorest and most marginalized. For the poor people, the need to travel long distance to reach police stations, court houses or public registries often implies that they are in practice unable to seek redress or protection from violence, abuse and exploitation, and have greater difficulty in accessing documents such as birth certificates and title deed that are essential as evidence of their rights when they are contested, in land or inheritance proceedings.

Study findings on accessibility and clarity of information are corroborated by Muhanda (2015) study. According to Muhanda (2015), literacy and education empower individuals, increasing their capacity to understand and insist on the enforcement of their right. Low level of literacy and education reduce access to economic resources and the capacity to understand and enforce rights, resulting to low levels of access to justice. Anderson (2003) alluded that, for one to comprehend the existence of rights and the ways in which such rights can be invoked and enforced by judicial and adjudicatory mechanisms, is fundamental to the appreciation of the phenomenon of access to justice. Persons living in poverty are mostly illiterate and thus have very little or no understanding of the law and its applicability in their circumstances. They are unaware of the existence of their legal rights and the entitlement of the state's obligation and duty towards them and how to secure the assistance they need. In most circumstances they have no idea where the laws can be found and even where the laws are availed to them, they can hardly read nor comprehend its content (Muhanda, 2015). The study suggested that some of the ways that could contribute in addressing social barriers include advocacy for changing legislations, awareness arising of legal rights and judicial information through campaigns and programs, employing digital technology to disseminate general information and to provide informal legal education.

On investment of time from beginning to end, majority 98% (392) of respondents were not in agreement, 2% (8) were neutral and 0% (0) were in agreement. On investment of time, study findings established that land cases took a long time to conclude. These findings are corroborated with FGD findings which established that 100% of FGD respondents indicated having cases in the judiciary on average for periods over fifteen years. They indicated their frustration towards over four decades of seeking justice without being close to it. Respondents alluded to the fact that the first series of court

cases over land claims may have been filed over four decades ago since the establishment of the Chepyuk settlement schemes. Indeed, a common adage goes “justice delayed is justice denied” and thus a factor that feeds into grievance and extremism of intractable land-use conflicts in the study area.

Study findings on time taken to conclude a land case were corroborated with the Land Development & Governance Institute (LDGI), (2014) report where respondents felt that it took long to conclude cases and give a verdict. Yet the current study points out that these are findings arising following the establishment of ELC which was specifically put up to deal with land and environment related causes of conflict are alarming since it defeats the very logic that led to the conception and establishment of the ELC. In addition to the institutional challenges facing the judiciary, the issue of lengthy trials also arose during the FGD discussions. Although, the current study points out that, lengthy trials are not a problem restricted only to developing countries. At the Council of Europe level one of the most commonly invoked provisions in the judgments of the European Court on Human Rights has been Article 6 of the European Convention on Human Rights and Fundamental Freedoms which lays down the requirements for a “fair trial” including the requirement that the proceeding should take place within a “reasonable time” (LDGI, 2014). The current study indeed argues that over 15 years is not a reasonable time given that respondents in the study area solely depend on these lands to sustain their livelihoods.

Muhanda (2015) study added that, due to lack of adequate resources and qualified staff, limited budget and inadequate infrastructure, there are unnecessary delays in adjudication of cases and enforcement of judgments. While these problems affect all

persons seeking justice through the formal justice system, they have a disproportionate impact on the poor, for whom a long process is not only a denial of justice but also unaffordable and may aggravate their situation. Often their cases are under prioritized due to biased preferential treatment to the wealthy or lack of sensitivity or understanding of the impact of the delay on the poorest claimant. Those with power and resources are not only able to assume the costs of the long waiting period, but also have access to informal ways to speed up a process.

Study findings on delays and lengthy procedures are consistent with Crook (2004) study on *“Litigants’ Perspectives Over Land Disputes in Ghana’s State Courts”*. Crook (2004) study established that, delays and adjournments constituted a “norm” in Ghana’s state courts. The survey confirmed what is already well known, which is that litigants, particularly in land cases, experienced severe delays- with majority of respondents having filed their cases more than two years ago. Although, for this study, two years would suffice as a relatively short time given that the Mt. Elgon conflict has spanned over four decades. On average, in Ghana, litigants alluded to have attended court sessions between 21-80 times with little or no progress in their cases. What is most significant about these findings however, is not so much the length of time cases have been going on, as the prevalence of ‘adjournment’. It could be said in fact that most of the frustration and inconvenience experienced by litigants is caused primarily by the adjournment practice, which constantly forces parties to attend court (and thus incur costs of time and money) to no apparent purpose. Why is adjournment such a major and indeed routine part of the experience of pursuing a case in court? If this could be understood, major improvements in the system could follow.

Study findings are also consistent with Ogonjo *et al.*, (2021) study which established that the Environment and Land Court (ELC) had one of the highest number of pending cases, 13,630 cases for the 2019 – 2020 fiscal year, across all counties despite an impressive case clearance rate. Of the 13,630 cases, 21%, 2920 cases, have been in the court system for greater than 5 years, 34%, 4628 cases, are aged between 3 – 5 years, and 45%, 6082 cases, have been pending for 1 – 3 years. The impact of these protracted legal proceedings can be devastating to the parties involved in the disputes.

On economic investment and cost of legal services, majority 98% (392) of respondents were not in agreement, 2% (8) were neutral and 0% (0) were in agreement. On economic investment in the court cases, study findings indicated majority agreement that the legal costs were high. A key informant interview with a community elder also established that the court cases had continued to further impoverish respondents who had sold livestock and sort loans with the hope of attaining justice. Study findings on costs of seeking justice are corroborated with the Land Development & Governance Institute (LDGI), (2014) report where majority of citizens who took part in the study felt that costs were unaffordable at Environment & Land Courts. The findings on economic investment are corroborated with Crook (2004) study while examining the litigants' perspectives in land conflicts in Ghana's state courts. The study established that the cost of going to court can exclude the poor in society from justice. Respondents during an FGD discussion decried lack of legal aid in their pursuit for land justice in the study area. This prevented them from further pursuing their specific cases. Even where communal land was involved, respondents often pooled their resources together in order to get sufficient legal advice towards their cause.

LDGI (2014) report added that the existence of administrative and other fees disproportionately disadvantages vulnerable groups such as poor women, migrants and minorities, who often have less access to financial resources. They may be prevented from filing criminal charges (SGBV) or civil claims (land inheritance) when excessive fees are imposed. In addition to formal administrative fees, persons living in poverty encounter other collateral costs in accessing justice. The cost of transportation to courts and accommodation, together with the loss of income while away from employment or subsistence activities, may be impossible for the poor. These costs are particularly severe for those who live in rural areas and may have to travel days to access the justice system.

On affordability of judicial services, study findings are corroborated by Muhanda (2015) who advanced that, in addition to legal fees, there are other numerous costs associated with accessing the justice system, which constitute a major barrier for those who simply cannot afford them. Costs are encountered at every stage of the legal process, alongside several direct costs, such as obtaining a legal document, commissioning of documents, photo copy and phone calls whose cumulative impact is a crucial factor in preventing the poor from accessing and benefiting from the justice system. In addition to formal administrative fee, persons living in poverty encounter other collateral costs in accessing justice. The costs are severe for those living in the rural areas and who may have to travel days to access the justice system. Persons who are employed in the informal sector may not be able to get permission from work thus they risk losing their work. Care givers, the majority being women may not be able to leave home to submit a claim or attend court hearings.

On quality of service delivery, majority 63% (252) of respondents were not in agreement, 25% (100) were neutral and 12% (48) were in agreement. Overall, study findings reveal that there was majority disagreement by respondents across all the five parameters on satisfaction with the judiciary tested pointing to a problem with regard to the judiciary as a pathway to the management of homegrown extremism over intractable land conflicts in the study area. The study opines that this rating is impactful on issues of extremism as it is likely to feed into grievance over intractable land conflicts in the study area.

Study findings are a negation of the National Land Policy of 2009 which recognized the need to ensure access to timely, efficient and affordable dispute resolution mechanisms (Kameri-Mbote, 2009). The policy encouraged the adoption of Alternative Disputes Resolution (ADR) mechanisms such as negotiation, mediation and arbitration to reduce the number of cases that end up in the court system and delayed justice.

These findings are consistent with Muhanda (2015) study on “*Access to Justice for Persons Living in Poverty the Legal and Institutional Framework in Kenya*” which established that formalism of the judicial procedures restricted access to legal aid, persons living in poverty are often forced to navigate the judicial system alone. In doing so, they encounter a complex labyrinth of laws, traditions and interaction with copious paperwork, the use of legal jargon, mainstream languages and restrictive time limits, all of which can deter the poor from seeking justice under formal system and impede fair outcomes. These barriers are particularly damaging in areas of the law that frequent impact upon the most marginalized. Person living in poverty may be unfamiliar with, and often intimidated by, regulations regarding dress codes, the hierarchy of the court

system, confrontational design of court rooms, and traditions about when to sit, stand and address the judge. As a result, they are in an unequal and disadvantaged position before they even walk into the courtroom.

