

**PEACE BUILDING STRATEGIES EMPLOYED IN THE MANAGEMENT OF
INTER-ETHNIC CONFLICTS IN BUNGOMA COUNTY, KENYA**

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**A Thesis submitted in partial fulfillment of the requirement 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

I declare that 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 study is dedicated to the scholars of Peace and Conflict Studies for their painstaking research to attain sustainable peace.

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ABSTRACT

Globally, intractability of inter-ethnic conflicts called for the synergy of state and non-state peacebuilding strategies in management of conflicts. In Kenya, specifically in Bungoma County notwithstanding peacebuilding efforts, in 1963 conflict acquired both a political and a national outlook. In 1992 the violence was unparalleled in the region. It is this dysfunction between peacebuilding strategies against inter-ethnic conflict management that the study analysed the efficacy of state and non-state peacebuilding strategies employed in management of inter-ethnic conflicts in Bungoma. Specific objectives were: to examine the nature of inter-ethnic conflict in Bungoma County, to evaluate peacebuilding strategies by the state and non-state actors in management of inter-ethnic conflicts in Bungoma County, to assess the challenges and opportunities in the management of inter-ethnic conflict in Bungoma County. The study fills a dichotomous knowledge gap between peacebuilding strategies and inter-ethnic conflict management, updates and equips Kenya's national policy on peacebuilding and conflict management, and it underpins interpretivism research philosophy. The study adopted a conceptual framework underpinned by two theories Gultang's Conflict Triangle and Lederach's Conflict Transformation. The study used a descriptive research design. The study was conducted in Bungoma County. The study used both simple Random sampling and purposive sampling to determine participants. A sample size of 400 participants was achieved from 1375065 population using Yamane 1967 formula. The sample size was distributed proportionately and purposively. Questionnaire, interview and FGD were used to collect primary data while document analysis gathered secondary data. Quantitative data was analysed using MS excel while qualitative data was analysed by thematization, corroboration and verification. The study findings were: Breakdown of inter-ethnic cultural values, cattle raids and land including leadership contests defined the nature of inter-ethnic conflict. 42% of respondents concur that elders were key in influencing inter-ethnic co-existence, inter-ethnic marriages was rated at 23%, shared culture at 20% and trade at 15%, but were alienated and differentiated against inter-ethnic integration by colonisation. Statist peacebuilding efforts mutated from precipitating conflict to inter-ethnic integration of ethnic diversity policies into politics, leadership, administration, employment, election, resource distribution, inter-ethnic identity and in national developmental goals. Relational recovery by CSOs involved reconciliation, workshops, inter-communal projects and post-conflict experience sharing. Breakdown of inter-ethnic cultural values, domination of majority over minority, land and boundary disputes and inter-ethnic inequitable development challenged peacebuilding strategies while affirmative action, hybridization of inter-ethnic cultural values, equity policies were avenues identified for inter-ethnic integration. The study concludes that, notwithstanding state and non-state peacebuilding efforts employed in management of inter-ethnic conflicts in Bungoma County there were glaring challenges to overcome. The study recommends for translation of inter-ethnic peacebuilding initiatives in Bungoma into a documentary and creative art in order to increase awareness of peacebuilding avenues, registration of all land in the County, detach administrative cum political boundaries from ethnic boundaries, design an integrated inter-ethnic peacebuilding manual.

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LIST OF ABBREVIATION AND ACRONYMS

AA	Abagusii Association
ADA	African District Association
ADC	Agricultural Development Corporation
APU	Abaluhya Peoples Union
BAT	British American Tobacco
CAPU	Coast African Peoples Union
CBK	Central Bank of Kenya
CBO	Community Based Organisation
CEE	Common Entrance Examination
CKRC	Constitution of Kenya Review Commission
CMD	Centre for Media and Democracy
CMS	Christian Missionary Society
CSO	Civil Society Organisation
DO	District Officer
DC	District Commissioner
ENDC	Elgon Nyanza District Congress
FAM	Friends African Mission
FAN	Forest Action Network
FBO	Faith Based Organisation
FORD	Forum For Restoration of Democracy
GDP-	Gross Domestic Product
HRW	Human Rights Watch

IDP –	Internally Displaced Person
IEBC	Independent Electoral and Boundaries Commission
ILO	International Labour Organisation
KADU-	Kenya African Democratic Union
KANU-	Kenya African National Union
KAPP	Kenya African Peoples Party
KCB	Kenya Commercial Bank
KES	Kitosh Education Society
KHRC	Kenya Human Rights Commission
KIE	Kenya Industrial Estate
KLC	Kenya Land Commission
KNBS	Kenya National Bureau of Statistics
KNP	Kenya National Party
KPA	Kalenjin Political Alliance
KPTC	Kenya Posts and Telecommunication Corporation
KPU	Kenya Peoples Union
MADA	Mombasa African District Association
MMUST	Masinde Muliro University of Science and Technology
MUF	Mwambao United Front
NAPP	Nakuru African Progressive Party
NCCK	National Council of Churches of Kenya
NDAC	Nairobi District African Congress
NDC	Nakuru District Congress

NEMU	National Election Monitoring Unit
NGO-	Non-governmental Organisation
NNADC	North Nyanza African District Congress
NPCP	Nairobi Peoples Convention Party
NSC	National Steering Committee on Peace Building and Conflict Management
OVC's	Orphaned and Vulnerable Children
PC	Provincial Commissioner
RCNECNCI	Report of the Committee of National Elders Conference on National Cohesion and Integration
SA	Salvation Army
SNA	Somali National Association
SNDAPA	South Nyanza District Association
TADU	Taita African Democratic Union
TJRC	Truth Justice and Reconciliation Commission
USA-	United States of America
USAID-	United States International Agency for Development
UNDP	United Nations Development Programme
UNIFEM-	United Nations Development Fund For Women
UNO-	United Nations Organisation
VOK	Voice of Kenya
WKC	Western Kalenjin Congress

OPERATIONALIZATION OF KEY CONCEPTS

The following have been operationally defined in context of the subject under study as follows;

Abaluhya: - A people comprising Bukusu and Tachoni and other luhya speaking people from Busia, Kakamega and Vihiga living in Bungoma County. Originally Luhya referred to space outside the house where elders sat to resolve disputes it was thus used as a place for judicial administration. Those who attended the luhya (dispute resolution council) were regarded as members of a family and therefore referred to as Abaluhya.

Bayobo: - A derogatory name of the Sabaot ethnic group by the Bukusu ethnic group

Boontet-ab kook:-An elder of the lower rank among the Sabaot ethnic group of Bungoma County.

Conflict Management:- Establishment of structures that can end, limit the spread of violence and avoiding future violence and facilitate positive behavior changes through reconciliation and rebuilding trust between the ethnic groups in Bungoma County.

Corruption: Favours granted in the application of state power which took Bukusu-Sabaot ethnic lines within Bungoma County.

Inter-ethnic Conflict: Refers to disputes, disagreements and disharmony between the Bukusu and Sabaot

Kalenjin: - A group of about eight highland Nilotic sub-groups of Kipsigis, Nandi, Keiyo, Marakwet, Tugen, Pokot, Sabaot and Terik related to each other by common migration origins, settlement patterns, language, tradition and culture.

Lumindeti - A derogatory term of the Bukusu by the Sabaot of Bungoma County

Oloibon- Sabaot divine seer and spiritual advisor of the Sabaot

Peace:-The absence of physical, psychological harm to a person and property including structural transformation in administrative, legal, political, economic and social spheres.

Peace building- The relational or structural interventions designed to prevent the start or resumption of conflict between the Bukusu and Sabaot.

Sub-state- Conscious ethnic community united by culture, language under a community leader.

Wele- ‘God’ of the Bukusu of Bungoma County.

Wele Mukhobe- God of war among the Bukusu of Bungoma County

TRANSLATIONS

Bang'osi- Prophets or seers of the Bukusu ethnic group in Bungoma County

Omukasa - Honourable elder position acquired through age, experience and respect that enables wielding of community power and authority among the Bukusu people of Bungoma County.

Bukusu: - A predominant Luhya community in Bungoma County.

Ekholo- One of the clan of the Bukusu community of Bungoma County

Ekokwa- Public gathering at which omukasa used to communicate to his people.

Ekutwa: - Special Cap made from the skin of a monkey or lion won by the Bukusu people of Bungoma County

Omwami- Bukusu leader

Epokoto- An armband won by Bukusu leader

Kokwet- The Sabaot name for the public gathering used to communicate to the public

Kumukasa- Copper bracelets

Lichabe- Ivory armband won by the Bukusu leader

Laitirian- Sabaot head of a village in Bungoma County

Lukoba- A Bukusu fortress

Murenik- Sabaot soldier in Bungoma County

Omukhalaki- Judge of the Bukusu in Bungoma County

Pororosiek-- Equivalent of a sub-clan among the Sabaot of Bungoma County

Sabaot:- One of the eight sub-tribes of the Kalenjin community. Sabaot consist of two clans Mosop (Batono) (minority inhabit higher parts of Mt Elgon), and Soy (majority inhabit lower slopes)

Sisiina-Special gathering for arbitrating individual cases among the Bukusu of Bungoma County.

CHAPTER ONE

INTRODUCTION

This chapter covers the background to the study, statement of the problem, objectives of the study and research questions. It also gives the academic, policy and philosophical justification of the study including the scope of the study. The chapter ends with the highlights of the summary.

1.1 Background to the Study

Globally, inter-communal conflicts have been witnessed in a growing number of countries. The emergence and perpetration of the conflicts have been attributed to various root causes that have engendered intractability. In the UK for example, Protestant-Catholic conflicts were recorded as early as 1534. In Yugoslavia, the inter-ethnic conflict led to the collapse of a federal state and the establishment of new nation-states as a way of enhancing conflict management (Vesina, 1996). Canada has registered linguistic clashes between the English-speaking and French-speaking Canadians which forced the government to enact a law to protect the French language in Quebec Province as means of coexistence. The USA is yet to overcome racial conflicts amidst peacebuilding efforts in the communities that have embraced affirmative action (Sandra, 2003). Conflicts between Israel and Palestine have been raging for decades necessitating the involvement of regional and international community in peacebuilding through advocacy, dialogue, education and human rights intervention (Yannis, 2018). Inter-ethnic conflicts are thus a global reality.

Mozambique, Angola, Ethiopia including Uganda and Rwanda have had a history of not only conflicts but accompanied by deaths and massive displacement of the population. Efforts to federate Eritrea to Ethiopia by the United Nations Organisation (UNO) as a means of settling inter-communal hostility and enhancing conflict management failed hence leading to the split of the Ethiopian nation and state (Ghebrehiwet, 2009). Ethiopia is yet again experiencing another wave of conflict in Tigray, (Michille, 2021) In Mozambique peacebuilding was modeled along integration of peacebuilding and state-building goals as a way of enhancing coexistence in the country (Lisa et al, 2016). The country remains volatile with conflicts in Cabo Delgado Province displacing over 350000 people and involving Southern African Development Community (SADC) send in forces to quell the violence, (WFP, 2021). In Rwanda, peace-building strategies necessitated the fall back to indigenous peace-building strategies such as *umuganda* (community work) and *girinka* (donating one cow to each needy family) as means of coexistence after the 1994 Genocide which has largely muted the hostility, (Sadra, 2003).

Comparatively, intrastate conflicts have been on the upward trend exemplified by massive displacement of population, destruction of property, and massive loss of lives. In Rwanda's ethnic conflict of 1994, over 800000 people died within one hundred days (Mwasserah, 2007, Richard, 1996). While in Congo's Civil war between 1991 and 1997, 800,000 people were killed. Globally, between 1945 and 2008, 16.5 million people died in civil conflicts (Kamoet, 2008).

Kenya, endowed with many ethnic communities, is characterized by frequent ethnic strife and conflicts in equal measure or more. Similarly, though the hot-spots for resource-related conflict in Kenya were predominantly in the arid and semi-arid regions its

influence often spread and affected neighboring regions, including the rain belt regions of western Kenya particularly in Bungoma.

Starting at independence in 1963, Kenya's two major political parties divided Kenyans into two ethnic inclined major political blocks of majority community political party, Kenya African National Union (KANU) and Kenya African Democratic Union (KADU) of minority community's party. Interestingly, though the Bukusu and Sabaot in Bungoma fell amongst the minority community, the party arrangement did not insulate inter-ethnic hostility between the two as was evident during the electioneering process of 1963. The Bukusu and Sabaot clashed. The Sabaot blamed the Bukusu for supporting a Bukusu parliamentary candidate to represent Mt. Elgon, a predominantly Sabaot area against their Sabaot candidate.

From 1963, the first president of Kenya Jomo Kenyatta, made efforts to consolidate his power base by first, directly empowering the Kikuyu elite and second, indirectly using ethnic king-pins to enhance the patron-client system in the country by initiating a process which enhanced ethnic groupings than nationhood (Gerard 2008). Upon taking power in 1978 the second president of Kenya, Daniel Arap Moi, slowly but steadily empowered the Kalenjin elite and in the process strongly integrated the Sabaot community into the larger Kalenjin fold by not only appointing their elites into the core of his government but also as a culturally one family who were part and parcel of the ruling ethnic group of the Kalenjin (Akiwumi Report of Judicial Commission, 1999). Largely, by use of ethnicity as the bottom-line for appointment into judicial, executive, and political position the first two heads of state, integrated members of their ethnic communities in the activities of the

state while other communities became marginalized from the government and coalesced under their ethnicities like the Bukusu (Gerard 2008).

The advent of multi-party politics in 1990 widened inter-ethnic cleavages which resulted in increased friction and violence between neighbouring communities including the Bukusu and Sabaot as was evident in 1992.

Peacebuilding has not been static either, as an off-shoot of peace studies, Galtung, (1976) distinguished it from peacekeeping and peacemaking as structurally established to counter the causes of conflict by the roots. Lederach (1976) expanded the meaning of peacebuilding to not only include an ongoing process but should be multifaceted and holistic transformation of conflict situation which went beyond post-conflict reconciliation to include sustainable peaceful coexistence. It involved activities that change attitudes, behavior, and structures after the conflict. As a result of the dynamics in conflicts which come along with changing needs, peacebuilding has expanded to involve, totality of man's life addressing the mutating civil wars, genocide, problems of displaced population, poverty, hunger, diseases, and other natural disasters (Galtung, 1976, Ritchie, 2018).

In the 1990s, the top-down approach of peacebuilding was criticized as sidelining or leaving out the ordinary people and engaging influential international actors (Pickering, 2007). This led to peacebuilding and conflict management to be remodeled to involve local people, a process referred to as local 'turn in' as a way of encouraging not only effectiveness but also local ownership as well as developing local capacity, application of local governance and administrative machinery as well as a means of liberating and engaging the voiceless in peacebuilding and conflict management activities (Menkhaus,

2006, Bland, 2007, Frerks and Klem, 2008, Heyman, 2010, Siegle and O'Mohany, 2010). Previously, peacebuilding initiatives had been statist and loosely uncoordinated.

In essence, therefore, the nature of inter-ethnic conflict, the role of the state and non-state actors in peace-building and conflict management including challenges and opportunities in implementation of inter-ethnic indigenous peacebuilding were addressed. The study established the state and non-state efficacy of opening up inter-ethnic channels of communication, joint projects, breakdown of stereotypes, levels of reconciliation, socio-economic, and political development, which were largely the fissures upon which the inequalities had forced communities take up arms against each other (Mitch & Banks 1996).

1.2 Statement of the Problem

The synergy of state and non-state peacebuilding strategies in management of inter-ethnic conflict in Bungoma County have been ineffective. Though the conflicts were erratic in pre-colonial Kenya but from independence in 1963, instead of increased inter-ethnic political integration, the conflicts acquired both national and violent inter-ethnic political dimension. This was when KANU and KADU political party contests situated communities against each other in Bungoma. Its aftermath was marked by burning of houses, displacement of population and subsequently the conflict became quinquennial to electoral circle. It was more puzzling that in 1992 instead of the growth of inter-ethnic democratic structures the County lapsed into yet another unparalleled violence strangely coinciding with the then newly introduced multiparty democracy in the country. Furthermore, though the disputes revolved at land and inter-generational breakdown of inter-ethnic fabric, inter-communal majority-minority community contests, boundary and

political disputes, politics and inter-ethnic socio-economic inequalities but it remained elusive to both CSOs and statist structures from the Village Elders, Assistant Chiefs, Chiefs, DO, DC, PC, police including the judiciary. This background contradicts the conventional approach which argues that utilization of both statist and non-statist peacebuilding strategies begets sustainable peace characterized by peaceful inter-ethnic social, political and economic integration and cohesion. It is this dysfunction between peacebuilding strategies against inter-ethnic conflict management that the study analysed the efficacy of state and non-state peacebuilding strategies employed in management of inter-ethnic conflicts in Bungoma County since 1963.

1.3 Research Objectives

The general objective examined the efficacy of peacebuilding strategies employed in the management of inter-ethnic conflicts in Bungoma County:

The specific objectives were:

- i. To examine the nature of inter-ethnic conflicts in Bungoma County.
- ii. To evaluate peace-building strategies by the state and non-state actors in management of inter-ethnic conflict in Bungoma County.
- iii. To assess the challenges and opportunities in the management of inter-ethnic conflict in Bungoma County.

1.4 Research questions

- i. What is the nature of inter-ethnic conflicts in Bungoma County?

ii. How effective were peacebuilding strategies by the state and non-state actors in the management of inter-ethnic conflict in Bungoma County?

iii. What are the challenges and opportunities in management of inter-ethnic conflict in Bungoma County?

1.5 Justification of the Study

Paucity of researches on peacebuilding strategies and conflict management in Bungoma County is reality, yet the county remains susceptible to inter-ethnic hostilities emanating from socio-political and economic inequalities, (TJRC, Vol. 2A. 2013). This study fills such gap where it envisions that Bungoma County ought to be contributing towards bridging policy and practice from the new insights that were derived from contradictions and alternatives to inter-ethnic conflict in Bungoma County. The research interlocks what Lederach refers to as presenting situation and history hence deepening the understanding of inter-ethnic conflict transformation, (Ledarach, 2003). The study is grounded on philosophical, academic and policy rationalization as demonstrated.

1.5.1 Academic Justification

The study fills a dichotomous knowledge gap between peacebuilding strategies and inter-ethnic conflict management in Bungoma County since 1963. So far there is scanty scholarly interrogation addressing inter-ethnic conflicts in Bungoma. Wanjala, (2013) examines the trauma interventions methods and healing among the Sabaot community during the (2006-2008) intra-ethnic violence in Mt. Elgon Kenya and Kamoet (2010), analyses the land question and intra-ethnic conflict in squatter enclaves of Mt. Elgon region. However, in these works analysis of the effectiveness of peacebuilding strategies employed in the management of inter-ethnic conflict since 1963 has remained marginal,

yet from pre-colonial, through colonial and independent Kenya, inter-ethnic relationships in Bungoma has been characterized by tension, suspicion and conflict in the face of peacebuilding strategies by the state and non-state actors. At independence, in 1963 the conflict acquired national outlook, while in 1992 the violence was unprecedented. Half a century later, some displaced persons are yet to be resettled. Since the conflict in the region is recurrent, it has increasingly affected people and diverted the national budget, it was important to put it into perspective. As an inter-disciplinary interrogation of inter-ethnic conflict, the study overcomes the limitations associated with a single specialized approach by providing broad-based insights in the understanding inter-ethnic conflicts, (Preiswerk, 1997). The study is thus a benchmark for other researches.

1.5.2 Policy Justification

The study updates and equips Kenya's comprehensive national policy on peacebuilding and conflict management by integrating conflict transformation as a dimension in dealing with protracted and intractable conflict of Bungoma County. This is in line with Kenya's sustainable development goals and vision 2030 by which it contributes to the building of an inter-ethnic just and cohesive society that can be free from danger and fear in Bungoma County. The findings will assist the CSOs in identifying the positive intervention in addressing inter-ethnic violence and transformation. The Ministry of Internal Security will use the findings to address conflicts by instituting positive changes in accordance with the new findings of conflict transformation. The study demonstrates how peacebuilding strategies and inter-ethnic conflict management unwinds protracted layers of inter-ethnic intractability, repairs, bridges, strengthens policies and programmes for inter-ethnic positive coexistence.

1.5.3 Philosophical Justification

The study is underpinned by interpretivism approach to research where societal beliefs, norms and culture has a bearing on the analysis and understanding of an event unlike overly empiricist positivism. Consequently, the origin of interpretivism philosophy is traceable in the early 20th century where it emerged as a contestation to the positivism approach. It has its intellectual roots in the Chicago School of Sociology championed by influential and famous scholars such as Max Weber, Cooley, Goffman, Bulner and Mead among others prominent scholars. The approach mainly involves the interpretation of the study elements thus incorporating human interests into a study. According to this approach, the possible way to accessing reality is through social perceptions including language, shared meanings and consciousness. The approach is interlinked to the philosophy of idealism that champions among other things freedoms and is utilised to reinforce diverse approaches including phenology, hermeneutics and social construction. This approach employs numerous methods of data collection to attain a diverse perception of the issue of study. Additionally, it largely employs qualitative data that is contextualized. This makes it a knowledge subjective approach since it largely relies on the extraction of people's opinions, cultural beliefs, values and personal experiences thus, making it a people-centred approach (Williams, 2000).

In the context of the study, interpretivism unlike positivism which envisaged the total adoption of scientific methods to evaluate human events in history just as in conflicts, however, there are many factors to consider in the study of peacebuilding and inter-ethnic conflict management as underscored by idealists, (Collingwood, 1964, Halpenny, 2015). They include, exploring the history, beliefs, norms and values of the society and

contextualization which cannot be captured in entirety under empirical research methodology as observed by postivism because of the differences in the subject matter between natural sciences and conflicts hence need for interpolation and extrapolation, (Collingwood, 1964). As observed Collingwood, (1964), history just like conflicts has to go beyond the observable outside to the inside thought, the ‘rethinking’ the thoughts of the disputants which has to be interpreted and transformed through peacebuilding strategies without compromising objectivity, (Carr, 1961). As underscored by Okoth, peace studies have to go beyond the limitations of narrowly specialized disciplines of humanities and social sciences and adopt inter-disciplinary approach in order to address perceived social needs, (2007). Matanga, (2018), underscores the integral space of peace in emerging discourse of peace and conflict studies and avers the contested nature of peace concept worth exploring.

1.6 Scope of the study

The study examines how peace-building strategies employed in the management of inter-ethnic conflict addressed the root causes of the conflict. The study specifically addressed the Bukusu and Sabaot because inter-ethnic hostility and violence in Bungoma County followed competing neighbouring communities later fueled more by inter-ethnic political contests which involved the two Bukusu and Sabaot but engulfed other communities into the conflict perceived as either supporting or were inclined to either of the two communities or fell victim to the effects of the conflicts between the two communities. Largely, minority communities in Bungoma County like the Teso, Tachoni including Kikuyu did not experience directly protracted and intractable leadership or political inter-

ethnic contests embittering them to either of the warring communities, the Bukusu or Sabaot in Bungoma in the period under review. Tachoni like other minority Luhya communities found in the Mt. Elgon region were classified amongst the Bukusu, partly due to their similarity in language, cultural practices, and political affiliation. The study evaluated peace-building strategies employed in the management of inter-ethnic conflicts in Bungoma County since 1963. The year 1963 is significant to this study because first, it marks a new dawn of independence, under African leadership yet this was when inter-ethnic conflict specifically between the Bukusu and Sabaot not only took a national political dimension and became more pronounced nationally but also broadly affected other minority communities including the Tachoni.

The year 2010 is a significant date to this study because it marks the promulgation of Kenya's new constitution, the peak of 'Change the Constitution' struggles in Kenya and sets the socio-political and economic foundation of legal structures of not only peace building but also conflict transformation. To examine the peace-building strategies employed in the management of inter-ethnic conflict, it was important to trace the background of the conflict over time since the inter-ethnic conflict specifically between the Bukusu-Sabaot conflicts had been protracted. It was thus important to establish the pattern thereof within the framework of peace-building.

1.7 Chapter Summary

The chapter presented background information on inter-ethnic conflicts, peacebuilding and conflict management from global, regional, and national up to the area of study. The problem statement captures the gap that the study filled. Study objectives and questions which guided the study are equally covered. The study justification from philosophical,

academic and policy dimensions is underscored including the stud scope is captured in the chapter. The study boosts both the knowledge bank on peacebuilding strategies in conflict management and sets the background upon which policies on peacebuilding and conflict management can be founded. The next chapter is a detailed analysis of related literature and gaps, addressed both thematically from the first objective to the third and from global, continental, regional and national.

CHAPTER TWO

LITERATURE REVIEW

The core themes in this chapter apart from the first item, that is dealing with the scholar's conceptualization of the dynamics of conflict and peacebuilding, are derived from the first specific objective of study to the last, showing nature of conflict, underlying causes and how they were responded to through peace-building strategies employed in conflict management but most importantly the gaps that were yet to be filled in relation to the current study.

Under the nature of inter-ethnic conflict, the literature addresses diverse conflicts from various countries around the world. These were analyzed from global, continental, and regional perspectives including dynamics in individual socialization, culture, and value differences and its effect in the management of inter-ethnic conflict. Second, equally reviewed from global, continental to regional is the evaluation of the role of the state in peace-building, covered under the sub- titles leadership and peacebuilding, the role of the state on land administration and its effect on peacebuilding in the management of inter-ethnic conflict, influence of ethnicity in the management of inter-communal conflict and peacebuilding, and the influence of majority and minority community issues in conflict and peacebuilding, non-state actors and inter-ethnic conflict and peace-building, and state and non-state response to triggers of conflict in peace-building. The same order was applied to third part, where literature reviewed addressed the challenges and opportunities to peacebuilding strategies in the management of inter-ethnic conflict. In all cases, the

gaps in relation to current study are systematically documented and summarized at the end of the chapter.

2.1 Nature of Inter-ethnic Conflicts

The nature of inter-ethnic conflict is divided and addressed at different but largely complimentary levels.

2.1.1 Dynamics in Peacebuilding Concept

The term peacebuilding according to the Norwegian sociologist Johan Galtung involves promotion of a bottom-up approach to peacebuilding through the involvement of people on grassroots, which encompasses decentralizing social and economic structures of peacebuilding to bring about sustainable peace by dealing with the core causes of conflict (UN 2012). He differentiated negative peace (mere absence of violence) and positive peace, which is characterized by stable social equilibrium structures, where emergence of disputes is structurally catered for so that it does not degenerate communities into violence. Largely, thus peacebuilding underscores positive peace which address the root causes of conflict and enhance socio-economic and political equilibrium. Lederach avers that peacebuilding process should involve grassroots support, the non-governmental organization including international actors (Keating, 2004, Lederach, 2003). In 1992, the UN Secretary-General Boutros-Boutros Ghali, had earlier explained that peacebuilding did not only involve an action to identify and support structures that will at the end strengthen and solidify peace but also deal with the underlying socio-economic, humanitarian and cultural causes of conflict (UN, 1992).

The conceptualization of peacebuilding has to address what Webne (2011), underscores as conflict, to which he observes goes beyond mere disagreement or dispute to involve threat to the physical and emotional, power, status of people and it contains substantive, procedural, and psychological dimensions to be negotiated and reconciled. These dimensions have to be understood in order to comprehend the threats brought about by conflict and the need for peace-building thereof.

Wanjala, (2013) considered peace-building as involving the treatment of trauma through conventional and traditional means. However, since the study focuses on the period between 2006 -2008 intra-ethnic conflict of the Sabaot limits its application to other communities. Kimokoti (2013) similarly addresses peace-building in Trans-Nzoia but the scope of the study is limited, in that, it starts from 2007 yet this was when the Bukusu erstwhile adversaries to the Sabaot in the previous year's played a rare role of hosting the Sabaot who had run away from intra-ethnic conflict of the Mosop and Soy.