The findings on respondents' satisfaction with the judiciary are consistent with Land Development and Governance Institute (LDGI) (2014) assessment of the Environment and Land Court. According to LDGI (2014), access to justice to all citizens can only be possible by giving legal advice and legal assistance to all people who cannot afford the services of a lawyer. It is therefore the duty of the state to ensure that all its citizens enjoy their right to justice which includes provision of legal aid services to those who cannot afford a lawyer to represent them due to their financial status. The assessment report advances that, most litigants in African countries are unable to access legal services due to non-provision of legal aid services from their home states and have thus been forced to approach the courts of justice without proper legal representation as most countries do not provide for mandatory legal representation for poor litigants. It has been urged that access to justice entails the provision of dispute resolution mechanism which are affordable, proximate, ensure speedy justice and whose process and procedure are understood by users. However, in a broader context access to justice includes issues to do with accessibility to court, language in court proceedings, court fees, public participation in administration of justice, backlog of cases that delay justice, use of legalese, understaffing, lack of effective remedies and awareness of Alternative Dispute Resolution (ADR) and traditional dispute resolution mechanism.

Study findings do not reflect UNSDG goals and aspirations with regards to access to justice for all. The UN's Sustainable Development Agenda 2030 affirms the belief that

rule of law and access to justice are intrinsic to the global effort to eliminate poverty and promote sustainable development. In adopting Sustainable Development Goal (SDG) 16.3 in 2015, the United Nations (UN) Member States committed to promoting the rule of law at the national and international levels and ensuring equal access to justice for all. Central to SDG16 is strengthening social cohesion between citizens and the state as well as within and across individuals and social groups. Declining trust between citizens and government, and polarization of society along political, social, and economic lines, threatens peace. Strengthening social cohesion and conflict mitigation through dialogue and consensus building is crucial for achieving sustainable, peaceful societies.

Indeed, access to justice and rule of law can play a catalyzing role in accelerating progress towards all seventeen SDGs, but progress towards goal 16, including target 16.3, has been uneven. Closing the justice gap requires a transformation in ambition – a sustained effort to greatly multiply provision of access to justice in order to meet extensive legal needs. The burden of injustice is not randomly distributed, with women, children, and marginalized groups finding it hardest to get access to justice. And yet, access to justice is often critical for addressing some of the fundamental drivers of poverty and inequality, and for reducing risks of outbreak of violent conflict. Providing access to justice and establishing the rule of law more than just a technical exercise in drafting legislation, building courts and training police. It is a complex and long-term endeavor that requires navigating power dynamics, identifying potential sources of conflict and changing mindsets. To be successful, reforms must be politically-sensitive, locally owned and grounded in a solid understanding of the needs and the lived reality of justice seekers. This is especially true for those most vulnerable, marginalized and

at risk of being left behind, such as children, for whom specialized services and outreach may be necessary to enable equitable access to justice. Overall, Ogonjo *et al.*, (2021) sums respondents' satisfaction with the judiciary in the management of homegrown extremism over intractable land use conflicts. While these problems affect all people seeking justice through the formal justice system, they have a disproportionate impact on the poor, for whom a long process is not only a denial of justice but also unaffordable and may aggravate their situation.

6.4.2.1 Respondents Rating of the Judiciary in Solving Land Disputes

Respondents were further asked to score the judiciary out of 10 in resolving land disputes in the area. Data on the same were collected, analyzed and the results presented in Figure 6.12.

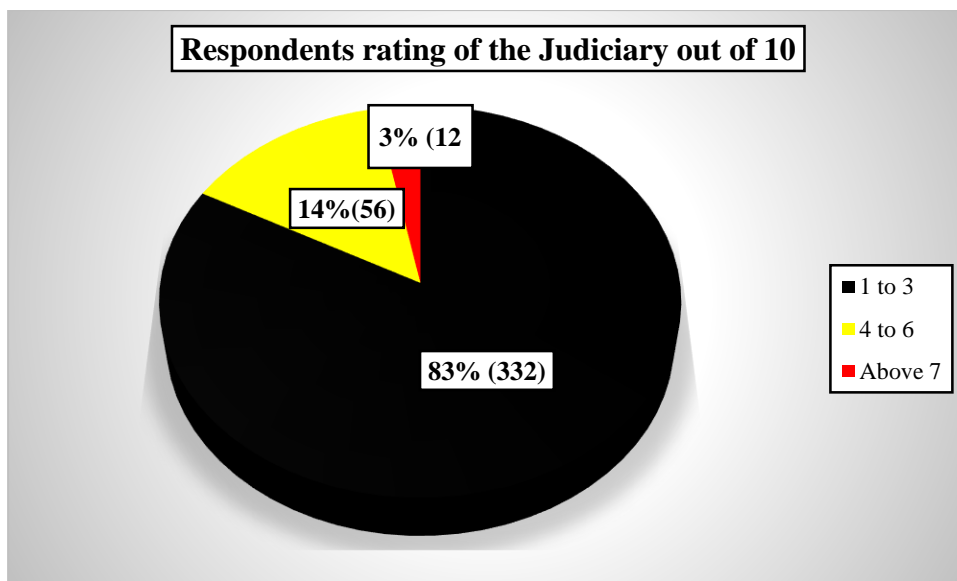


Figure 6.12: Respondents rating of the Judiciary out of 10

Source: Field Data (2021)

Quantitative evidence presented in Figure 6.12 revealed that majority 332 (83%) of respondents scored the judiciary between 1-3, 56 (14%) of respondents between 4-6 whereas only 12 (3%) of respondents scored the judiciary above 7 out of 10. The current

study opines that with majority 332 (83%) poor rating of the judiciary is not a good indicator and does not inspire confidence with regard to the management of homegrown extremism over intractable inter-communal land use conflicts in Mt. Elgon Region of Western Kenya.

Study findings on respondents rating of the judiciary are in agreement with Carmona & Donald (2014) study which advanced that in order for the important role that justice systems and mechanisms can play in reducing poverty and inequality to be realized, persons living in poverty need to be able to access them. Currently, however, in all countries of the world persons living in poverty face significant barriers that seriously impede or discourage them from seeking justice. By extension, access to the justice arena partly determines fair access to the other arenas. Perceptions of injustice can be situated or can originate in the other arenas, but are ultimately resolved within the justice and conflict resolution systems. For example, unfair outcomes in access to natural resources and their benefits are addressed within the justice system. Put another way, the credibility and legitimacy of the justice system has an impact on the functioning of other arenas and on the population's perceptions of fairness and legitimacy overall. Durable institutions that are perceived as just are crucial to broad-based, inclusive development (World Bank, 2011).

A robust justice system creates incentives for peaceful behavior. It can settle disputes in a peaceful manner, ensure accountability of power, promote respect for human rights, combat corruption through the enforceability of contracts and property rights, and ensure checks and balances (World Bank, 2017c). Conversely, a breakdown of justice systems and the rule of law generally can inflame the grievances that may be mobilized for conflict and create incentives for violent behavior. The relationship between weak

rule of law and violence is underscored by the poor perceptions of justice systems often found in regions suffering from or at risk of violent conflict, as people lose confidence in institutions that cannot, or will not, protect them from injustices (Logan, 2017). Grievances can accumulate with prolonged conflict, as the capacity of justice systems is strained by the need to respond to ongoing violence; the often elevated levels of criminality and abuses during violent conflict can further weaken the capacity of formal justice systems.

To this end, therefore, the prevention of violent conflict requires identifying why justice system processes and outcomes may discriminate against certain groups. In many cases, the formal justice system may be inaccessible. In others, it may be irrelevant to the justice-related needs of the population. Many people rely, voluntarily or out of necessity, on informal or customary justice systems that are rooted in traditional authority. Indeed, this is the case for roughly 80 percent of the population in transition or post-conflict settings (World Bank, 2017). A cross-country study of Afghanistan, Guatemala, Iraq, Liberia, Mozambique, South Sudan, and Timor-Leste established that customary systems are often more trusted and used by people because they are more sensitive to the political and social realities and therefore faster and more effective in solving the everyday problems that people face (Isser, 2011). Also, where formal rules diverge greatly from local norms and customs, these customary systems of justice are much more likely to be respected (Isser, 2011). Advances in ending violence, promoting the rule of law, strengthening institutions and increasing access to justice is uneven. This continues to deprive millions of people throughout the world of security, rights and opportunities. Attacks on civil society are also holding back development progress. Renewed efforts are therefore necessary to make the realization of SDG 16 a reality.

Failure to invest in SDG 16 will result in worsening violence, injustice and exclusion which will reverse development against across all SDGs.

As enshrined in SDG 16, the 2030 Agenda calls for transparent, effective, inclusive and accountable institutions to advance poverty eradication and sustainable development. It aims to ensure responsive, inclusive, participatory and representative decision-making at all levels. SDG 16 emphasizes the central role of institutions and effective decision-making in reaching the SDGs. As with the rest of the 2030 Agenda, while governments have a leading role to play, the achievement of SDG 16 depends on a whole-of-society approach. Muhanda (2015) study concluded that poor functioning of the justice system particularly affects the poor, because persuing justice requires a much greater effort and investment in terms of money and time for them, while their chances of a just and favorable outcome are worse.