It is thus from such diverse backgrounds that the precise definition of peace-building has always varied depending on the focus of the people or persons defining it. Some definitions underscore actors involved in the process, for example, the government, civil society, or international community. Other definitions focus on the period of the conflict that is, before or after the conflict. Inclusively, however, peace-building is an intervention designed to prevent the start or resumption of conflict by addressing the root causes of conflict and establish sustainable structures that can sustain and prevent resumption of violence. Successful inter-ethnic peacebuilding reconciles conflicting groups or communities; prevents the restart of conflict; integrates or involves civil society; creates governance based on legal mechanisms and addresses underlying structural issues.

From the literature reviewed, the current study identified various actors involved in inter-ethnic peacebuilding process, the time of intervention, causes and relates it to the peacebuilding process. In essence, the current study went a notch higher and addressed tangible peace-building initiatives engaged by various institutions within government and CSOs including non-governmental organizations in enhancing sustainable peace in Bungoma County. Thus, peacebuilding in this study consists of an aggregate process and concrete action which entailed integration of inter-ethnic diversity policies and structures into socio-political, economic, cultural, psychological and in democratic process in all the phases of conflict from the absence of inter-ethnic tension to tension, open conflict and to post-conflict in Bungoma County.

2.1. 2 History and the Nature of Inter-ethnic Conflicts

From the literature reviewed, globally, each ethnic conflict has a history that forms its foundation or history and avenue towards peacebuilding and conflict management. According to MacLenna (1945), Sandra (2003), Marshall (1996), Canadian British and French-speaking Canadians have had; first, a history of territorial rivalry, which matured into conflict and wars then narrowed to competing identities. The varying identity competition between the two groups emanated from the historical British and French colonial rivalry over the control and trade of North America since 1670 (Sandra, 2003). The hostile separate identity was sharpened by the war between the two nations which resulted to the British triumph over the French during the Seven Years war of 1756-1763 and the Paris peace settlement, which gave the British dominance in North America over the French. The treaty which marked the end of the conflict not only paved way for the

British control over the French territory east of the Mississippi River but also a reminder to the French of their loss of the American occupation.

The Independence of Canada in 1867 did not heal the fears of the French-speaking Canadians but they continued to seek protection of their cultural, language, and religious identity. The eventual enactment of law governing language referred to as Bill 101 which safeguards French as the only official language in Quebec province for both education and business was a response to historical British and French woes in Canada (Sandra, 2003).

Similarly, in Europe, Bosnia- Herzegovina inter-communal identity, conflict and peacebuilding, and eventual national disintegration had a historical nature of evolution and differentiation. The historical factors which sharpened ethnic identity in Bosnia- Herzegovina included Islam, a religion that had been brought to Bosnia by the Turks in the 15th century and attracted mostly the Bosnian Serbs, its effect was still felt four centuries later (Malcolm, 1994). In 1920, though the disagreement between the Croats and Serbs was how Yugoslavia was to be governed, whereby the Serbs wanted a centralized administrative state while the Croats were in favour of a decentralized administrative arrangement, it became vicious when it was shaped on a historical-religious nature. Though the Serbs succeeded over the Croats when Yugoslavia adopted a centralized administrative organization but the ideological differences was fueled more by the historical-religious difference between the two communities (Sandra, 2003).

Similarly, when the new constitution for Yugoslavia was promulgated in 1974, it transformed unitary Yugoslavia into federal ethnicities of Serbia, Slovenia, Croatia,

Bosnia-Herzegovina, Macedonia, and Montenegro as a means of co-existence. Yet this was partly in favour of the non-Serbs than the Serbs (Sandra, 2003). The other factor which tilted ethnic harmony in Yugoslavia was the struggling economy from 1991, which made rich Croatia and Slovenia consider secession from Yugoslavia (Ljubisa 1995; Sandra 2003). Further disintegration of Yugoslavia into ethnicities was enhanced by the collapse of its uniting glue, the Soviet Union, which made Slovenia and Croats unlike the Serbs favour self-independence instead of a unitary state. The other blow to ethnic harmony in Yugoslavia was caused by the political mobilization climaxed by the speech delivered by Slobodan Milosevic on June 28, 1989, at the historical commemoration of the Battle of Kosovo. Slobodan's speech fermented and raised Serbian ethnic emotions against Croats and Bosnian Muslims who in turn organized themselves along the same ethnic lines (Carroll, 2009, Dyker & Vejevoda 1996). In essence, thus inter-ethnic mobilization and demobilization can be driven by ethnic historical nature through structural and relational peacebuilding strategies and conflict management.

It was thus the historical factors that caused conflict and eventually the disintegration of Yugoslavia accompanied by massive loss of life baptized as 'ethnic cleansing' of Kosovar Albanians including displacement of population. Bosnian war in 1995, led to the independence of Bosnia and Yugoslavia of Kosovo, Montenegro, and Serbia (Vesna, 1996). From ethnic historical nature the Yugoslavian conflict and peacebuilding underscore how enduring histo-religious division, ideology, and conflict entrepreneurs hinder coexistence leading to conflict and disintegration of a nation as a means of ethnic coexistence.

Continentially, like the separate ethnic identity in Canada and ethnic conflict in Yugoslavia, the ethnic hostilities in Rwanda, Mozambique, and Angola including Eritrea had a historical nature of colonial processes. In Rwanda, the hostile ethnic seed of identity between the majority- Hutu against minority Tutsi were shaped by the Belgian colonial government which favoured the minority Tutsi over the Hutu in higher education hence in colonial employment and forced the Hutu and Tutsi to carry ethnic identity cards (Karabacak, 2018). At independence in 1962, the Hutu retaliated and killed several thousands of the minority Tutsi while displacing hundreds of thousands to neighbouring Congo and Uganda. Though the Hutu retained power until 1994, the continued Rwandan - Tutsi rebel attack against the Hutu-led government forced the government to instigate a genocide campaign against the Tutsi ethnic group in Rwanda. This led to the death of up to 800000 Tutsis and their Hutu sympathizers including massive displacement of the population (Karabacak, 2018, Sandra. 2003).

Besides the International Criminal Tribunal for Rwanda (ICTR) set up in Arusha to interrogate and punish the perpetrators of genocide in Rwanda, the Rwandan government fell back to ethnic traditional nature of peace process to punish or reintegrate over 100000 genocide suspects through *Gacaca* (Rwandan indigenous restorative justice), (Tiemessen, 2004). Umuganda, garinka, and *ingando* were equally ethnic historical nature of peacebuilding strategies engaged by the government to restore peaceful coexistence in Rwanda. Ingando, according to the National Unity Commission of Reconciliation (NUCR) was to help create national identity by helping people come to terms with history as they forged a common peaceful future, (Turner, 2014, Mgbako, 2005). Largely, however, gacaca, umuganda, garinka, and ingando were statist, and

gacaca in particular tended to demonstrate that perpetrators of genocide were Hutu as the Tutsi remained victims.

From the literature reviewed, the colonial ethnic historical nature of Eritrea played part in the peace process that culminated in the partition of Ethiopia to create Eritrea. First, though traditionally Eritrea was part of the Ethiopian empire, with largely shared religion, language, and customary practices but Italian colonization of Eritrea and not Ethiopia arbitrarily divided the people into the two regions and tore apart the uniting Ethiopia-Eritrea uniting fabric. The colonialists established a new socio-political and economic order in Eritrea with new boundaries that did not only conform to the pre-colonial society but also gave a separate identity which the Eritreans struggled to liberate from Ethiopia (Ghebrehiwet, 2009). Similarly, it was based on this ethnic historical background including ethnic cultural similarity between Eritrea and Ethiopia that the UN in futility attempted to resolve the conflict by federating Eritrea to Ethiopia (Awet, 2013). It was because of the same inter-ethnic historical reasons that Ethiopia resisted both UN federation and independence of Eritrea because they felt that they were the same people with a common inter-ethnic history. The historical study of conflicts and peacebuilding in Israel, Eritrea, Mozambique even in Sudan demonstrates that the signing of an agreement does not always mark an end to the conflict but largely shows how peace-building strategies were designed, implemented and their outcomes over time (Lisa et al, June 2016).

Consequently, therefore, inter-ethnic historical territorial rivalry, competing historical or colonial inter-ethnic religious, linguistic, education, economic, and employment

favouritism of one community over the other which fuel and sharpen inter-ethnic identity become important in causing and resolving ethnic conflicts.

2.1.3 Socialization and the nature of inter-ethnic conflicts

2.1.3.1 Individual character in society and the nature of inter-ethnic conflict

Shelly (2013) observes that the environment or surroundings affects a person's socialization from birth to adulthood including one's inclination to conflict and peacebuilding thereof. Each society has a formal and informal way of educating and therefore influencing its people on how to behave, thus it builds societal social identity and ethnic belonging. The self-identity of an individual is a product of an adaptation of the characteristics of the group to which they belong. Traditions, culture, social structures, and environment form or constitute group or individual mentality exhibited in the unity of behaviour, thinking, feeling, attitude, and trends in members of a particular society. According to Magradze (1996), societal characteristics, therefore, define the individual or societal social identity, the expectations, beliefs, language, practices, norms, and values which form the basis of shared culture. Through socialization, people in society come to comprehend and decipher the meaning and may predict the effect of their behavior on others and therefore on themselves (Rutherford and Ahlgren, 1989). Society influences a persons' socialization to the extent that, an individual develops certain views towards conflicts and orientation to its management hence to the nature of society. Thus, through socialization, an individual acquires societal culture. If the society is militant, so is the socialization of her people and vice versa. Cultural orientation is a significant factor that shapes individual views to conflict and by extension peacebuilding. Management of inter-cultural conflict demands a clear understanding of how a conflict situation is viewed

by its participants in the dispute because people filter their perceptions and reactions through their values, culture, beliefs, experience including gender since it is the basis of personality formation.

Graham (2005) observes that the key issue that destabilizes societal social cohesion and by extension cause conflictual nature include, inequality amongst people with regard to allocation of opportunities and social integration including ethnic-oriented affirmative action policies.

From the socio-historical nature of conflict, there are certain gaps that need interrogation in view of the current study, for example to what extent are the formal and informal traditional societal education systems functional? This is because a number of factors come into play to affect the way information is passed over, for example from one generation to the other and one transmitter to the other. There are interferences between traditional and modern or western civilization particularly with the advent of formal education and new roles which were at variance with traditional society. To what extent can we subscribe to the fact that members of a particular ethnic group behave the same and overlook unique individual characteristics in terms of behavior, particularly in a situation where traditional community leaders are steadily replaced by educated personalities like the case of communities in Bungoma particularly the Bukusu and Sabaot in Bungoma County? Which opportunities are contestable among communities in Bungoma County? Is it possible to acquire equilibrium in the distribution of opportunities for example between the Bukusu and the Sabaot in Bungoma County? What are the chances that instituting ethnic affirmative action would work yet experience had shown that in the US where affirmative action is institutionalized has resulted in complaints of

reverse discrimination. It is such gaps that the current study sought to fulfil with regard to the present study.

2.1.4 Nature of Inter-ethnic Conflicts and culture

Magradze (1996) while defining culture as the uniting factor of group's or individuals' behavior, thinking, feelings, attitudes, trends, further observes that culture is double edge sword since it can also offset interactions by giving rise to misunderstanding, prejudice and jeopardize chances of successful inter-communal cohesion in essence culture builds social identity and enhance ethnic belonging and suspicion to outsiders. Magradze argues that cultural assumptions which are acquired in childhood often have an emotional connotation to cultural differences among communities than unity, which may play out in ethnic animosity and hence cause conflicts. Because of its evolution, culture forms the basis for the symbolic meaning of actions, defining an action as either appropriate or inappropriate, respectful or disrespectful, friendly, or hostile a reflection of cultural evolution. He observes that each social category has its own sub-cultures and the differences between the sub-cultures accounts for misunderstandings, stereotypes, and prejudice which affect the ability of people in different categories to manage the conflict and peacebuilding thereof.

Rummel (1999) argues that history bears witness that the change of society from one state to the other involves conflict and that increased consciousness brought about through, for example, travelling, education, and military duty abroad, communication either through print and or electronic media promotes individual or group's awareness of other places, other people, other status, lifestyles, and interest. Such exposure creates new aspirations and a new perception of justice at personal, group, and societal levels.

Increased exposure correlates to increased levels of conflict. This in part explains the spillover of conflict from one society to the other and from one nation to the other (Michael, 1998). This is particularly true when peoples' changing interests are blocked without mitigation (Michael, 1998). As regards the current study, it was important to explore if culture and change of society existed and with what efficacy.

Mass and electronic media may expose the society to new ways and liberties that may be in another community or environment and therefore influence the neighbouring or even far-flung community to revolt. Mweyang (2011) held a similar view when he observes that, if media was not checked, it can be misused by influential people to give skewed information for promoting particular political agenda. He argued that to mitigate media-related ethnicity, standards should be set for responsible reporting including prohibiting programmes that exacerbate ethnic animosity. Independent bodies working with the fourth estate should be allowed to quickly investigate and slap sanctions to media outlets that violate the media set standards that counter inter-ethnic hate-mongering.

2.1.5 Nature of Inter-ethnic Conflict and Value

Rummel (1999) observes that people's interaction is characterized by divergence and antagonism pegged on varying values among people. As people, communities or sub-group deal with each other they bring their value systems to bear on each other, such that some values have a room of either being accepted or rejected, in either case values may strain or enhance co-existence. One ethnic group may seek to affirm their point of view against that of others and therefore cause conflict leading to the breakdown of communication, isolation of participants, and failure of expected co-existence or change hence leading to conflict. However, the extent to which such findings apply to a specific

situation like among communities in Bongoma cannot be outright without interrogation to establish values under contention.

Lebaron (2003) arguing along the same line, observes that value differences held by different groups have often caused protracted conflicts resulting from a clash of worldviews among individuals, groups or communities. He postulated that conflicts caused by value differences can lead to centuries of antagonism because values tend to remain stable for long and people are least willing to negotiate or compromise their values which had evolved over time and qualified as lifeline of individual or group survival. That is the moral order, inculcated into ethnic communities through socialization, offers a set of meanings by which they understand their experience and make a judgment about what concerns them as individuals or groups. Values influence societal behavior, people's identity including their way of mitigating conflicts, initiating peace, or development. Communities with common values have more or less equivalent realities and mindsets (Lebaron, 2003). Ethnic groups that do not share norms of communication and or customary patterns more often conflict. But the puzzle concerning the present study was that the researcher was confounded with situations whereby though some values are shared among communities particularly between the Bukusu and Sabaot, the two often conflicted.

Dawson (2000) tries to establish link between traditional and modern values by observing that over and above the traditional moral value, contemporary society has economic, political, cognitive, aesthetic, religious, and cultural values with distinct natures not replaceable by the other. He further argues that values are relative or unique to different societies, groups, and persons without universal application or effectiveness. And that

contemporary material civilization had contributed to the downfall of the traditional moral fabric, by breaking down traditional unified faith, moral levels, and the binding forces of a social system initially attached to the traditional value system. Additionally, value systems can no longer regulate all ideals and actions of society because a value system is not the only gauge to evaluate good and evil nor could give answers to conflict of values. Contemporary society broke down the respect and nobility in traditional leaders or communities that strictly observed social principles of values and morality (Dawson, 2000). The traditional society which was characterized by excessive unification and tight social relation was replaced by the contemporary dynamic harmonious new order characterized by infinite diversity, individual independence, and autonomy than the traditional society.

But then, has the disintegration of traditional value systems in different societies taken place at the same rate? Therefore, how do we explain the persistence of some values in some communities than the others? To argue that society has steadily flexed itself from a unified value system may mean that society has become more liberal and therefore more accommodating, tolerant but to what extent is this true among communities in Bungoma? How do we explain, for example, a traditional trait holding a community together in an ethnic group in contemporary Kenya? In any case, how do you explain the presence of traditional spiritual leaders in some communities today? Consequently, the above sentiments were suggestions hence subjects for interrogation. This research went a notch higher accounting for the interaction between traditional value systems among communities in Bungoma and the contemporary value system and how they influence conflict and peace-building strategies. This finding contributes towards Kenya's National

Policy on Peace Building and Conflict Management which emphasized the need for strengthening traditional conflict resolution mechanisms. The present study attempted to synergize the traditional and modern dynamics that accompany the value system. In this study, the key issues include, which values were at stake among communities with regards to peace-building strategies.

2.1.6 Evolution of Demographic Advantage of Inter-ethnic Majority over-Minority and Peace building Strategies in Management of Inter-ethnic Conflict

From the literature reviewed, ethnic minority-majority, which has either relative disadvantage or advantage cut across and influence both the state and non-state actors in the management of inter-ethnic conflicts. Rummel (1999) argues that in a heterogeneous society, where minority groups resist rather than conform to the majority and propose new opinions it can create or cause conflict but at the same time it may introduce an alternative view from the dominant one. To him, conflict in society does not always bring about negative changes but often leads to innovation. The problem, however, maybe at what cost? Individuals in the society do not share the same world view hence heterogeneity of society causes a clash of interests, sub-cultures, and counter cultures. Each community, minority or majority has different sometimes conflictual goals. The two groups access information differently. In larger societies minority political activities aim at defending their opinions, rights, goals, some of which are at variance with majority interest thus straining inter-ethnic relationships.

As regards the communities in Bungoma County particularly the Bukusu and Sabaot the situation is slightly different, cultures of the two communities have influenced each other a factor that should have united them. For instance, the male circumcision practice among

the Bukusu is traditionally believed and accepted to have come from the Sabaot, while the Bukusu influenced the pastoralist Sabaot to start sedentary agriculture previously a preserve of the low-land Bukusu and Tachoni sub-group of the Luhya also found in Bungoma County.

Brown (1998), observes that a country or a region with knead mingled ethnic groups is less susceptible to ethnic related conflict than one that has ethnic groups organized along regional lines. Additionally, cultural discrimination against minorities', unfair distribution of educational opportunities, or teaching one language say in school and not the other can enhance inter-ethnic rift. When two close groups have a mutually exclusive perception of each other, slight provocation can trigger deeply held beliefs, hatred, stereotypes and may give justification for retaliation. Mutual hostility between two groups is more focused, particularly when they compete for the same political space.

From the above, certain views regarding the present study come to the fore for interrogation, the extent to which minority-majority factor weighed on inter-ethnic conflict and reconciliation, how regionalization was a factor in for example, Bukusu-Sabaot conflict and how it was addressed in terms of peace-building formed an important point of discussion.

In essence thus, for peacebuilding to take effect we have to understand the nature of inter-ethnic conflict, its historical construction, reconstruction or both in inter-ethnic evolution of negative identity, culture, and values and then deconstruct the conflicting history, identity, culture, and values as a path to peacebuilding and conflict management, a gap that was considered and explored.

2.2 State and Non-State Peacebuilding Strategies in Management of Inter-ethnic

2.2.1 The Role of the State in Peace building for Inter-ethnic Conflict Management

Globally, for example, Sandra (2003) while addressing the Canadian case on American continent demonstrates how the government solved the competing interests between English speaking and French-speaking Canadians in Quebec Province through language legislation which allowed the use of French in education and business and tried to enforce equality in the civil service as a way of managing competing interests of the two nationalities. While in Eritrea, Sudan, including Bosnia-Herzegovina peace process resulted to the split of nation-states as a way of the peace settlement, (Karabacak, 2018). The other peace-building means employed in settling disputes by governments include electoral reforms, arms embargo, military intervention, and preventive diplomacy.

Continently, Lisa et al (2016) examined how peacebuilding in Mozambique was integrated with state-building goals as was advanced by the ‘New Deal for Engagement in the Fragile States’. The model was developed by the International Dialogue for Peacebuilding and State-building at Busan in 2011. The study identified five areas of integration, security, economic foundation, inclusive politics, justice including revenue, and service. The study identified a new area of peace-building engagements that the current study interrogated its suitability concerning inter-ethnic conflict and peace-building in Bungoma County.

2.2.2 The Role of the State Leadership and Peace building Strategies in the Management of Inter-ethnic Conflict

Leadership can lead to escalation, limit, or enhance peace-building. Nitze (2011) observes that leadership escalate and polarize conflicts because leaders have the ability to

convince the group to attribute or direct their grievances to an adversary to the extent that the people come to believe in acquiring the goals sought through violence other than peaceful means. Bad governance is important to understanding conflicts. He attributed conflict in Africa to poor leadership that mismanaged ethnic diversity causing political crises and wars.

On the other hand, Michael (1998) observes that weak leadership can be translated to the weakness of the state. Such leadership condones corruption which may attract bilateral or multilateral withdrawal or reduction of cooperation forcing citizens to lose trust in such government. Weak leadership makes people feel insecure and, therefore, get united as an ethnic group against perceived external threats (Michael, 1998). Discriminatory political institutions, that pursue biased policies that lack fairness in representation and administrative institutions, lead to inter- ethnic conflict (Michael, 1998). A society with exclusionary national ideologies characterized by stigmatizing some people as second-class citizens has a risk for conflict. Similarly, political leadership may fuel ethnic conflict as a scapegoat by deflecting public attention from those issues that embarrass the government. Michael (1998), Mweyang (2010), and DAN (2010) argue that political neglect that results in the poor provision of health services, infrastructure, and breakdown in education, cause conflict. Taras, et al. (1998) observe that, bad leaders who seek to get or forcefully retain power enhance the political-based struggle. Competition over power among corrupt political elites or military cadres or contests over the organization of political, economic, social religious affairs of nation cause conflicts (Taras et al., 1998). Silvia et al. (2003), argue that people in power influence conflict because their decisions affect the masses. A decentralized state power characterized by uncontrolled and

misdirected resource utilization causes conflict escalation. Rummel (1997) argue that peace and order thrive on a structure, where people's expectations are met and otherwise any incongruence in peoples' expectation causes conflicts.

Pkalya et al. (2013) observed that conflict resolution and management in Kenya had remained elusive partly because for a long time Kenya had not had a national policy on conflict resolution and peace-building. They similarly argued that instability in neighbouring countries allowed the proliferation of small arms into the country through the porous border. This was aggravated by the limited presence of security forces and weakness in government agencies mandated to prevent, mitigate and manage conflict. Kenya had not fully realigned her priorities or resources towards conflict management or peacebuilding (Pkalya, et al. 2013). Peace intervention sought through the formal legal system had not paid much, partly because people were less informed regarding their legal rights and responsibilities. The judicial systems in Kenya were not only an endless expensive process but complex and also open to manipulation (Pkalya et al. 2013). Pkalya's assertions are general pointers to the reasons that make people resort to violence to settle disputes but not conclusive to individual situations like the case under review.

Mweyang (2011) argues that to curtail ethnicity, state institutions should embrace ethnic diversity, safeguard and respect minority rights, enhance equitable sharing of power, put in place checks and balances to reduce the perception of injustice and insecurity. To him, clear separation of power amongst the organs of the government, rule of law, and prevention of state power would mitigate bias and ensure equity among communities. To diffuse election-related violence Mweyang observed that the electoral body should consist of people of integrity because the electoral system could plunge the country into

conflict if the process was not free and fair particularly in a situation where the winner took all. Pkalya et al. (2013), noted that, the Kenyan government has often quelled violent conflict by use of arms by state security agency the Administration Police, General Service Unit and Anti Stock Theft Unit and in more serious cases defense forces were used. The gap for the current study was the scanty documentation in the face of inter-ethnic conflict particularly Bukusu-Sabaot recurrence conflict and efforts engaged to quell it.

Though leadership counts in terms of conflict decline, escalation, or management, what was not clear as related to the current study was the extent to which inter-ethnic conflict in Bungoma was a product of poor or weak or corrupt leadership, otherwise above generalities are pointers to sources of conflict worth interrogation in the light of peace-building.

2.2.3 The Role of the State in Economic Organisation and Its Influence on Peace building Strategies in Management of Inter-ethnic Conflict

Nitze (2011) argues that mounting economic problems and growing economic inequalities lead to an escalation in conflict while the opposite is also true. Rummel (1999) observes that society characterized by economic growth has less probability of conflict because a variety of capabilities and potential structures of expectations are being created, and interests realized. Economic diversity improves inter-group and inter-ethnic relationships. Michael (1998) observes that high unemployment, inflation, and resource competition cause conflict. Discriminatory economic practices that may disenfranchise some groups or economic conditions that will cause rural to urban migration whereby conflicting people find themselves living side by side in urban centres may fuel conflict.

Silvia et al, (2003) noted that dispute over territory is another cause for economic-related conflict. The rivalry between two or more people or communities with incompatible ideas over the territory often cause tribal, clan, military, family, and individual conflicts (Silvia et al., 2003).

Grusky & Jasmine. (2018), observes that differences in wealth between parties, communities, groups inject status considerations into conflict and this may complicate efforts to resolve conflict. Choucri (2008), observes that unplanned population growth may lead to competition for scarce resources and lead to poverty which is an ingredient to conflict. Similarly, failure in national trade causes a crisis that leads to conflict. Failure of nation's trade either caused by global or regional isolation because of the economic embargo to sudden economic events like price drops or increase can trigger conflict.

Choucri (2008) noted that the population exerts pressure and increases demands on society which if not met social dislocation, conflicts and violence occur. In a case where the young, unemployed youths constitute a higher percentage of the population the chances of conflict are higher because the youthful population has a bearing on political agenda and processes particularly in the way by which their social demands are advocated for. Mweyang (2011) made a similar observation when he argued that the youths were the most vulnerable groups to be mobilized to violence particularly the unemployed. Population pressure burdens the internal development agenda, frustrating investment (Choucri, 2008). Mutiso (1997) had a similar view when he argued that an increased population had a stake in Kenya's 1992 conflict. Between 1962 and 1989 Kenya's population grew by 12807373 which exerted pressure on the limited land resources.

Concerning the present study certain gaps come to the fore, for example, the mounting economic inequalities among communities, particularly between Bukusu and Sabaot that influenced conflict and peacebuilding, the discriminatory economic conditions among communities and how they influenced conflict and peacebuilding, the disputed territories, the extent of inter-ethnic economic rivalry, the effect of the fluctuations in Kenya's national trade to inter-ethnic conflict and peacebuilding, the effect of unplanned population growth on Bukusu–Sabaot conflict and peacebuilding, and the effect of the young unemployed youths on inter-ethnic conflict and peacebuilding.

2.2.4 The State and Land Administration and Its Effect on Peace building Strategies in Management of Inter-ethnic Conflict

Land influences conflict in various ways, in USAID, (2007), it is pointed out that land is a strategic social-economic asset to humanity in general and particularly to those societies whose measure of wealth is pegged on the number of acreage of land one controlled or could access. In such a society land ownership is a life and death affair. As a social-economic asset to all people, land has a basic aspect of subsistence. It is productive and reproductive resource where structures and important natural resources are on or beneath it (USAID 2007). Land ownership is associated with social, economic, and political power and therefore lack of it means powerlessness.

As a result of the importance attached on land in human life, conflict entrepreneurs in form of individual, groups or a nation state, in need of selling their weapon or gain access to certain mineral, could enhance their political, economic, and even social influence by manipulating or inciting one community against the other by skillfully using the emotional or symbolic dimension of land (USAID, 2007). Other factors that enhance

land-related disputes include the lack of adequate legal or institutional protection which subjects land to manipulation and abuse, leading to failure in land tenure which eventuates in conflict and violence (USAID, 2007). Kamoet (2010) records that inter-ethnic tension and conflict of Bukusu and Sabaot particularly in 1992 was caused by the ever-increasing shortage of land. The Sabaot argue that the Bukusu took their land which forced them to move to marginal areas such that by 1992 their land had become smaller and overused. Kamoet (2010) limited his study to the root causes of intra-ethnic land conflict in squatter enclaves of Mt. Elgon region between the Soy and Mosop in 2007 and 2008, at a time when the Bukusu were hosts to the erstwhile adversarial, Sabaot IDP's. Though land may have contributed to inter-ethnic tension and conflict between, for example, the Bukusu and Sabaot, the present study is set to determine how land-related confrontation was transformed in peacebuilding for inter-ethnic conflict management. It is critical that the present study interrogates the conflicting myths and beliefs among communities in Bungoma over land and show how they are captured in peacebuilding.