6.5 County Management Approaches

As most violent conflicts are intrastate conflicts fought between different groups within one country (rather than between different countries) – the potential of decentralization to facilitate the accommodation of differences, protect minority groups, prevent territorial disintegration and maintain political stability has rendered decentralization one of the international community’s preferred conflict-ameliorating strategies (Monteux, 2006, p. 164). Decentralization, therefore, has not only become a tool of conflict resolution, but is also strongly linked to elements of peace-building, state-(re)building and democratization. This section, taking cognizant of the fact that devolved systems of governance in Kenya began operations in 2013 sought to establish whether their had been attempts at county level to manage homegrown extremism in

the wake of intractable land conflicts in Mt. Elgon. Data on the same were collected, analyzed and the results presented in Figure 6.13.

Quantitative evidence presented in Figure 6.13 revealed that majority 392 (98%) of respondents had not encountered the County Government in their pursuit of land justice in their area almost 10 years into the devolved systems of governance. Only 8 (2%) of respondents indicated that they had encountered the County Government. The current study argues that these are key findings for studies on marginalization with regards to decentralization of resources as a pathway to the management of homegrown extremism. This could be attributable to the fact that both the Sabaot communities are not autochthons in Bungoma County and are considered immigrants and outsiders (Namtala, 2018). Similarly, being inhabitants at the periphery of the county with one side bordering Uganda to the West and the other side bordering Trans-Nzoia County. Despite the presence of devolved system of governance, the impact of devolution was low in the general Sabaot inhabited areas. This is not only in the management of land conflicts, but also in other general arenas of development visible through general infrastructural projects- education facilities, health facilities and transport facilities. Based on their population, the Sabaot people have the least seats in the County Assembly of Bungoma in addition to holding any significant public offices within the devolved system. This negates the very aim of institutionalizing devolved units as pathways for addressing grievance and extremism in post-conflict societies.

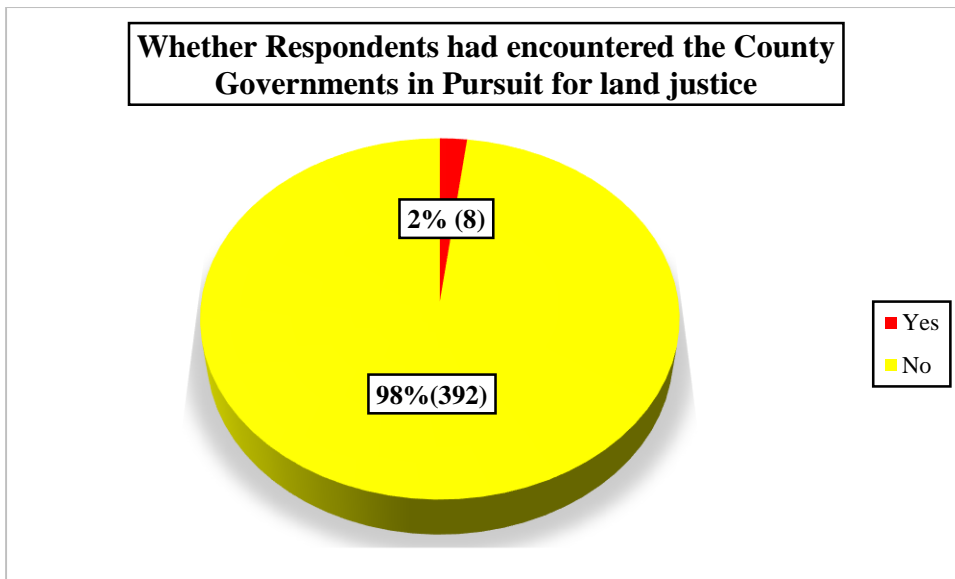


Figure 6.13: Whether respondents had encountered the County Government in pursuit of land justice

Source: Field Data (2021)

Study findings on County management approaches are a negation of Boone *et al.*, (2016) study which advanced that, Kenya's 2010 Constitution and the 2012 Land Acts produced three types of institutional restructuring that were designed to touch directly on land rights and land administration: devolution to 47 new county governments would be more accountable and responsive to local interests, and directly responsible for administration of community (ex-Trust) land; separation of powers at the pinnacle of the national political system to extinguish the president's arbitrary authority to allocate land while placing oversight and regulatory authority in the hands of a non-partisan, transparent, and law-governed National Land Commission (NLC); and deconcentration of the NLC to give this non-partisan, independent agency a strong watchdog, advocacy, and decision-making role at the local/county level. There is much in the Constitution of Kenya (2010) and the Land Acts that aimed to have a direct impact on the land interests of ordinary citizens. Constitutional reforms gave devolved county governments and the

NLC new powers over untitled land (over 60% of all land in Kenya), land held under title by family farmers, public land in rural areas, and pastoralists' land, as well as powers aimed to curb rural "land grabbing" and even recover land grabbed in the past. The Constitution and the Land Acts thus set the stage for a contentious politics of institution-building and reform that would be shaped by conflicts of interest and power struggles.

Study findings are a negation of Mung'ale *et al.*, (2021) study. Similarly, Mung'ale *et al.*, (2021) advanced that devolved system of governance is an instrument for managing internal conflicts in divided countries. The system has been adopted by developed and developing countries to manage diversity and prevent the prevalence of intrastate conflicts which characterized the post-Cold War Period. In Kenya, for instance, the mismanagement of the land question and the control of arms of government transited to ethnic discrimination, marginalization and conflicts. Unresolved land question had always taken political and ethnic undertones (Rift Valley, Nyanza, Western and Parts of Coastal province) (Nyukuri, 1997; Kanyinga *et al.*, 2008). Kenya took a raft of measures which included the adoption of the devolved system of governance in the Constitution of 2010 as a comprehensive tool for managing diversity as well as land which has been at the centre of conflicts from colonial period.

The institutions of the devolved system of governance were designed to ensure equitable access to land; security of land rights; sustainable and productive management of land resources; transparent and cost effective administration of land sound conservation and protection of land; and encouragement of communities to settle land disputes through recognized local community initiatives consistent with the constitution of Kenya (Kameri-Mbote, 2016). The national government, county

governments and National Land Commission were further mandated to perform concurrent and exclusive functions to ensure land in Kenya are held, used and managed in a manner that is equitable, efficient, productive and sustainable (Article 60 of the Constitution of Kenya, 2010).

Although arising from qualitative evidence collected during the key informant interviews, it emerged that the Sabaot being a minority in Bungoma County continued to be deprived of resources and opportunities for social mobility and development even in the devolved system of governance. These findings concur with Wall (2016) who argued that decentralization has been used by dominant groups as a mechanism to marginalize, exclude, and increase inequality. For example, in Northern Ireland, poorly resourced Catholic schools and better resourced Protestant schools were dealt with separately by local councils. This widened inequality and was a major contribution to the frustration that led to conflict. Similarly, in Rwanda, Gaynor (2013) demonstrated how decentralization not only exacerbated inequalities central to the ethnic tensions, which led to the 1994 Genocide against the Tutsi, but was also a key mobilisation mechanism for much of the violence. To this end, therefore, this study begs the question on the utility of devolved governance systems and their effectiveness in addressing grievance in heterogeneous communities. Sentiments on lack of county involvement in the conflict prone areas because of the Sabaot's minority status were also echoed in FGD discussions where respondents revealed that they had been marginalized on the basis of being minorities in the county.

As a result of the Sabaot not being autochthons in the study area, the findings of the current study are not consistent with Mungale *et al.*, (2021) study on "*Efficacy of the Devolved System of Governance in Management of Land Use Conflicts in West Pokot*

County". Mungale *et al.*, (2021) study established that the national government, county government and National Land Commission have influenced administration and management of land use which had prevented intractable and protracted conflicts in the county. The transfer of the Ministry of Land and Physical Planning to West Pokot County was a major achievement courtesy of devolution. From the time it was moved to the county headquarter, the registration, survey and adjudication and settlement departments had improved land use administration and management in some sub-counties. The adjudication office had demarcated several blocks of land in the county. The national and county governments were partnering together to fast-track access, ownership and effective use of land to achieve its sustainable and productive management of land use. The transparent, accountable and cost-effective administration of land was a good mechanism preventing intra-community and inter-community conflicts in the county. The partnership was evident by the meetings and joint activities organized by the Ministry of Land and Physical Planning and the Department of Lands, Housing and Urban Planning to develop the best and cost-effective ways to enhance land administration and management in West Pokot County. The forums brought together various stakeholders in the county, enhanced mobilization of scarce resources, participation of the public in decision making and ownership of the process by the residence which was aimed at improving administration and management of land use in the county.

Findings on the role of county governments in addressing land conflicts are not in agreement with a number of studies on decentralization as a form of conflict resolution. For example, Kaldor (2012) study advanced that, decentralization has become a prominent tool for conflict resolution. Since the end of the Cold War, the nature of

conflict appears to have changed, as evidenced by the proliferation of civil wars and conflicts rooted in ethnic, religious and linguistic diversity. These 'new wars' have thus necessitated the development of new tools for managing and resolving ethnocultural conflicts. Political decentralization is one such tool, able to satisfy the aspirations and demands of both minority and majority groups: giving minority groups limited control over their own economic, political and social affairs, while also sustaining the territorial integrity of the extant state.