Of cardinal importance with regard to inter-ethnic conflict and peacebuilding the following are gaps realized from the literature review regarding land; the value that the Bukusu, Sabaot, Teso and Tachoni attached on land, the conflicting meaning of land and its influence on conflict and peacebuilding, nature of land ownership among communities and its influence to conflict and peacebuilding, the influence of land in socio-economic and political life of for example, Bukusu and Sabaot compared to other economic activities and whether there exists conflict entrepreneurs in Bungoma County and their alignment to conflict and peace building, adequacy of legal or institutional protection of land tenure against manipulation and its alignment to conflict and peacebuilding, whether

the communities for example, Bukusu or Sabaot were evicted from their land because of tenure rights, how inter-communal for example, Bukusu–Sabaot hostility emanated from land that one’s belonged to either the Bukusu, Sabaot, Teso or Tachoni and later was taken over by either of the community. To argue, for example, that by 1992 Bukusu – Sabaot land was ever reducing and therefore caused tension between them as mentioned above is limited in application because most of the communities experience land shortage which does not synonymously degenerate into hostility. Similarly, reduction of land may have been occasioned by either population increase whose basis must have resulted from either reduced mortality or improved health care or high fertility rates, therefore to what extent was the Bukusu, Sabaot, Tachoni and Teso conflict a question of poor planning by the government for the growing population.

To what extent was the government prepared to deal with increasing population, were there initial indicators to population friction among communities as a result of the land reduction, and were those indicators addressed? Are there tangible and valid contestable title deeds from either for example, Bukusu or Sabaot whose tenure-ship over land had been overlooked by either community or government or individual cases causing community anxiety? Is there valid inter-ethnic land related disputes involving for example, the Bukusu – Sabaot or land cases before Land Dispute and Tribunal Board? What is the position of the land question for example between the Bukusu–Sabaot at the regional land office? Any land cases resolved over the two communities at the land’s office? How has the government equipped the land office in terms of training concerning emotive land-related conflict and with what efficacy? If any training was contacted, it would be important to know the period of induction, the number of people involved from

junior officers to senior officers including village elders to the sub-county commissioner to county officers. Hence it was such background that the current study was undertaken.

2.2.5 Influence of Ethnicity to the State and Non-State Peacebuilding Strategies in management of Inter-ethnic Conflict

There is conflicting information among scholars regarding the extent to which ethnicity by itself influenced conflict and peacebuilding. In Barasa (1997) ethnicity is seen as the identity felt by people characterized by language, tribe, clan, appearance, race, common ancestry, height, complexity, body structure, and level of education. The primordialist theorists attribute the source of ethnic conflict to a deep sense of identity and unity in an ethnic group which is natural. They argue that people have a natural tendency to identify themselves as belonging to those groups that they have obvious similarities of appearance, shared geographical origin, socio-economic condition, common history, myths, religion, mental, and emotional concepts of personal ethnic identity (Michael, 1998). Ethnicity becomes the proximate cause of conflict at a level whereby the political parties get organized around ethnic groups and not shared non-ethnic interests. Nitze (2011) argues that ethnicity and identity affiliations work in conjunction with other factors in causing conflict and not in solitude.

Factors that exacerbate ethnicity include, people's collective fear for safety or survival, particularly when the state loses the ability to arbitrate between rival groups, or the state becomes weak and loses legitimacy or it is biased, inter-ethnic exclusionary behaviour exemplified in favouring one community against the other (Nitze, 2011, Bahati, 2008). Bad governance characterized by biased ethnic exclusivity, politicizing, and mismanaging ethnic diversity enhances chances of ethnic conflict (Taras et al., 1998).

The constructivist's theorists' on the other hand were at variance with premordialists view, arguing that premodialists were not consistent with reality. They instead argued that conflicts were caused by the calculated economic and political actions of people in society. The elites and those who wish to become elites stir up ethnic identities by the use of propaganda for their benefit (Tharoor, 1999). Ethnicity is used by a politician to mobilize support in pursuit of power, wealth, and resources.

Ethnic conflict, according to Mweyang (2011), comes from the governments' exclusionary administration which makes the marginalized communities get united against the system or to the favoured community. Similarly, ethnicity can arise when the government lacks resources for addressing people's grievances or imbalanced inter-communal access to state power and resources. According to Mweyang (2011), ethnicity by itself does not cause conflict but the politicization of ethnicity stokes the attitude of perceived injustice, lack of recognition, and exclusion.

To Mweyang (2011), ethnicity in Kenya became an issue in the elections of 2007/2008 because of political power struggles. According to him, Kenyans had coexisted since 1963 under one ruling party Kenya Africa National Union (KANU), which consisted of two major communities Luo and Kikuyu. To him, the same was true in 2002, National Rainbow Coalition (NARC) which consisted of the Luo and Kikuyu who brought down one-party stranglehold on power. Mweyang further supported his view by arguing that violence in Rwanda was caused by the struggle over resources and power. The politicians and the media used ethnicity to gain popularity and support to eliminate opponents. In Rwanda, Mweyang argued, inter-ethnic marriage was common. Hutus and Tutsi had

intermarried so much that, it was not easy to distinguish them physically or by language because they spoke the same language.

Though Mweyang's (2011) investigations reveal that at one stage various ethnic communities in Kenya united for a common political goal he fails to show the extent to which such periodic unity could be applied across the board. Circumstances that unite ethnic groups against an adversary are dynamic and so to downplay Kenya's ethnic strength in contributing to the conflict based on such background was inadequate. Experience had disapproved inter-ethnic marriage bonds in sustaining peace in the face of ethnic hostility particularly in the study under focus. The present study demonstrates how ethnicity influenced inter-ethnic conflict and by what margin and how it interlocked with other factors.

Mutiso (1997) argues that Kenya was prevented from lapsing into major ethnic conflict immediately after independence because of the single-party rule of Kenya Africa National Union (KANU). He observes that one-party rule controlled political conflict. After independence, the only opposition party Kenya African Democratic Union (KADU) joined KANU thereby greatly minimizing party rivalry and thereby curtailed the influence of radical groups. He further observed that the ascent to power by the first African president, Jomo Kenyatta, gave both the political elites and the Kenyan public unity and hope of accessing better education, health, and job opportunities initially reserved for the Europeans and Asians (Mutiso, 1997). Single party rule put the national political elites within check and dissenting voices within the party were dealt with either by suspension or expulsion. Bildad Kaggia and Jaramogi Odinga were among the first political elites to be removed from the then ruling party KANU. Efforts of reviving multi-

party by Jaramogi Odinga through the formation of an alternative party 'the Kenya People Union' (KPU) were successfully resisted in 1969. Thereafter Kenya remained a one-party state until the early 1990s when single-party rule was repealed reinstating multiparty democracy. The second president of the Republic of Kenya, Daniel Arap Moi championed the same ideals as his predecessor for the twenty four-years he held power.

Mutiso argued that economic growth from independence to 1978 also mitigated resource-related inter-ethnic conflicts in Kenya. The Gross Domestic Product (GDP) grew at 6% annually from 1963 up to 1978. Mutiso associated the 1992 ethnic conflict in Kenya on population expansion against economic stagnation, the deliberate shift of policy into deficit financing by the government, and self-inflicted inflation which came from extravagant political expenditures of the 1992 election. Fragmentation of farms into uneconomic portions, and low living standards characterized Kenya's economy in the 1990s. This situation had earlier been reflected in the 1989 census when school enrollment declined and rural poor were at 46.7 % by adult equivalent and 41.6% by household. The few educated had no employment opportunity; worse still limited vacancies were corruptly awarded, based on ethnic considerations.

Poverty increased competition over resources in turn fueling inter-ethnic conflict (Mutiso, 1997). Similarly, ethnicity was further politicized to the extent that it became a determinant for national resources allocation. In the 1990s, KANU was predominantly Kalenjin and anybody who challenged KANU by extension challenged the Kalenjin community. Alongside ethnicity, there was looting and multiple corruptions involving the relatives and cronies of the political elites.

Though Mutiso wants us to believe that single party leadership curtailed ethnicity yet it was the firm foundation upon which ethnicity grew out of proportions and merely waited for a trigger. Both, the first and second presidents of Kenya surrounded themselves with their kinsmen as ministers or senior government officials while other communities became marginalized. Mutiso over-emphasized the role of one-party rule but failed to see how it became a precursor to the growth of ethnicity, particularly among communities in Bungoma County specifically between the Bukusu and Sabaot.

2.2.6 Influence of the State and Non-State Peacebuilding Strategies on Trigger of Conflict in Management of Inter-ethnic Conflict

Unlike factors that influence conflict and peace-building Rummel (1979) argues that triggers of conflict are sudden single events that cause violence. Conflict triggers include incarceration of important people say the members of the opposition, sudden death of a president or an all-over sudden rise in prices of basic essentials for example food. Rummel (1999) observes that trigger events to conflict are not systematic nor are their occurrence predictable. Trigger of conflicts can be an event that offers an opportunity, threat or injustice to either of the disputants (Rummel, 1997). Bowd & Chikwanha (2010) noted that catalysts or triggers in conflict include powerful political figures manipulating influencing factors of conflict which if left on their own may not have been translated into violent conflict but when triggered by say assassination, military coup, election-fraud the latent situation is turned into violence.

Michael (1998) argued that ethnic strife is triggered by the elite but driven either from within the nation or outside, from neighbouring states. Secondly, ethnic conflict may be mass triggered but internally or externally driven. Elite triggered and internally driven

conflict, arise from poor political leadership on the part of those who seek to attain or preserve power (Taras et al., 1998). Second, the elite triggered externally driven conflict, which he termed as resulting from bad neighborliness. In this case, a state may trigger an ethnic upheaval in a neighboring nation to determine the strength of a potential adversary. The neighbouring nation may continually support the ethnic uprising by arming the rebels (Tharoor, 1999). Third bad domestic problems in a nation may trigger mass protest resulting from bad leadership, structural defects, and discrimination happening along ethnic lines driven by citizens themselves, the case in point include protest that engulfed Egypt, Algeria, Libya, and Syria. Fourth mass triggered, externally driven conflict-Brown calls it a bad neighborhood problem. This is a case where destabilizing ethnic violence in a neighborhood state crosses the border with influxes of immigrants or spillover of military activity compromising peace in the neighboring state. Rummel (1997) notes that conflict triggers usually disrupt people's expectations, causing disorder which is a necessary and sufficient cause of conflict. Trigger of conflict provokes an individual, group, or parties into action, by disrupting an incoherent structure of expectation.

From the literature reviewed concerning trigger factors of conflict and peacebuilding certain fundamental gaps come to the fore for instance, how to identify and align triggers of inter-ethnic conflict and peacebuilding, how for example, Bukusu – Sabaot conflict and peacebuilding was pegged on sudden incarceration of important personalities from either the Bukusu or Sabaot or sudden death of important community leaders or sudden increase in prices of essential products, how Bukusu–Sabaot conflict triggers were attributed to the influence of political personalities manipulating volatile situation

between them, the possibility of identifying the elites behind the trigger of inter-ethnic conflict and whether, for example, the Bukusu – Sabaot conflict was internally or externally driven, thus it is such background that made it imperative for the current study to be undertaken.

Though the state has largely been perceived as the promoter of peacebuilding and conflict management however the cases in Kenya and Rwanda demonstrated that the states can cause conflict. In Rwanda, till 1994 the state instigated conflict, and peacebuilding strategies were discriminative and marginalizing of the Tutsi ethnic group. In Kenya, the state equally mutated from instigating conflict and peacebuilding which largely influenced inter-ethnic coexistence as this study demonstrated. In Kenya, statist peacebuilding has been erratic evidenced in 1963, 1992 and 1997.

2.2.7 Influence of Non-State Actors on Peacebuilding Strategies for Management of Inter-ethnic Conflict

The involvement of non-state actors also referred to as civil society became popular in the 1980s. By this time civil society organizations had evolved to include a wide range of organized groups, nongovernmental organizations, trade unions, social movements, and grassroots organizations. Globally, World Bank Report (2007), acknowledges the increased and critical role played by civil societies in peacebuilding. The report concluded that civil society played an important role in peacebuilding, both local ownership and partner-led identification of program gave a solid foundation for not only understanding but also for possible successful operation of civil societies, clearer foundation for setting objectives and achievement of intended outcomes of civil organization. The reports made important suggestions though yet to be tested and

actualized and applied in situations like that of the inter-ethnic conflict, peacebuilding and conflict management in Bungoma County.

The UNO, (2016), report underscore the need for involvement of people in conflict management described as a ‘people focused approach’ in peacekeeping to include civil society actors to assist in ameliorating peacebuilding challenges and security threats. It recognized the role of civil society around the world as exemplified in Liberia, women groups organized inter-ethnic peaceful dialogue, in Sierra Leon it involved inter-religious councils, in Rwanda NGOs organized mixed Hutu-Tutsi soccer games while in Mozambique religious community assisted in peace negotiation. Jorg &Christine, (1994), argued that local and international civil societies play different roles in the phases of the conflict ranging from eruption to escalation. Raffaele & Nathalie (2009), observe that the role of civil societies ranges from raising awareness of latent conflict to its escalation. They underscore that civil society raises awareness through demonstrations, public assemblies, media and also monitoring, and denouncing conflict activities. At the international level civil society seek funds or arms or international involvement in the conflict through peacekeeping or peacebuilding. While at the level of escalating conflict to violent stages civil societies may organize or activate guerrillas and combatants. In essence, civil societies play an important role from ensuring grassroots involvement to national and international. This study established the socio-economic role that the non-statist actors played in inter-ethnic conflict, peacebuilding and conflict management through the capacity building, poverty eradication, and intercommunal coexistence.

Robert, (2001), while analyzing how the international community built the civil society in Bosnia and Herzegovina in order to bolster peace and democratization, argues that lack of

long term strategy and lack of conformity between the civil societies, peacebuilding strategy and the Bosnian conflict context and history hindered genuine transformation of a conflict situation to genuine reconciliation among the ethnic groups. By extension thus the involvement of civil society should take into account the history, context, and structural transformation to be undertaken. This study took note of the context, history, and structural implications in inter-ethnic conflict transformation.

Ned (2017), observes that at least 164 civil societies are engaged in peacebuilding in Israel. Rated highly in use was advocacy, dialogue, education, and human rights interventions. Other means include art, research, protest, diplomacy, economic development, sports, music, health, and the environment. The study showed that positive attitudinal changes have been recorded including prejudice reduction and integration of Arab teachers in Jewish schools. Lisa et al, (June 2016) explore the role of non-state actors in peacebuilding but as an integrated process with state-building goals. Civil societies were involved in reconciliation and reintegration, conflict resolution in schools, training of the police and judicial officers in matters of mediation. Other roles include disarmament through the exchange of weapons illegally in possession of the members of public and former combatants and means of economic generating income for example sewing machines, collecting and destroying weapons, reintegration of the demilitarized combatants into the workforce. Lisa et al make a critical contribution to the role of civil society that set an agenda for interrogating the Kenyan situation.

Ekiyor (2006), argues that effective collaboration between the national government and civil society organizations contributes to effective conflict prevention. The author pointed out the role of civil society in West Africa to have included human rights, education,

dialogue promotion, security, and election reforms. This study identifies the competing role of the state and non-state strategy in inter-ethnic peacebuilding and conflict management.

Omolo (May 2010), observes that the activities of civil society in inter-ethnic conflict and peacebuilding in East Africa were largely absent until the 1980s. Since the 1980s the CSOs worked, alongside churches, for example, Anglican Church, Catholic, Presbyterian Church of East Africa (PCEA), including the umbrella National Council of Churches of Kenya (NCCCK). The study shows that CSOs became a training ground for politicians, promoted political change, shielded political activists from arbitrary arrests from the government, monitored elections, offered civic education on good governance, democracy, and constitutionalism including paralegal services. The TJRC Report on the other hand record that the NGOs restricted their work in conflict-prone areas where they took part in violence prevention and humanitarian assistance. They were blamed for limiting the operation within communities in conflict, poor follow-up on initiated peace programs, and duplication of roles among different CSOs. USAID, (2012), sustainability index, shows that civil society encourages dependency on donor funding which not only hinder sustainability but also distract the civil societies from their mission to chasing for funds. Host governments view civil societies as competitors hence proponents and agents of opposition because of being funded externally.

The gaps with regard to this study and addressed included, how the non-governmental agencies reconciled social, political, and economic issues of the minority groups in Bungoma County, how the CSOs assisted in building bridges among communities for example the Bukusu-Sabaot for mutual understandings based on some common cultural

aspects. How the non-state actors responded to inequalities of unfair distribution of education, hospitals, and general infrastructure including demystifying biased beliefs and stereotypes.

2.3 Challenges and Opportunities in Management of Inter-ethnic Conflict

Challenges in the management of inter-ethnic conflict are not only varied but global as realized from literature reviewed. In Australia, for example, it was wrongly assumed that promotion of sports would address social inequality and encourage inter-communal unity (John et al 2007). UN News (2010) recorded inequalities between Maori and non- Maori in New Zealand which was caused by discrimination of the Maori and their lack of bargaining power in negotiation and hence in policy formulation.

Continently, Kaya & Kale (2016), acknowledge the fact that the pre-colonial African communities had established their own institutions and mechanism of dealing with disputes within and between cultures. However, the advent of colonialists circumvented or overlooked traditional mechanisms and instead introduced new administrative machinery and boundaries which allowed more of easy exploitation of African resources than enhance inter-communal co-existence. The colonial administrative structures undermined the roots of African indigenous authority in peacebuilding and security (Awedoba, 2009). The study however makes an unsupported statement by attributing the escalation of 1990's conflicts in Africa to the sidelining of indigenous dispute mechanism of conflict resolution and adoption of European conflict resolution mechanisms which included civil societies, involvement of eminent personalities in dispute resolution, international and regional organizations, yet studies demonstrated that various conflict resolution mechanism, traditional and European dispute resolution worked side by side

(Makinda, 2002). Francois Masabo makes an important contribution regarding the post-genocide Rwanda where the government resorted to the application of indigenous mechanism of dispute resolution *Girika* donating one cow per family in order to rebuild social cohesion among the people who had been totally disrupted by the conflict but fails to quantify its efficacy (Wilson Centre, July 2017).

Mtukwa (2015) addressed informal peacebuilding initiatives in Africa, specifically how art was used in Rwanda to enhance peacebuilding, unlike the formal peacebuilding processes. The author established various challenges from the use of drama as a peacebuilding tool, which included exaggeration, poor communication which may affect the transmission of information, lack of legitimacy, and retraumatizing. Drama unlike other means is transient and impermanent.

Murithi (2006) makes an important observation that for indigenous peacebuilding initiatives to work there should be a balance between traditional values and progressive values in order to strike a balance or for it to remain relevant to the changing society. He advances the indigenous peace-building initiative 'ubuntu' which underscores the interdependent nature of human beings where maintaining social contact was a communal task.

NSC, (2011) observes that traditional conflict resolution worked in pre-colonial society in matters of communal owned property and engagements for example over animal grazing fields. The penalty for non-conformity included curses as wrath from ancestors. The study records that, unlike traditional society where indigenous authority worked but modern, formal legal structures, generational challenges have negatively affected the

traditional peacebuilding mechanism. However, the study falls short in understanding the response by which the traditional mechanism has to cope with in the changing society in order to meet its expectations. The study does not account for the hybridization or integration process that both the traditional and modern peacebuilding mechanisms either by design or otherwise are engaged as an antidote to the changing nature of conflict under the changing circumstances. The study fails to account for the continuity of the traditional peacebuilding mechanisms into modern days side by side with the political class, new administrative structures including formal legal machinery, and religious leaders including the District Peace Committees.

The gap addressed with regard to this study was the sources of the challenges to peacebuilding, how it had evolved over-time offering new avenues and how it had been captured in peacebuilding and conflict management or transformation.

Summary of Knowledge Gaps in the Literature

From the literature reviewed the following knowledge gaps were noted in relation to the nature of inter-ethnic conflict, first, the historical evolution of the nature of inter-ethnic conflict in order to capture the nature of root causes and peacebuilding thereof as a prelude to establishing the efficacy of the structures put in place to counter conflict and enhance peacebuilding. The nature of conflict interventions before, during, and after the conflict and how it was influenced by peacekeeping and peacemaking. Knowledge gap on how colonialism affected the nature of ethnic composition, perceptions and sharpened ethnic identities which in turn influenced inter-ethnic conflict. Gap of knowledge on how informal traditional societal education worked in relation to inter-ethnic conflict and peacebuilding. Information transmission through various generation and sources, oral

traditions, proverbs or songs. Interferences between traditional education and formal education. Similarly, knowledge on the extent to which communities had stagnated or changed and the unique individual differences particularly in situations where traditional community elders were steadily replaced by educated elites. Knowledge gap on the contestable opportunities among communities and how they had been addressed through peace-building strategies applied.

The other gaps were: knowledge on the rate of disintegration and persistence of the traditional value system among communities in Bungoma. Determine knowledge gap on the interaction between traditional value system and how they had been aligned in peace-building strategies. Similarly the knowledge it contributed to strengthening Kenya's National Policy.

As regards an evaluation of the role of the state and non-state peacebuilding strategies:: Knowledge on how inter-ethnic peacebuilding goals were integrated with state development goals on land administration, economic development goals, political leadership goals, positive ethnicity, and majority-minority community issues including constitutional transformation.

The extent to which inter-ethnic conflict was an offshoot of poor, weak, or corrupt leadership and how it had been aligned in peacebuilding. Knowledge gap on how mounting economic rivalry, inter-ethnic economic inequalities, disputed territories influenced inter-communal conflict and peacebuilding. Knowledge gap on the effect of Kenya's national trade, unplanned population growth, and the young unemployed youths on inter-ethnic conflict and peacebuilding.

Knowledge gap on land included: how land related confrontation among communities on the basis of conflicting myths and beliefs was aligned to peacebuilding in the management conflict. Other knowledge gaps on land were: the value that inter-ethnic communities attached on land, inter-ethnic conflicting meaning of land, nature of land ownership among communities, adequacy of institutional protection of inter-ethnic land issues. Knowledge on whether inter-ethnic conflict was a question of poor planning by the government for her population and the interventions in terms of peacebuilding.

With regard to the literature reviewed on non-state actors, knowledge gap included: how art, sport, protests, and music worked as the means by which CSOs used as a way to achieving peacebuilding. Whether the state and CSOs had an integrated approach in peacebuilding. The efficacy of intermarriage among communities as a peace-building tool and how it interlocked with other factor.

From the literature reviewed relating to majority-minority views, the knowledge gap were: to determine how the minority–majority interests weighed on inter-ethnic conflict and peacebuilding. How the government and non-government agencies handled social, political, and economic issues of minority Sabaot, Teso and Tachoni in Bungoma County. How the State and non-state mechanisms responded to inequalities of unfair distribution of education, hospital, and infrastructure including demystifying biased beliefs, stereotypes among communities.

As regards challenges and opportunities to peace-building strategies Knowledge gaps were: how hybridized traditional and modern methods worked particularly in a heterogeneous setting though not among the Bukusu, Sabaot, Teso and Tachoni. The

current study set out to establish the reasons for continuity and discontinuity of inter-ethnic indigenous peacebuilding strategy and challenges and opportunities thereof.

2.4 Conceptual Framework

The study was guided by a conceptual framework underpinned by two complementary theories. Galtung's theory of Conflict Triangle within the three aspects of Attitude (A) Contradiction (C), Behaviour (B), which underscore emergence, growth and manifestation of conflict, while Lederach's Conflict Transformation theory, explores the transformation of conflict to peacebuilding (Galtung, 1996, Lederach, 2003). The conceptual framework adequately cover and accounts for the cross-cutting inter-theoretical relationships ranging from attitudes, contradiction, behavior and conflict transformation in inter-ethnic conflict, peacebuilding and conflict management. It further provides contingency measures that no single theory can fully address peace studies since not many theorists agree on the process of attaining peace (Ray, 1998). Equally important, the conceptual framework enabled the researcher to capture the broad spectrum of the multilevel, multidimensional and multiple causes of inter-ethnic conflict, peacebuilding and conflict management.

2.4.1 Conflict Triangle Theory

Specifically, ABC triangle approach as espoused by its proponent Galtung captures the three aspects that is the latent level in the development of inter-ethnic negative attitude, inter-communal contradictions over goals or values, which is then manifested in inter-ethnic hostile behavior characterized by inter-communal violence or discriminatory actions. According to Galtung, attitude, contradictions and manifest behavior are not only interrelated in causing conflict but they are as much potential areas to be underscored in

conflict de-escalation, (Galtung, 2003, Wabel & Galtung, 2004). The theory thus identifies the drives and points of de-escalation of conflicts which can be achieved through change of attitude and transforming or transcending competing interests among conflicting parties, (Galtung, 2003, Wabel & Galtung 2007)

The study used this lens to examine how inter-ethnic conflict in Bungoma was a product of developed inter-ethnic hostile attitude and inter-communal contradiction which manifested into inter-ethnic conflict over inter-communal incompatible goals and how they were addressed in the process of peacebuilding and conflict management. Inter-communal incompatible goals increase the chances in the built up of hostility and contradictions eventually manifested in violent behavior. The theory allowed the researcher to analyze the inter-ethnic built up of hostile attitude, contradiction and resultant behaviour as a basis of understanding not only the causes of inter-communal disharmony but also how they were addressed from the roots in terms of peacebuilding and conflict management.

The weakness with Conflict Triangle is that of being pragmatic, hence it works best within structured societies with clear rules of behavior and within small sometimes known number of actors. Consequently, the protracted and intractable nature of inter-ethnic conflict in Bungoma County necessitated the inclusion of Conflict Transformation theory as advanced by John Paul Lederach, (Lederach, 2003).

2.4.2 Conflict Transformation

The study adopted Lederach's Conflict Transformation approach which enabled the research take cognizance of inter-ethnic intractable conflict with multiple causal levels,

recurrence, multidimensional stratus state and sub states, (Lederach, 2003). Unlike conflict triangle, Conflict Transformation holistically unraveled conflict through various lens, as postulated by its proponents, from the immediate or presenting situation (content), to the underlying causes (context) and or fusing the immediate (content) and deeper pattern of relationships (context) and the structure of relationships that emerged thereafter.

As underscored by Lederach, peacebuilding is a long-term transformation of conflict systems which entails improving personal, structural, relational and cultural aspects of conflict, (Lederach, 2003). First, at personal it entailed strengthening individual growth and well-being physically, emotionally, spiritually and at the level of intellect while minimizing destructive effects of social conflict. Next, at relational level encourage inter-communal communication and understanding. Third, at structural level, Lederach underscore addressing structural root causes of conflict through non-violent mechanisms and finally at cultural level involves identifying and demystifying cultural patterns that enhance inter-ethnic incompatibility.

Second, was where Lederach observes that peacebuilding work through an interconnected pyramidal shaped arrangement of three levels, such that, though different people play different roles and apply different strategies but they are interconnected to each other. At the apex of the pyramid, is top level leadership with power, consisting of political, military or religious leaders whose focus is on high level negotiations. At the centre of the pyramid is the middle range leadership, which links the grassroots and top level leadership. The middle range leadership applies conflict resolution trainings including problem solving workshops. The third level is grassroots leaders at the bottom

of the pyramid consisting of leaders of indigenous NGOs, community developers and refugee camp leaders. They approach peacebuilding through peace commissions, grassroots training including prejudice reduction (Lederach, 1997). To Lederach, the three levels are interlinked; the grassroots drives transformation, while the middle range links the top and bottom with core objective of transforming violent conflict to nonviolence.