In Mt. Elgon Region, from the results of the study seems that the County Government has paid little attention to the land problems and other problems facing the Sabaot minorities. At the time of the study, almost a decade since the commissioning of the devolved systems of governance, how come land issues remain largely ignored by the County government of Bungoma? This points out to a long historical and perpetual pattern of the marginalization of the Sabaot minorities not only in the previous administrative structure but also within the devolved system of governance. It is important to point out that decentralization, while heralded by some as a necessary tool to alleviate ethno-cultural tensions, can also heighten such tensions or worse still create new problems. One of the principal concerns of decentralization is that by giving autonomy powers to minorities which form a majority in the geographically defined territory, decentralization, in effect, creates new minorities, or as Sisk (1996, p. 2) has put it, merely 'rearranges the configuration of minorities and majorities'. The problem of 'minorities within minorities' thus means that decentralization may help alleviate tensions and ensure autonomy for one minority group while simultaneously creating other minorities. In this vein, the majority group may choose to ignore the interests of (new) minority groups and could even reject any aspirations, claims or demands these

groups may have vis-à-vis accommodation, recognition or self-determination (Eisenberg & Spinner-Halev, 2005).

McGarry and O'Leary (1993), while generally enthusiastic regarding decentralization as a tool of conflict resolution, argued that it is most successful when decentralization is 'genuinely democratic' and when the group in question is geographically clustered on a specifically delineated territory. Non-territorial autonomy, which entails 'diverse practices and theories of minority community empowerment and self-determination that does not entail exclusive control over territory', while not as common as territorial solutions, is used as a conflict-resolving strategy for dispersed minorities.

Study findings on usage of devolved governments in the management of extremism over intractable land conflicts are a negation of Bermeo (2002) study. Bermeo (2002), for instance, wrote of the 'peace preserving' characteristics of decentralization, underlining that it isolates conflicts, peacefully accommodates minority groups and ensures a democratic response to ethno-cultural tensions. In the absence of such democratic institutions, the alternatives would be either inhumane responses such as genocide and ethnic cleansing, or secession, partition or further conflict, and as McGarry and O'Leary (2009) pointed out that these options serve only to further worsen ethnic tensions.

There are several strands of thought on the ability of decentralization to increase, as opposed to prevent further conflict. On the one hand, it is posited that decentralization does not solve problems of discrimination against minorities because when a minority gains self-government and becomes a majority (within its region), other minorities within the region may be the subject of 'new' discriminatory practices (Horowitz, 2003; Lijphart, 1977). In short, tensions grow between other minority groups and the passing

of legislation in the ambits of language, education or religion may discriminate against other minorities.

For governments seeking to mitigate or resolve ethno cultural conflict, it is crucial to ensure that both the minority and majority are satisfied with the decentralized structure of the polity. However, in trying to ensure that each party is suitably accommodated and equipped to protect their ethnic or cultural identities, decentralization can also lock in place the very identities and factors which minorities claim to make them different. Legislation which promotes the language and cultural traits of the minority groups ‘ensures the perpetuation of differences’ (Erk & Anderson, 2010, p. 2), and, in lieu of providing a unifying project to which all citizens can belong, can further destabilize or segment the already fragile polity. Ethnic differences, consequently, are often constitutionalized, and alongside the existence of regional cleavages can erode any attempts to foster a sense of unity between minority communities and the host state.

6.6 Chapter Summary

This chapter presented and discussed findings for the third specific objective of the study which sought to assess the contribution of the response approaches to homegrown extremism in their quest to manage intractable communal land-use conflicts in Mt. Elgon Region. In this chapter, respondents were asked to share their views on their encounters with a number of actors in their attempts to manage grievance based on land conflicts in the study area. These attempts ranged from community based approaches, Ministry of Lands, National Lands Commission, National Police Service, Military, Judiciary and County based approaches. In this chapter, it was their satisfaction and/or dissatisfaction with the various response approaches that informed homegrown extremism and grievance in their pursuit to manage land conflicts.

On usage of community based approaches, study findings revealed that the emergence of SLDF, MDF and PRM were “sub-conscious” community based approaches following the inability of existing governance structures to conclusively put an end to homegrown extremism over intractable land-use conflicts in the study area. Similarly, the tripartite Mabanga Declaration was not enforceable and had not been implemented at the time of the study. Overall, community approaches as a response approach were strongly supported at 94% (376).

On access to Ministry of Lands as response approaches, study findings revealed that 348 (87%) of respondents disagreed to having accessed the Ministry pointing to a potential problem of accessibility and endemic structural violence. Quantitative evidence also rated the Ministry too poorly in terms of issuance of land title deeds, land registration, securing land tenure, enabling equitable access to land and sustainable management of land. On encounter with the National Lands Commission, study findings revealed that 372 (93%) of respondents had never encountered NLC in pursuit towards responding to intractable land issues in the study area. NLC data also revealed that Bungoma County accounted for less than 0.5% of land cases in Kenya pointing to a problem of accessibility.

Quantitative evidence revealed that 292 (73%) had often and very often encountered the National Police Service in pursuit of land justice although the NPS was rated too poorly and had been at the vanguard of human rights violations to the already land deprived respondents. In addition, study findings revealed that 372 (93%) of respondents were also grossly affected by involvement of the Kenya Defence Forces in the land conflict- this, especially with regards to violation of human rights. An alarming

392 (98%) of respondents had not accessed justice following violations by State security agencies.

With regard to encounter with the Judiciary in responding to intractable land-use conflicts in the study area, 284 (71%) of respondents agreed to having resorted to using the Judiciary. The judiciary was rated too poorly in terms of complexity of judicial land procedures, accessibility and clarity of information, investment of time from the beginning to the end, economic investment/cost of legal services and quality of service delivery- this despite the establishment of Environment and Lands Court to specifically fast track land cases. Lastly, study findings revealed 393 (98%) respondents indicated absence of County Governments in the land issue- despite the County Government being almost a decade old at the time of data collection. Instead, qualitative data established that the establishment of devolved unit had perpetuated the issue of marginalization feeding into grievance and extremism. The next chapter presents the summary, conclusions and recommendations arising from the study.

CHAPTER SEVEN

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

7.1 Introduction

This chapter presents the summary of findings, conclusions, policy recommendations and suggestions for further research with regards to the research problem on calibrating homegrown extremism over intractable land-use conflicts in Mt. Elgon Region of Western Kenya.

7.2 Summary of Findings

The general objective of the study was to calibrate homegrown extremism over intractable communal land-use conflicts in Mt. Elgon Region of Western Kenya. The specific objectives were to:

- i. Examine the determinants of homegrown extremism over intractable communal land-use conflicts in Mt. Elgon Region of Western Kenya
- ii. Investigate the risk of homegrown extremism over intractable communal land-use conflicts in Mt. Elgon Region of Western Kenya
- iii. Assess the contribution of the response approaches to homegrown extremism in their quest to manage intractable communal land-use conflicts in Region of Western Kenya

The summary of findings is presented based on the specific objectives, philosophical parameters and theories that guided this study. These are presented in subsequent sections.

7.2.1 Determinants of Homegrown Extremism over Intractable Communal Land-use Conflicts in Mt. Elgon Region of Western Kenya

The first specific objective of the study examined the determinants of homegrown extremism over intractable communal land-use conflicts in Mt. Elgon Region of Western Kenya. The objective was divided into two core sections which extensively covered the socio-demographic variables of the respondents and the determinants “proper” of homegrown extremism. In the section on socio-demographic variables, it emerged that the following variables were supported as determinants that fed into grievance and extremism in addition to some strongly supporting the Pragmatic Africanacity philosophy and deviating from traditional Euro-American determinants. Gender, land ownership, age of respondents, number of years lived in the study area, whether respondents had migrated to other places since birth, source of income, level of education, ethnicity and housing structure were interrogated and supported the first research questions as determinants of extremism in Mt. Elgon Region of Western Kenya.

The second section interrogated the determinants proper of homegrown extremism over intractable land-use conflicts in Mt. Elgon Region of Western Kenya. Study results supported and demonstrated that indeed a number of variables were and remain determinants of homegrown extremism in the land question in Mt. Elgon Region. These included: the role of political leadership (232, 58%); land tenure insecurity (Strongly supported- 384, 96%); historical memory of the conflicts within and among the Sabaots; Culture of *Laibonism*; Perceived marginalization of the Sabaot community (Strongly supported-92%); Forced government eviction programs (Strongly supported- 400, 100%); Disputed boundaries (Strongly supported- 364, 91%) and land as a source of identity (224, 56%). The results demonstrated that these determinants have played and

will continue to play a role in feeding into grievance and extremism over intractable land-use conflicts in Mt. Elgon Region and thus the need to address them in an effort to manage the risk of extremism. Overall, the determinants presented help explicitly situate the relationship with homegrown extremism in Mt. Elgon Region of Kenya. The results are also in tandem with the Pragmatic Africanacity philosophy upon which this study is anchored on.