With regard to the present study, Conflict Transformation approach as propounded by Lederach was relevant in that inter-ethnic conflict in Bungoma County was protracted and intractable. The conflict, peacebuilding and conflict management has taken long with multiple layers of causes, recurrence, stratus, dimensions state and sub-states. Conflict transformation assisted in understanding the importance of the past insights of the historical causes, course, and interventions and hence conflict management and conflict transformation. Similarly, the theory assisted in the understanding how inter-ethnic incompatible goals influenced conflict and peacebuilding as well as how the varying goals between the disputants were transcended to another level of reality and how preceding factors were incorporated and addressed including inner aspects like hatred, frustration, and polarization by the state and non-state peacebuilding mechanism.

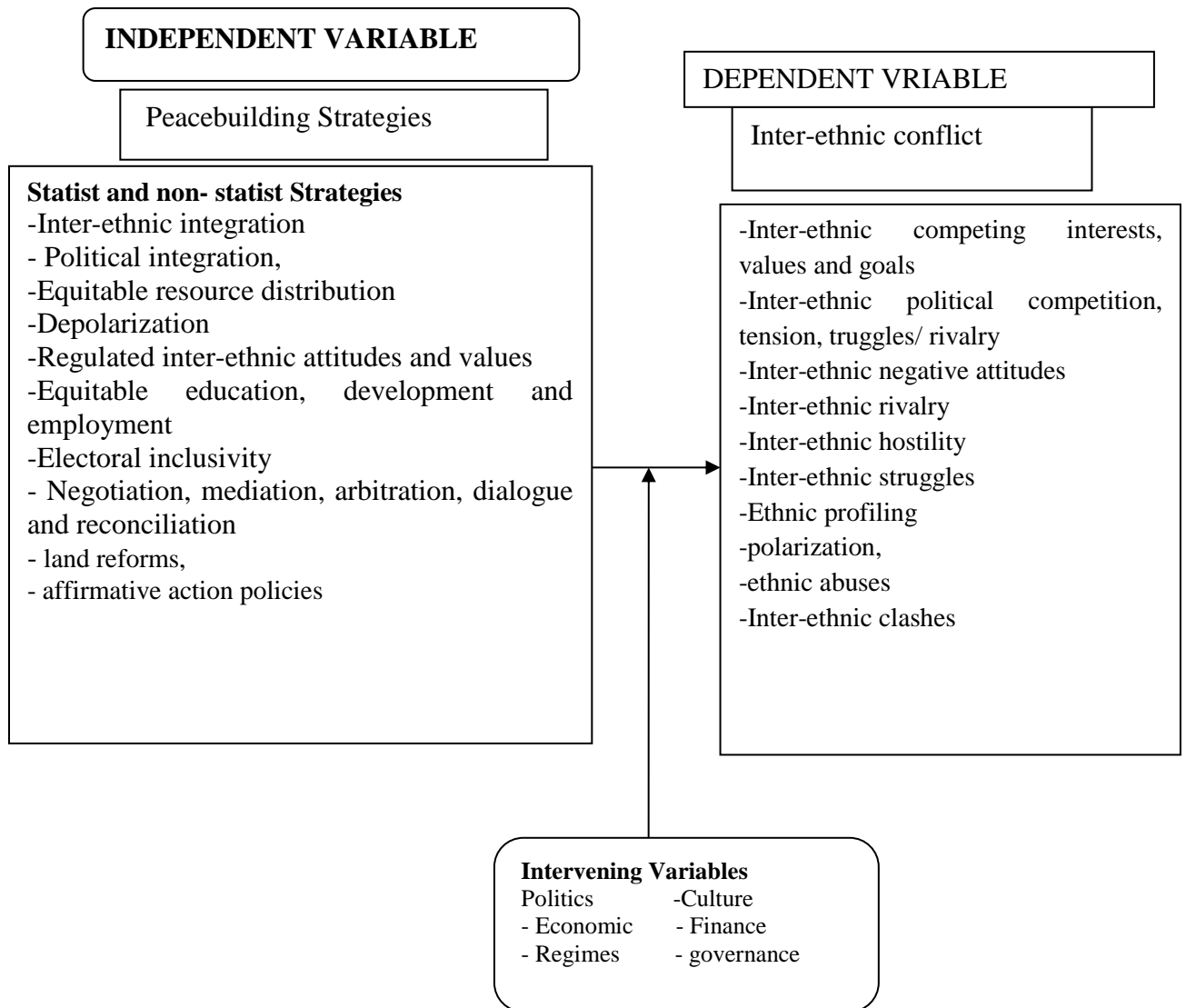
Inter-ethnic conflict, particularly the Bukusu-Sabaot conflict and peacebuilding, for example, having its roots in pre-colonial, through colonial and independent Kenya acquired several layers and dimensions of malignancy hence demanded a more comprehensive analysis and thus holistic approach to de-escalate the conflict. Conflict transformation treats conflict as deep and profound. Therefore to understand the inter-ethnic conflict in Bungoma it was important to start not only from the grassroots

leadership, regional and national but also included its evolution from pre-colonial to independent Kenya. Peacebuilding through transformation, therefore, underscores inclusive leadership from grassroots through the middle level leadership to top leadership.

2.5 Conceptual Model

Figure 2.1

The conceptual model shows the inter-linkage between Independent, Intervening and Dependent Variables



Source: Researcher (2016).

2.8 Chapter Summary

The chapter systematically thematizes literature review in accordance with specific study objectives from the first to the third, covering literature from global, regional, and national level. The chapter examined literature on the nature of inter-ethnic conflicts, peacebuilding strategies by the state and non-state actors as well as on challenges and opportunities on peacebuilding strategies in conflict management. Identified knowledge gaps are clearly captured and documented systematically from each theme. The theories that underpinned the conceptual framework, Galtung's Conflict Triangle and Conflict Transformation are captured including the conceptual model showing the relationships among Independent, Intervening and Dependent variables. The next chapter underscores research methodology.

CHAPTER THREE

RESEARCH METHODOLOGY

This chapter brings into focus the research design, location of study, sample size and sampling procedures, research instruments, data collection and analysis procedures.

3.1 Research Design

The study used descriptive research design which allowed the application of both qualitative and quantitative data to gather information thus enabling the researcher make accurate predictions. In the end it helped the researcher to not only establish facts on inter-ethnic conflict and peacebuilding in Bungoma but also describe the state of affairs as it existed by identifying, capturing and accounting for frequencies, trends and patterns which emanated from the sizzle of state and non-state peacebuilding strategies and inter-ethnic conflict management, (Kombo & Tromp, 2006). The design helped the study organize collected data into common patterns, developed from in-depth analysis of peacebuilding strategies and inter-ethnic conflict management. The finding from the study sets the foundation for the formulation of important principles of knowledge regarding peacebuilding strategies and inter-ethnic conflict management in Bungoma County by offering solutions to significant problems regarding peacebuilding and inter-ethnic conflict management in the region (Orodho, 2003, Rudestam, 1992). Real-life situation were derived from face to face interviews and Focus Group Discussions (Orodho, 2003, Kombo and Tromp, 2006).

3.2 Study Area

As it was propounded at a Consultation Conference held four decades after independence in 2009 to reconcile communities by use of elders, Bungoma was not only decried as a conflict prone area but a place lacking both, clear means to nationhood and clear opportunities that community leaders and elders could contribute to reconciliation and national healing, (RCNECCI, 2009). Yet in the same period, notwithstanding statist and non-statist peacebuilding strategies, conflicts in the region had not only acquired national outlook including a political dimension and fatally recurred but also contradicted the conventional approach which argues that utilization of both statist and non-statist peacebuilding strategies begets sustainable peace. Furthermore, the length and breadth of the county consisting of nine sub-counties namely, Mt. Elgon, Cheptais, Kimilili, Bungoma North, Bumula, Bungoma West, Bungoma Central, Bungoma South and Bungoma East had experienced the effects of conflicts.

To date thousands are not only IDPs but a poverty stricken uncompensated displaced persons, (Un-Published Resolution of Mabanga Peace Conference, Adopted at the Conclusion of Inter-Community Peace Conference, 2011). In 1992 for example, the level of violence and displaced persons increased. A half a century later some of the displaced persons over the years from 1963 including 1998, and 2007 are yet to be resettled, (Un-Published Resolution of Mabanga Peace Conference, Adopted at the conclusion of Inter-Community Peace Conference, 2011). Worse still, suspicion among communities has persisted yet the county has nine Sub-County Commissioners, Chiefs, and their assistants including non-governmental organizations, Community Based Organizations (CBO), and Faith-Based Organizations involved in the transformation of relationships between

communities. Additionally, the study area met the researcher’s professional interest including familiarity and convenience. The area was accessible and allowed rapport between the researcher and respondents (Singleton, 1993). The area under review helped the researcher gain acceptance (Kombo, 2006)

MAP OF BUNGOMA COUNTY

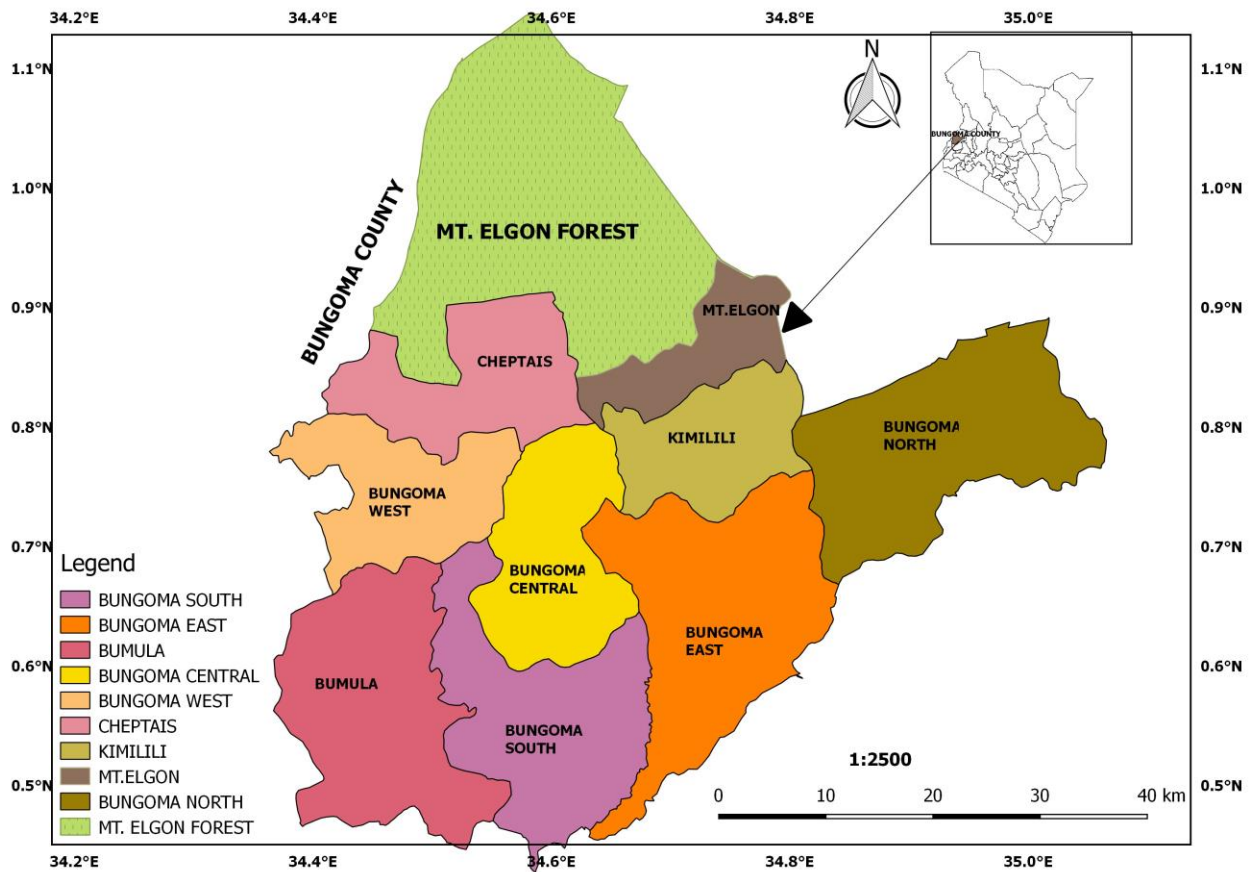


Figure 3.1

Map of Bungoma County its Sub-Counties and location on Kenyan map.

Source: GIS Galaxy GeoServices Inc, (2016)

Bungoma County was formerly a district in defunct Western Province of Kenya consisting of two major ethnic communities of Bukusu and Sabaot other smaller communities include the Tachoni, Teso, Kikuyu, Luo, Kamba, in essence nearly all communities found in Kenya. In 1993 Mt Elgon district was hived-off from Bungoma, which largely became a Sabaot dominated district, with minority communities like Bukusu, Teso and Kikuyu. Following the promulgation of the new constitution in 2010, Bungoma became a county reverting back to the boundaries of initial Bungoma district by collapsing the boundaries of the two districts.

Bungoma County is located in Western part of Kenya, covering 2206.9 KM², at the border of Kenya and Uganda with a total population of 1,375,063 consisting of about 172,377 Sabaot and about 1202686 Bukusu (KNBS 2009). It is bordered by Trans-Nzoia County, Busia and Kakamega County. It has nine Sub-Counties shown in Figure 3.1 and nine constituencies, Bumula, Kabuchai, Kanduyi, Kimilili, Kapsokwony, Sirisia, Tongaren, Webuye West and Webuye East and 45 County Wards. Administrative divisions in the County are headquartered at Kapsokwony, Kaptama, Kopsiro, Cheptais, Nalondo, Bumula, Bungoma, Kimilili, Malakisi, Naitiri, Sirisia, Ndivisi and Webuye constituting an aspect of cosmopolitan urban centres. Though the urban centres consists of a cross section of Kenyan communities but still the local people surrounding the urban centres either the Bukusu for urban centres in lower Bungoma or Sabaot in the Mt Elgon region were dominant, speaking English, Kiswahili or local luhya, Sabaot or Teso languages including Kikuyu, Luo and Kisii.