7.2.2 Risk of Homegrown Extremism Over Intractable Communal Land-Use Conflicts in Mt. Elgon Region of Western Kenya

The second specific objective investigated the risk of homegrown extremism over intractable communal land use conflicts in Mt. Elgon Region. The objective presented empirical findings within an area that is scarce in discourses and literature on homegrown extremism in both the Global North and Global South. That is, scientific risk assessment of extremism which could be adopted for use in an effort to mitigate the risk extremism poses to both global and national security architecture. The objective was divided into five core sections namely: attitudinal, contextual, historical, protective and demographic risk factors. Factors (a term derived from mathematics) usefully suggests that more than one is required to produce a given result. Academic literature strongly suggests that violent extremism has many causes and cannot be predicted by one variable alone. Each of these factors were examined and discussed independently although the cumulative results were used to predict the risk of homegrown extremism in the study area.

On attitudinal risk factors which measured beliefs and attitudes of respondents towards homegrown extremism over intractable land-use conflicts in Mt. Elgon Region of Western Kenya, the study investigated 8 attitudinal items “A.1-A.8”. Majority of attitudinal items were supported and pointing to a high risk of homegrown extremism

in the study area; “A.1” “Sometimes I feel like violence is the only way out of the land problem in my area” (Strongly supported- 308, 77%); “A.2” “Land is a cause of injustice in my area” (Strongly supported- 388, 97%); “A.3” “I know who is responsible for the land injustices befalling me” (Strongly supported- 280, 70%); “A.4” “I must admit that those responsible for my land injustices are evil in nature” (Supported-216, 54%); “A.6” “Land injustices make me feel like I am not Kenyan enough” (Strongly supported- 292, 73%); “A.7” “Land injustices make me full of hatred and frustration” (Strongly supported-292, 73%). Only attitudinal items “A.5” “I am willing to do everything including fighting and even dying for my land rights” and “A.8” “Being together with those who face land injustices like myself makes me feel relieved” did not receive majority support. Overall, study findings on attitudinal risk factors pointed to a high risk of extremism over intractable land-use conflicts in Mt. Elgon Region of Western Kenya.

On contextual risk factors, the study investigated three contextual factors “C.1-C3”. Majority of the contextual factors were strongly supported; “C.1” “I am aware of communities that have used violence to solve injustices elsewhere” (Strongly supported- 340, 85%); “C.2” “If violence can bring us land rights then I support it” (Strongly supported- 292, 73%) and “C.3” “Political decisions make me angry was supported at 47%. Overall, study findings on contextual risk factors pointed to a high risk of extremism.

On historical risk factors, the study investigated four historical factors “H.1-H.4” with majority of the historical factors strongly supported; “H.1” “I have had an encounter with violence in the past over land rights” (Strongly supported- 392, 98%); “H.2” “My family/friends have been involved in past violence over land rights” (Strongly

supported- 344, 86%); “H.3” “I am aware that some took paramilitary training to fight for land rights” (Strongly supported- 384, 96%) and “H.4” “Some still glorify violence as a pathway to land rights” (Supported-212, 53%). Overall, study findings on historical risk factors pointed to a high risk of extremism.

On protective factors, the study investigated four factors “P.1-P4”. Study findings revealed that on: “P.1” “I reject violence as a pathway to land rights in my area” (Strongly supported-284, 71%); “P.2” “I have changed the way I perceive the causes of my land problems” (Not strongly supported-8, 2%); “P.3” “I choose constructive dialogue as a pathway to land rights in my area” (Supported- 208, 52%) and “P.4” “Community support is a pathway to land rights in my area” (Supported at 42%). Overall, study findings on protective items pointed to a high risk of extremism.

On demographic factors, gender, age and marital factors of respondents negated conventional Euro-American literature. Study findings revealed that gender (being both male and female) and married was a risk factor in extremism. On age, study findings revealed that in homegrown extremism, being youthful and not is not a fundamental factor in extremism but the inverse was strongly supported in homegrown extremism discourses. In addition, arising from FGD discussions study findings added to risk factor items in existing assessment models. Study findings established that persuasive, coercive, preventive and public health/psychological risk factors all have a role to play in adding to the risk of extremism as was supported by the discussions. All those seemed to have been prevalent in the study area and thus increasing the risk of extremism over intractable land-use conflicts.

7.2.3 Contribution of the Response approaches to Homegrown Extremism in their quest to Manage Intractable Communal Land-use Conflicts in Region of Western Kenya

The third specific objective of the study sought to assess the contribution of the response approaches to homegrown extremism in their quest to manage intractable communal land-use conflicts in Mt. Elgon Region. In this objective, respondents were asked to share their views on their encounters with a number of actors in their attempts to manage grievance based on land conflicts in the study area. These attempts ranged from community, Ministry of Lands, National Lands Commission, National Police Service, Military, Judiciary and County based approaches. In this objective, it is the respondents' satisfaction and/or dissatisfaction with the various response approaches that informed homegrown extremism and grievance in their pursuit to manage land conflicts.

On usage of community based approaches, study findings revealed that the emergence of SLDF, MDF and PRM were “sub-conscious” community based approaches following the inability of existing governance structures to conclusively put an end to homegrown extremism over intractable land-use conflicts in the study area. Similarly, the tripartite Mabanga Declaration was not enforceable and had not been implemented at the time of the study. Overall, community approaches as a response approach were strongly supported at 94%.

On access to Ministry of Lands as response approaches, study findings revealed that 348 (87%) of respondents disagreed to having accessed the Ministry pointing to a potential problem of accessibility and endemic structural violence. Quantitative evidence also rated the Ministry too poorly in terms of issuance of land title deeds, land registration, securing land tenure, enabling equitable access to land and sustainable

management of land. On encounter with the National Lands Commission, study findings revealed that 372 (93%) of respondents had never encountered NLC in pursuit towards responding to intractable land issues in the study area. NLC data also revealed that Bungoma County accounted for less than 0.5% of land cases in Kenya pointing to a problem of access.

Quantitative evidence revealed that 292 (73%) had often and very often encountered the National Police Service in pursuit of land justice. Although, the NPS was rated too poorly with respondents indicating that they had been at the vanguard of human rights violations in addition to the already land deprived populations. In addition, study findings revealed that 372 (93%) of respondents were also grossly affected by involvement of the Kenya Defence Forces in the land conflict- this, especially with regards to violation of human rights. An alarming 392 (98%) of respondents indicated that they had not accessed justice following violations by State security agencies.

With regard to encounter with the Judiciary in responding to intractable land-use conflicts in the study area, 284 (71%) of respondents agreed to having resorted to using the Judiciary. The judiciary was rated too poorly in terms of Complexity of judicial land procedure, Accessibility and clarity of information, Investment of time from the beginning to the end, Economic investment/ Cost of legal services and Quality of service delivery- this despite the establishment of Environment and Lands Court to specifically fast track land cases. Lastly, study findings revealed 392 (98%) absence of County Governments in the land issue. Instead, qualitative data established that the establishment of devolved units had perpetuated the issue of marginalization feeding into grievance and extremism. Overall, accessibility, affordability, time taken and

commissions and omission by response approaches pointed to a high risk of extremism over intractable land-use conflicts in Mt. Elgon Region of Western Kenya.

7.3 Conclusions

Arising from the findings of the study, this section presents conclusions based on the three specific objectives. This section also provides the overall conclusion that reflects the problem under study- that is, to interrogate homegrown extremism over intractable communal land-use conflicts in Mt. Elgon Region of Western Kenya. It also presents the specific conclusions.

In the first specific objective which sought to examine the determinants of homegrown extremism over intractable communal land-use conflicts in Mt. Elgon Region of Western Kenya. Arising from the findings, the study concludes that land tenure insecurity emerged as the fundamental determinant of homegrown extremism in the study area. However, the risk of extremism was increased when other factors come into interplay such as lack of income, relationship with the land, ethnicity, political leadership, historical memory of conflicts, perceived marginalization of the Saboot, forced government eviction programs and the culture of *Laibonism* which all in combination seemed to compound and feed into the “complex whole” and the threat of homegrown extremism over the initial problem of land thereby feeding into the intractable nature of the conflict.

In the second specific objective the study concludes the land question in Mt. Elgon Region is shaped by a number of risk factors. These risk factors include attitudinal, contextual, historical, protective and demographic risk factors which were strongly supported as feeding into grievance and the risk of extremism. In addition, qualitative

evidence concluded in addition to the five conventionally adopted risk factors of extremism, the study concluded that persuasive, coercive, preventive and public health/psychological risk factors for extremism were also widespread in the study area thus increasing the risk of homegrown extremism and reinforcing the intractable nature of the conflict in Mt. Elgon Region of Western Kenya.

In the third specific objective, the study concludes that response approaches to development problems are absolute cornerstones for state legitimacy. When response approaches appear to be bureaucratic, expensive, irresponsive and at the vanguard of gross human rights violations of already deprived populations as has been the case in Mt. Elgon Region, they feed into the need to resort to employing alternative and unconventional methodologies in their quest to address the prevailing circumstances- such as SLDF. All these short-comings in within the response regimes seem to have played a role in sustaining and feeding into the intractable nature of the conflict. In Africa, this has replicated in *Boko Haram*, Ambazonia crisis among others. Therefore, irresponsive response approaches are catalysts and pose a high risk factor to homegrown extremism in resource deprived communities in the African continent.

Overall, based on the findings, the study's overall conclusion is that the caliber of homegrown extremism in Mt. Elgon Region is high. This, arising from a combination of determinants, multivariate risk factors, irresponsive and counter-productive state and non-state response approaches. These, in combination have in the past, present and will in future if not conclusively addressed continue to feed to the equation intractable land use conflicts in the study area.

7.4 Recommendations

Arising from the conclusions, the study makes the following recommendations based on each specific objective interrogated.

Extremism is multifaceted, as such there is need for the Government of Kenya through the various Ministries in particular- Ministry of Lands and Physical Planning, Ministry of Interior and Coordination of National Government and Ministry of Devolution and Planning approaches to spearhead multi-sectoral human development based approaches to address the already complex whole of determinants arising from the five decades long inter and intra-communal contestations over the Chepyuk settlement schemes addressing underlying risk factors for homegrown extremism in Mt. Elgon Region of Western Kenya.

In the wake of rising risk factors for homegrown extremism in the Global South that are motivated by access to power and governance, access to land and natural resources, inequitable distribution of state services and irresponsible justice and security mechanisms. The current study notes that risk assessment tools and models remain under-utilized by practitioners of national security and remain understudied by multi-disciplinary and transdisciplinary scholars of Peace, Security, Psychology and Development- yet these tools can be replicated in various situations in an effort for timely detection and prevention of current and emerging pathways to homegrown extremism.

A common adage goes that justice delayed is justice denied. This seems to be the case for respondents in Mt. Elgon Region of Western Kenya in their five decades long quest for land justice. It has to be noted that this emerged as a factor that came into play in

feeding into grievance and extremism in the study area. The study recommends the need for all stakeholders (Truth Commissions, Land Commissions, National Police Service, Judiciary) involved to expedite and conclusively address the underlying drivers of homegrown extremism in the study area. Over-reliance on traditional security has been counter-productive and thus the need to consider the human security versus human development dimension as a strategy in addressing the risk of homegrown extremism in the study area.

7.5 Suggestions for Further Research

This section provides suggestions for further research the current study identified would be salient when interrogated from an Afrocentric lens. Three suggestions for further study are proposed: First, emerging from the study, resource based extremist groups in the Global South and in particular in the African Continent seem to be on the upsurge. This especially with regards to competition for scarce resources- a situation which seems to have been exacerbated by population explosion, shrinking food production, deteriorating land quality and adverse effects of climate change. To this end therefore, the current study notes that pathways for development of extremist tendencies seem have aspects of social learning and share patterns similar to those exhibited in external radicalization. Increasingly, there is need for sanctioned Afrocentric discourses on the taxonomy of external vis a vis homegrown extremism with regards to resource based conflicts in the Global South. In other words, how would already identified extremism groups inform the and feed into the development of new and nascent extremism groups over resources.

Secondly, study findings are in tandem with conventional literature on extremism that the pathways for development of extremist tendencies are not univariate but multivariate in nature. Drawing from conventional theories in the disciplines of peace, security and development, it emerged writ large that deprivation is associated with public health/psychological consequences. Extended deprivation like in the case of Mt. Elgon Region therefore could lead to permanent mental and physical health issues thus decelerating the pursuit for the Global Sustainable Development agenda. The United Nations (UN) acknowledged the burden of disease of mental illness, and defined mental health as a priority for global development between 2015-2030. Various forms of deprivation seem to be prevalent in the African continent. This area warrants further research, thus, the need to fill a void in understanding public health determinants as a persuasive factor informing the risk of extremism among resource deprived communities in the Global South.

In the third specific objective, it emerged that nation states in the Global South in pursuit for peaceful, just and inclusive societies for all and inclusive institutions at all levels are turning to decentralization of resources as a panacea to address endemic center-periphery problems in an effort towards the prevention of clamor for ethnic autonomy. This study has demonstrated that this “one size fits all approach” seems to be problematic with decentralization of resources leading to creation of cultural hegemonies and thus further perpetuating the problem of marginalization over resources- increasing the risk of extremism within “new” geographically defined territories. To this end, and slightly over a decade into devolution in Kenya, it is of essence to assess devolution from an Afrocentric lens with regards to management of resource based conflicts within the devolved units.

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APPENDICES

APPENDIX 1: Questionnaire for Household Heads

SECTION ONE: General Information

Please mark with an (x) or (tick) in the box with an appropriate response. Mark one box only

1. Gender of Respondents

Male () Female ()

2. Land Ownership

Land Owner () Non Land Owner () Squatter () Settler ()

3. Age of respondents

18-24 () 24-35 () 36-45 () 46+ ()

4. How long have you lived in the area?

5 years and below () 6-10 years () 11-15 years ()

Above 16 years ()

5. Have you moved from your location since birth?

Yes () No ()

6. Source of income

Farming () Business () Formal employment ()

7. Education Level

None () Primary () Secondary () Tertiary ()

8. Ethnicity

Mosop () Soy () Other () _____ *Specify*

9. Housing material

Brick () Cement () Earth/Mud () Grass thatched ()

SECTION TWO: EXAMINE THE DETERMINANTS OF HOMEGROWN EXTREMISM OVER INTRACTABLE COMMUNAL LAND USE CONFLICTS

10. Do women in your area own land?

Yes () No ()

If No, **elaborate**.....

11. Have you had a land use related problem?

Yes () No ()

If yes (Respond to 12)

12. Have you had a land problem with the following?

- a) Relative
- b) Neighbor
- c) An institution/Government
- d) With members of another community

13. Is the land problem

- (a) A previous problem
- (b) A current problem
- (c) Both

14. How did you solve the problem?

- a. Judicially
- b. Administratively
- c. Negotiation/Conciliation
- d. Did not resolve

If unresolved, please **elaborate**.....

15. In your opinion, what are the major causes of communal tension in your area?
Which of the following have contributed to communal land tensions in your area?

Please indicate your level of agreement as provided in the table:

No.	Item Description	Agree	Neutral	Disagree
A	Political leadership and political manipulation E.g. Inconsistent government policy			
B	Lack of women involvement in peace processes in the area (to mean patriarchy)			
C	Land grabbing/Insecurity of land tenure			
D	Competition over land resources among the Sabaot/Land scarcity			
E	Historical memory and narratives on intra-Sabaot disputes			
F	Political dominance of one group over the other			
G	State failure to expedite the Sabaot land problem			
H	Culture of <i>laibonism</i>			
I	Perceived marginalization of the Sabaot community/ Declining state presence in the area			

J	Marginalization of land allocation			
K	Government favoritism/corruption in land allocation/Cronyism			
L	Forced government eviction programs			
m	Availability of SALWs			
n	The squatter problem			
o	Land dispossession and redistribution			
p	Risk of land loss by secondary owners			
q	Land is my only source of livelihood			
r	Peer pressure and influence from neighbors, relatives, friends			
s	Tenure insecurity and lack of land documentation			
t	Land is a source of ancestral identity			
u	Electoral campaigns and politicization of land ownership/Ethno-nationalist politics/Politics of ethnic identity			
v	Hate speech by leaders, relatives, friends etc			

16. Out of 10 how would you rate inter communal relations/cohesion in your area?

1 2 3 4 5 6 7 8 9 10

17. What is your view on land allocations in your area?

- a) Fairly allocated
- b) Don't Know
- c) Unfairly allocated

18. In your opinion, what do you think has been the contribution of local political leadership to the land conflict?

- a) Increased it
- b) Reduced it
- c) Both
- d) No role at all

Please **elaborate**

19. To what extent do you think that the local political leadership can play a role in managing the land dispute and consequently contributing to sustainable peace in your area?

Very Great () Great () Not Great ()

20. Arising from previous and current conflicts, are you aware of any land related human rights violations on residents in your area?

Yes () No ()

If YES, has justice been served to them?

SECTION THREE: INVESTIGATE THE RISK OF HOMEGROWN EXTREMISM OVER INTRACTABLE COMMUNAL LAND USE CONFLICTS

21. Please indicate your level of agreement with the following statements

ITEM I.D.	ITEMS	RATING		
		AGREE	NEUTRAL	DISAGREE
A.	ATTITUDE ITEMS			
A.1	Sometimes I feel like violence is the only way out of the land problem in my area			
A.2	Land is a cause of injustice and grievance in my area			
A.3	I know who is responsible for the land injustices befalling me			
A.4	I must admit that those responsible for my land injustices are evil in nature			
A.5	I am willing to do everything including fighting and even dying for my land rights			
A.6	Land injustices make me feel like I am not Kenyan enough			
A.7	Land injustices make me full of hatred and frustration			
A.8	Being together with those who face land injustices like myself makes me feel relieved			
C.	CONTEXTUAL ITEMS			
C.1	I am aware of communities that have used violence to solve land injustices elsewhere			
C.2	If violence can bring us land rights then I support it			

C.3	Political decisions and actions make me angry			
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H. HISTORICAL ITEMS

H.1	I have had an encounter with violence in the past over land rights			
H.2	My family/friends have been involved in past violence over land rights			
H.3	I am aware that some took paramilitary training to fight for land rights			
H.4	Some still glorify violence as a pathway to land rights			

P. PROTECTIVE ITEMS

P.1	I reject violence as a pathway to land rights in my area			
P.2	I have changed the way I perceive the cause of my land problems			
P.3	I choose constructive dialogue as a pathway to land rights in my area			
P.4	Community support is a pathway to land rights in my area			

D. DEMOGRAPHIC ITEMS

D.1	Sex (Male=High, Female=Low)			
D.2	Age (<30=High, Over 30=Low)			
D.3	Marital status (<1 year=High, Over 1 year=Low)			

SECTION FOUR: ASSESS THE CONTRIBUTION OF THE RESPONSE APPROACHES TO HOMEGROWN EXTREMISM IN THEIR QUEST TO MANAGE INTRACTABLE LAND CONFLICTS

Community Based Questions

22. Do you have a problem with land?
Yes () No ()

If Yes, have you solved the problem?
Yes () No ()

If YES, how (provide options)

- a) Judicially
- b) Administratively
- c) Conciliation
- d) Other _____ *Specify*

If NO, why?

23. How did the 2006-2008 affect you?
- a. Displaced and came back to my land
 - b. Displaced and dispossessed
 - c. Tortured and Mutilated by SLDF
 - d. Tortured by KDF/Police
 - e. Sexually and Gender based Violence
 - f. Made me a squatter
 - g. None of the above

24. Have you made an attempt to seek justice for the above?
 Yes () No ()

Please **elaborate**

25. As a community member, are you aware of any community based strategies put in place to manage the historical land conflicts in your area?
 Yes () No ()

If YES, which ones?

26. Are you satisfied with the community based land management mechanisms in your area? (YES/NO)

Please **elaborate**

27. As a community member, what would you recommend as a best practice at community level to solve the intractable communal land use conflict in your area?

Ministry/National Lands Commission based questions

28. In your quest to solve land issues in your area have you encountered the following?
- | | |
|---------------------------------------|----------------|
| a. Ministry of Lands of Kenya | Yes () No () |
| b. National Lands Commission of Kenya | Yes () No () |
| c. Both | Yes () No () |
| d. None of the above | Yes () No () |
29. If YES, were you satisfied with the services provided in terms of?
- a. Accessibility
 - b. Affordability

- c. Ease of the procedure
 - d. Time taken
 - e. Equality
30. Out of 10, how would you rate the Ministry of Lands in dealing with the land problem in your area?
- a. Issuance of title deeds
 - b. Land registration
 - c. Secure tenure of land
 - d. Equitable access of land
 - e. Sustainable management of land
31. Have you encountered the National Lands Commission of Kenya in your pursuit to the land problems in your area?
Yes () No ()

If YES, how would you rate NLC's performance in solving present and historical land injustices in your area?

Effective () Very Effective () Don't Know () Very Ineffective () Ineffective ()

32. Are you aware of any of NLC's application of alternative dispute resolution mechanisms in the management of the land problem in your area?
Yes () No ()

If YES, which ones?

Police Based Questions

33. How often are the police involved in land problems in your area?

Often () Not often () Never () Occasionally () Very Often ()

Out of 10, how would you rate police based mechanisms in enforcing land laws in your area

Please **elaborate** on your choice of rating

34. Are you aware of present and past human rights violations by the police/military?
Yes () No ()

If Yes, which ones?

Have the victims sort justice?

Yes () No ()

35. Were you affected by the 2008 KDF military operations?

Yes () No ()

If Yes, **elaborate**

Has justice been served to you?

Yes () No ()

36. How has military intervention affected you to date?

Judiciary/Formal Justice Based Questions

37. In your quest for land justice in your area, have you encountered the judiciary?

Yes () No ()

38. According to your experience, to what extent does the judiciary play in solving land conflicts in your area?

Small () Big() Very big() Average () Not sure ()

39. Whether or not they were satisfied with the lawyer of institution providing legal service on the land problem

- i. The complexity of the procedure
- ii. Accessibility and clarity of information
- iii. Investment of time from the beginning to the end
- iv. Economic investment/cost of legal services

Indicate your level of agreement with the variables mentioned hereunder:

38a. Complexity of judicial land procedures

- a) Long and slow
- b) Many requirements
- c) Distant office location
- d) Not difficult
- e) Other

38b. Accessibility & clarity of information on ongoing land cases

- a) No information
- b) Little information
- c) Clear and accessible information

- d) Other
- e) DK/NA

38c. Investment of time from beginning to conclusion of land cases

- a) 1-3 months
- b) 3-12 months
- c) 1 year- 3 years
- d) 3 years or more
- e) Other
- f) DK/NA

38d. Economic investment and cost of legal services on land issues

- a) <10,000KES
- b) 10,001-30,000KES
- c) 31,000-50,000 KES
- d) 50,001-100,000 KES
- e) >100,000 KES
- f) DKNA
- g) Other

38e. Quality of service delivery

Good () Very Good () Fair () Poor () Not sure ()

40. Are you satisfied with the lawyer/institution in managing land conflicts in your area?

Yes () No ()

Elaborate

41. Out of 100%, how would you rate the judiciary in managing land conflicts in your area?

County Management Approaches

42. Are you aware of any initiatives at county level to help alleviate the land problem in your area?

Yes () No ()

If Yes, **elaborate**

43. Since its inception, has the county government attempted to solve land issues in your area?

Yes () No ()

If **YES**, please elaborate on your experiences with the County Government in addressing land issues in your area

Traditional Justice Mechanisms/ African Customary Law

44. Traditionally, African Customary Law played a key role in ensuring peaceful resolve to land and any other issues. How often do you engage community leaders in management of land conflicts in your area?

Often () Not often () Never () Occasionally () Very Often ()

45. Out of 10, how would you rate African Customary Law in reducing communal tensions in your area? **Elaborate**

46. To what extent do the traditional justice mechanisms work to prevent inter/intra-clan tensions in your area?

Very Big () Big () Neutral () Small () Very Small ()

47. Based on your opinion, who do you think bears the greatest responsibility in addressing inter/intra-ethnic tensions over land in Mt Elgon? Please **elaborate** on your choice

- a) The state
- b) The community
- c) National Lands Commission
- d) The judiciary
- e) The Council of elders
- f) Other, **specify**.....

SECTION FIVE: EVALUATE THE CHALLENGES AND OPPORTUNITIES FOR HOMEGROWN EXTREMISM IN THE MANAGEMENT OF INTRACTABLE LAND CONFLICTS

48. How would you quantify communal tensions over land in your area?

Big () Moderate () Small () None ()

Elaborate

49. In your opinion, does persistence in land conflicts inform future likelihood of conflict in your area?

Yes () No ()

50. In your opinion, what would you suggest as constituting the best way to reduce communal tensions over land in your area?

51. What challenges do you face in pursuit for land justice in your area?

List them

52. Following the end of the conflict, have there been reconciliatory efforts between the victims and the perpetrators?

Yes () No ()

If Yes, have good relationships between the two groups been restored?

Yes () No ()

53. If communal tensions exist, what challenges do they pose of peaceful coexistence of community members in your area?

54. What solutions do you suggest as viable in navigating the challenges listed above?

APPENDIX II: Interview Schedule for Community Elders

1. How often are you involved in solving land issues in your area?
2. In your opinion, do tensions exist over land in your area? What are the manifestations of tensions over land problems in your area?
3. What are the effects of the extended land conflicts to the people in your area?
4. What are the challenges that currently complicate solving the land problems in your area?
5. What measures are you aware of that the government has put in place (current and future) to ensure sustainable peace is achieved in Mt Elgon Region?
6. Based on firsthand experience as an elder, what is the best way to end intractable land conflicts in your area?
7. Do you think the County Government is better positioned to address land conflicts? What have you previously done and what is currently being done to address land rights for communities in Mt Elgon?

APPENDIX III: Interview schedule for former perpetrators

1. How often are you involved as ambassadors in resolving land issues in your area?
2. In your opinion and experience of land issues, what would you suggest as best way to solve the problem in your area?
3. Having been previously involved in the 2006/2008 conflict, what was your key motivation? What did you gain in return? Currently do the objectives you were fighting for reflect? And do you think if the problem persists, people would fight again?
4. What challenges have you encountered in pursuit for land rights in your area and which actor has frustrated efforts to solve the Mt Elgon impasse?
5. How many of you suffered gross human rights violations?
6. Have you successfully concluded any land cases? Why do the residents continue to live without titles? On average, how long does a land case take from beginning to conclusion?

APPENDIX IV: Focus Group Guide for Victims

1. By show of hands, how many of you are land owners?
2. As women/men victims, are you involved in the management of land issues in your area?
3. How were you affected by the 2006-2008 conflict?
4. In your opinion, what is the main cause of the intractable land conflicts in Mt Elgon?
5. Since the land issues still persist, do tensions still persist? And how are you coping with tensions if they exist?
6. Have there been efforts to reconcile communities and reduce communal tensions?
7. How many of you had their lands illegally occupied after the conflict?
8. Have you accessed justice since the end of the conflict?
9. What challenges have you been faced with in your pursuit for land rights?
10. In your opinion, what factors do you think make solving the land problem in Mt Elgon difficult?
11. As a victim, what opportunities do you think have not been adequately explored in order to solve the land dispute?
12. What do you think is the best way to achieve sustainable peace over land in Mt Elgon?
13. Who do you think bears the greatest responsibility in solving the land dispute in Mt Elgon and how should they go about it?
14. Giving reasons, several actors have been involved in the land conflicts in the region, giving reasons, which actor do you think contributes of frustrates the management of the land problem in your area?
15. As victims, what roles can you play along with other actors to prevent a recurrence of land conflicts in Mt Elgon?

APPENDIX V: MMUST Approval of Proposal



MASINDE MULIRO UNIVERSITY OF SCIENCE AND TECHNOLOGY (MMUST)

Tel: 056-30870
Fax: 056-30153
E-mail: directordps@mmust.ac.ke
Website: www.mmust.ac.ke

P.O Box 190
Kakamega – 50100
Kenya

Directorate of Postgraduate Studies

Ref: MMU/COR: 509099

11th February, 2021

Graham Amakanji Oluteyo,
CPC/H/01-53176/2018,
P.O. Box 190-50100,
KAKAMEGA.

Dear Mr. Oluteyo,

RE: APPROVAL OF PROPOSAL

I am pleased to inform you that the Directorate of Postgraduate Studies has considered and approved your Ph.D. proposal entitled "*Calibrating Homegrown Extremism over Intractable Communal Land Use Conflicts in Mt Elgon Constituency of Bungoma County, Kenya*" and appointed the following as supervisors:

1. Prof. Pontian Godfrey Okoth - SDMHA, MMUST
2. Prof. Edmond Maloba Were - KISSI UNIVERSITY

You are required to submit through your supervisor(s) progress reports every three months to the Director of Postgraduate Studies. Such reports should be copied to the following: Chairman, School of Disaster Management and Humanitarian Assistance Graduate Studies Committee; Department of Peace and Conflict Studies & Departmental Graduate Studies Committee. Kindly adhere to research ethics consideration in conducting research.

It is the policy and regulations of the University that you observe a deadline of three years from the date of registration to complete your Ph.D. thesis. Do not hesitate to consult this office in case of any problem encountered in the course of your work.

We wish you the best in your research and hope the study will make original contribution to knowledge.

RE: APPROVAL OF PROPOSAL

Yours Sincerely,

Dr. Consolata Ngala
DEPUTY DIRECTOR, DIRECTORATE OF POSTGRADUATE STUDIES

You are required to submit through your supervisor(s) progress reports every three months to the Director of Postgraduate Studies. Such reports should be copied to the following: Chairman, School of Disaster Management and Humanitarian Assistance Graduate Studies Committee; Department of Peace and Conflict Studies & Departmental Graduate Studies Committee. Kindly adhere to research ethics consideration in conducting research.

It is the policy and regulations of the University that you observe a deadline of three years from the date of registration to complete your Ph.D. thesis. Do not hesitate to consult this office in case of any problem encountered in the course of your work.

Scanned with CamScanner

APPENDIX VII: Bungoma County Commissioner Authorization to conduct research

REPUBLIC OF KENYA



THE PRESIDENCY

MINISTRY OF INTERIOR AND COORDINATION OF NATIONAL GOVERNMENT

Telephone: 055-30326.
Fax: 055-30326.
E-mail: ccbungoma@yahoo.com
When replying please quote
Ref: ADMIN.15/13/VOL.III/71

Office of the County Commissioner
P.O Box 550-50200
BUNGOMA

5th October, 2021

The Deputy County Commissioners


Mt. Elgon

Cheptais

RE: RESEARCH AUTHORIZATION – GRAHAM AMAKANJI OLUTEYO

The bearer of this letter **Graham Imakanji Oluteyo** of MMUST, has sought authority to carry out research on "**Calibrating Homegrown Extension over Intractable Communal Land use conflicts in Mt. Elgon Constituency of Bungoma County, Kenya**" for the period ending 22nd April 2022"

Authority is hereby granted for the specific period, and any assistance accorded to him in this pursuit would be highly appreciated.


Anne N. Wilson
For: County Commissioner
BUNGOMA COUNTY

APPENDIX VIII: Social Science Research Council Next Generation Social Sciences for Africa Doctoral Research Fellowship 2021



June 30, 2021

Dear Graham Amakanji,

I am delighted to inform you that the selection committee for the Next Generation Social Sciences in Africa program has awarded you a dissertation research fellowship for 2021-2022. This fellowship will enable you to undertake nine to twelve months of research on the topic of your dissertation, "CALIBRATING HOMEGROWN EXTREMISM OVER INTRACTABLE COMMUNAL LAND USE CONFLICTS IN MT ELGON CONSTITUENCY OF BUNGOMA COUNTY, KENYA." On behalf of the Social Science Research Council and the Next Generation program, I congratulate you on having been selected from a highly competitive field of candidates. Carnegie Corporation of New York generously has provided the funds for this award.

The Fellowship program's staff already will have contacted you to request documentation that is necessary to administer your fellowship award. Upon receipt of these documents, the program will grant you a fellowship of \$15,000. Your award will commence no later than Sept 1, 2021 and will be divided into four payments—the first payment occurring on Sept 1, 2021. Any changes, including acceptance of additional sources of funding that would be concurrent with your fellowship, must be approved by the program director.

Given the structure of your project, three reports are expected in total. The first report should be sent no later than Dec 1, 2021, the second one no later than April 1, 2022, and the final one no later than July 1, 2022. The final portion of your grant will be released after July 1, 2022 when we have received all of the required materials, including your reports.

You also are expected to participate in two bi-annual workshops. You will receive advance notice of the scheduling of these events, and the Next Generation program will cover the costs of travel, accommodations, and meals.

Your Next Generation Social Sciences in Africa fellowship must be held for a single continuous period and is subject to the *Terms and Conditions* attached below. The award is conditional; conventional standards of professional responsibility apply to the use of these funds. If a fellow commits a serious violation of the terms and conditions (as determined by the Next Generation program), the Council reserves the right to terminate the fellowship and demand that all funds received be returned.



Should you accept the terms and conditions of this fellowship, as indicated herein and in the enclosed documents, please sign and return this letter and the *Terms and Conditions* (attached below) to the Next Generation program as soon as possible and no later than July 28, 2021. Be sure to keep a copy of each of these documents for your records. If you have any questions regarding your fellowship, please contact the program at nextgenafrika@ssrc.org.

Again, my congratulations on receiving this award and best wishes for every success in your research project.

Sincerely,

A handwritten signature in black ink, appearing to read "Anna Harvey", written in a cursive style.

Anna Harvey

President
Social Science Research Council

APPENDIX IX: Social Science Research Council Next Generation Social Sciences for Africa Doctoral Completion Fellowship 2022



Aug 4, 2022

Graham Amakanji Ohuteyo
366 Khwisero,
Kenya.

Dear Graham,

I am delighted to inform you that the Selection Committee for the Next Generation Social Sciences in Africa program has awarded you a Dissertation Completion Fellowship for 2022-2023. This fellowship will enable you to undertake nine to twelve months of research on the topic of your dissertation, "Calibrating Homegrown Extremism over Intractable Communal Land Use Conflicts in Mt. Elgon Constituency of Western Kenya". On behalf of the Social Science Research Council and the Next Generation program, I congratulate you on having been selected from a highly competitive field of candidates. Carnegie Corporation of New York has generously provided the funds for this award.

The Next Gen program staff will have already contacted you to request documentation that is necessary to administer your fellowship award. Upon receipt of these documents, the program will grant you a fellowship of \$10,000. Your award will commence no later than Sept 1, 2022 and will be divided into four payments—the first payment occurring on Oct 1, 2022. Any changes, including acceptance of additional sources of funding that would be concurrent with your fellowship, must be approved by the Program Director.

Given the structure of your project, three reports are expected in total. The first report should be sent no later than Dec 1, 2022, the second one no later than April 1, 2023, and the final one no later than July 1, 2023. The final portion of your grant will be released after July 1, 2023, when the program staff have received all of the required materials, including your reports. You are also expected to participate in one methods workshop during the course of your fellowship. You will receive advance notice of the scheduling of this event, and the Next Generation program will cover the costs of travel, accommodations, and meals.

Your Next Generation Social Sciences in Africa fellowship must be held for a single continuous period and is subject to the Terms and Conditions attached below. The award is conditional; conventional standards of professional responsibility apply to the use of these funds. If a fellow commits a serious violation of the terms and conditions (as determined by the Next Generation program), the Council reserves the right to terminate the fellowship and demand that all funds received be returned.

Should you accept the Terms and Conditions of this fellowship, as indicated herein and in the enclosed documents, please sign and return this letter and the Terms and Conditions (attached below) to the Next Generation program staff at nextgenafrika@ssrc.org no later than August 15, 2022. Be sure to keep a copy of each of these documents for your records. If you have any questions regarding your fellowship, please contact the program at nextgenafrika@ssrc.org. Again, my congratulations on receiving this award and best wishes for every success in your research project.

Sincerely,



Anna Harvey.

President | Social Science Research Council