Agriculture is the main employment sector of people in the County. Maize and beans are the two dominant crops planted other crops include Bananas, Sorghum, Sweet Potatoes,

Ground nuts, Cassava, fruits and vegetables. Livestock, cattle is largely kept by the Sabaot than the dominant farming Bukusu, who keep a few heads of cattle. The Sabaot unlike the Bukusu, have a cultural attachment to cattle. Sheep and goats are also kept. Cash crops in the county include, Sugar cane, Coffee and Tobacco. Besides Coffee factories found in several parts of the County, there is one sugar factory Nzoia Sugar Factory and financially struggling Pan African Paper Mills factory in Webuye town.

Culturally, dominant communities in the County are polygamous though on a declining trajectory because of Christianity, education and economic factors which hinder sustaining polygamous families. Dominantly men own property in the family while inheritance is passed from father to son. Unlike the Sabaot who circumcise girls and the Teso who do not undergo physical circumcision, the other communities in the County practice male circumcision as a transition from childhood to adulthood.

3.3 Study Population

The study population consisted of the population of the entire Bungoma County 1375065 for which the findings were to generalize to, (KNBS 2009). The study targeted the whole county because conflicts in Bungoma have been protracted and intractable. Having started in pre-colonial to date the conflicts have multiple causal levels, strati, dimensions including substates hence it expanded and has affected various generations, regimes and regions including neighbouring states particularly Uganda, (Kenya Land Commission Report (KLC), 1934). Over time, the displaced population in form of IDPs (Internally Displaced Persons) were scattered in the county particularly in various urban and administrative centres of Kapsokwony, Kaptama, Cheptais, Nalondo, Bumula, Bungoma, Kimilili, Naitiri including Webuye, while others joined their relatives in the communities.

In essence the regions and respondents were proportionately calculated and randomly generated or selected based on their direct or indirect contact they had with IDPs, peacebuilding and conflict management actors and activities in the region. They consisted of State and Non-State Actors. Non-State Actors included elders, the clergy (Catholics, Friends, Pentecost, Salvation Army, ACK, and SDA), CSO officials and IDPs leaders. While state actors were, Senior Police Officers, Sub-County Commissioners and Chiefs.

Elders of sixty-five years and above were randomly and purposively sampled and interviewed because of the period covered by the study and the information sort thereof. The population of the elderly as received from the Department of Social Development in the entire County was 25070 distributed in the Sub- Counties as shown in the table below,

Table 3.1

Population of +65 years

SUB-COUNTY	OVER 65 YEARS
Kimilili	2944
Bungoma North	3129
Bumula	3696
Bungoma Central	2718
Bungoma South	3288
Bungoma West	2014
Webuye East	1975
Webuye West	2221
MT Elgon -Kapsokwony-Kopsiro and Cheptais	3085
TOTAL	25070

Source: Researcher (2016)

The clergy, were included in the population because church compounds were the first neutral refugee centres while in entirety the CSOs including the NGOs were directly or indirectly involved in relational peacebuilding and conflict management activities. The IDPs were victims and direct beneficiaries of peacebuilding and conflict management programs hence their inclusion.

The Chiefs and Deputy County Commissioner (DCC) were a critical core part of the statist peacebuilding strategy because they were a linkage of statist peacebuilding and conflict management starting from the grassroots to the national government, non-state to the general public. Chiefs in the region were not less than 44 with 9 DCC and County Commissioner. In essence the county was networked with administrative units at Kapsokwony, Kaptama, Kopsiro, Cheptais, Nalondo, Bumula, Kimilili, Malakisi, Sirisia, Ndivisi, Webuye and the County headquarter at Bungoma. The police, which was the implementing part of the statist organ was equally important for inclusion in the population of study because of their direct role in preservation of law and order including peacekeeping and peacemaking.

3.4 Sampling strategy and sample size

The study sampled the population in order to gather data. It involved selecting a number of individuals from the population who had the characteristics representative of the larger whole, (Kombo & Tromp 2006). The sample size, which was the finite part of the population was scientifically calculated using Yamane formula of sample sizes, (Yamane, 1967) and distributed accordingly.

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

where n= sample size

N= population size

(e) = significant error (± 0.05)

$$n = \frac{1375065}{1 + 1375065 (0.0025)}$$

$$n = \frac{1375065}{3437.6575}$$

$$n = 400 \text{ (Sample size)}$$

The cases were selected and distributed from sample size of 400.

The study applied Simple Random Sampling procedure to select respondents which gave each respondent equal chance of inclusion in the population, (Kothari, 2004). Consequently it enabled the researcher to apply inferential statistics where applicable and generalize the findings to the population, (Kombo & Tromp 2006). In addition purposive sampling was carried out because the study fell back in time and established how conflicts had evolved over time yet only a small fraction of relevant participants in the population were available, (Kombo & Tromp, 2006). Elders of 65 years and above were purposively sampled because they had both direct first hand eye witness account and indirect information got from those who had interacted with eye witnesses because of their age bracket. Purposive Sampling, therefore, adequately assisted the researcher

address past events using relevant accessible cases reached through snowball, (Kombo & Tromp, 2006).

As recommended by Mugenda & Mugenda, (2003) a sample size of 10-50% is ideal representation of a target population. Consequently, using 10% of each targeted population category the researcher was able to obtain the desired information from respondents as shown in the Table 3.2

Table 3.2

Summary of Study opulation Units

POPULATION	Population SIZE	SAMPLE Determination	SAMPLING Technique	Sample Size	DATA COLLECTION
Elders	25070	Yamane	SRS Purposive	377	Questionnaire (283) Interview (70) FGD (24)
CSo officials	68	Mugenda & Mugenda 10%	Purposive	7	Interview
Clergy	59	Mugenda & Mugenda 10%	PURPOSIVE	6	Interview
IDP official	20	Mugenda & Mugenda 10%	PURPOSIVE	2	Interview
Senior Police Officers	20	Mugenda & Mugenda 10%	PURPOSIVE	2	Interview
DCC	9	Mugenda & Mugenda 20%	PURPOSIVE	2	Interview
Chiefs	44	Mugenda & Mugenda 10%	PURPOSIVE	4	Interview
Total				400	

Source: Researcher, 2016

Table 3. 3

Sample Frame for Elders 3.3

Population of over +65 years Distribution Per Sub-County

SUB-COUNTY	OVER 65 YEARS	Distribution Per Sub-County
Kimilili	2944	44
Bungoma North	3129	47
Bumula	3696	56
Bungoma Central	2718	41
Bungoma South	3288	50
Bungoma West	2014	30
Webuye East	1975	30
Webuye West	2221	33
MT Elgon -Kapsokwony-Kopsiro and Cheptais	3085	46
TOTAL	25070	377

Source: Researcher (2016)

The 283 questionnaires for elders were randomly distributed. 70 elders, 7 CSO officials and 6 clergy linked to peacebuilding were purposively selected and interviewed. Other groups purposively selected and interviewed were 2 DCC, 2 Senior Police Officers, 6 chiefs and 2 IDP officials. 3 Focus Group Discussions of 8 members were included; one each at Kimilili, Kapsokwony and Cheptais.

3.5 Data collection

Data collection involved the gathering of information needed to serve or prove facts regarding the inter-ethnic conflict and peacebuilding. Both primary and secondary data were consulted and provided answers to the research questions.

3.5.1 Primary data

Primary data were collected directly from respondents through the questionnaires and interview of elders, clergy, CSOs officials, Chiefs, IDP official, Senior Police officers and DCC. The researcher formed three Focus Group Discussions, one each at Kapsokwony, Kimilili, and Cheptais.

3.5.1.1 Questionnaire

The questionnaires were used on elders. As underscored by Kombo & Tromp, (2006), the questionnaire unlike interviews enabled the researcher to collect information confidentially, within time and without bias. The closed and open ended questions on the questionnaire enriched the study in that they generated qualitative and quantitative data concurrently.

3.5.1.2 Interview Guide

Structured interviews were used to ensure that reliable, in-depth, systematic, comprehensive, and quantifiable information was acquired. Through interviews, knowledge from both illiterate and literate groups was gathered. Interviews allowed flexibility and probing of the respondents for further information (Nachimias, 2003, Krishna, 2005, Heaton, 1998). The main researcher and the research assistants were appropriately introduced by a translator familiar with the population.

3.5.1.3 Focus Group Discussion

Focus Group Discussion involved discussions of distinct homogenous groups of eight elders from the Bukusu, Sabaot, Tachoni and Teso both men and women. This allowed freedom of discussion. Participants in the Focus Group Discussions were identified through snowball, local recruitment by use of local administrators including village elders, Assistant Chiefs, Chiefs, people familiar with the population including Ward Administrators. The information gathered was corroborated with other sources for authentication (Cohen & Swerdlik, 2005).

3.5.2 Secondary data

These consisted of interrogating published records, reports and unpublished works with a view to corroborate with interview findings. To beef up information on state, non-state strategies of peacebuilding and establish challenges and opportunities in peacebuilding and conflict management in Bungoma County the researcher analyzed public, private, and personal documents. Public documents included analysis of Carter Land Commission Report of 1934, Constitutions of 1963 and 2010 including Constitution of Kenya Review Commission Report, Kiliku Report, Akiwumi Report, Truth Justice and Reconciliation Report, Kriegler Report, Waki Report, Acts of Parliament, Policy statements, Census reports since 1969, Reports of commissions of inquiry, ministerial and departmental annual reports. Private documents include analysis of civil society reports, minutes of meetings including board resolutions. Authenticity, credibility, and representativeness of documents were ensured through corroboration. Consequently, the researcher visited various libraries of higher learning institutions notably the University of Nairobi, Moi University, Institute of African Studies Library Nairobi, The Nation Media Library, and

East African Standard Media Library Nairobi, Kenya National Library, and Masinde Muliro University of Science and Technology Library. Kenya National Archive and internet sources were accessed.

3.6 Validity of Data Collection Instruments

In order to ensure consistency and increase accuracy in the results, the study validated the research instruments as underscored in both qualitative and quantitative studies, (Mugenda & Mugenda, 2003).

First, expert judgment by supervisors significantly improved the validity of the research instrument by ensuring that the content of questions, wording and sequence on interview schedule were correct, (Gall et al, 1996, Mugenda and Mungenda, 1999). This was ensured through collecting and analyzing data from piloted population in Trans Nzoia, Kiminin, which had similar characteristics and background of the population of study, (Mugenda & Mugenda, 2003). Piloting pretested research instruments in turn improved clarity and accuracy of questionnaire and interview schedule by eliminating vagueness and ambiguity (Baker, 1994, Basavanthappa, 1998).

3.7 Reliability of Data Collection Instruments

Reliability of data collection instruments in the study underscored attaining a degree of accuracy of measurement by the research instruments of scoring the same results under similar conditions if next applied. Computable responses from the questionnaires including those from interview schedules in the piloted population were covered. In line with Weiner, (2007) Reliability of research instrument reliability level was determined on recommended scale of 0.7. Additionally, prolonged field interviews, triangulation of data

sources, methods, consensual validation, structural data corroboration including referential adequacy increased the reliability of research instrument, (Whittemore, 2001, Lincoln & Guba, 1985, Creswell & Poth 2013). In turn, as observed by Lincoln and Gubta (1985), meaningfulness or trustworthiness which underscored internal and external data validation was achieved through critical and accurate analysis and interpretation of data, (Lincoln & Guba, 1985).

3.8 Data Collection Procedure

The research begun after receiving authorization permit from the National Commission for Science, Technology and Innovation, and authorization letter from Ministry of Interior and Coordination of National Government at Bungoma County. Four Research Assistants trained in the procedure of administering questionnaire, FGD, and interview schedule were engaged. Data for the study was collected from oral and document analysis in line with the study objective. Firsthand information was obtained from questionnaire, FGD and interviews of elders, the clergy, CSOs officials, IDP officials, Sub-County Commissioners (Deputy County Commissioners), Police officer and Chiefs

Secondary data was got from documents which included reading Carter Land Commission Report of 1934, constitutions of Kenya 1963 and 2010, Constitution of Kenya Review Commission Reports, Kiliku Report, Akiwumi Report, TJRC Report, Kriegler Report, Waki Report, Ndung'u Land Commission Report, Census Reports from 1969, CSOs Reports, minutes of meetings and workshops including books.

3.9 Data Analysis and Presentation

After covering the sampled population, it was followed by analysis and interpretation. The analysis involved data analysis for quantitative and qualitative data which involved easing complicated issues by reducing them to their component parts and themes and kneading them together (Kinoti, 1998). In the process, the researcher systemically established transcending patterns and gave explanations. This gave answers to the research questions and therefore met the set objectives.

3.9.1 Quantitative Data Analysis

MS excel was used to analyse quantitative data. It provided clear, varied summaries of trends and patterns in data which accounted for the relationships amongst conflict, peacebuilding strategies and conflict management in Bungoma County. MS excel enabled the researcher to prepare statistical abstracts with clear constructs embedded by graphs, charts, tables and figures..

3.9.2 Qualitative Data Analysis

The following procedure was applied in qualitative data analysis;

Thematization of data, which involved, studying collected notes, organize them by looking for cross-cutting issues and trends, checking emergent patterns then corroboration, verifying and networking various parts of data. The results of the data were presented by way of discussions in chapters in accordance with each study objective.

3.10 Limitation of Study

It included expenses in terms of money. Bungoma is a vast region, a host of people with diverse languages, Luhya, Teso, and Sabao. The researcher, therefore, engaged translator, detailed introductory procedures, and had to navigate hill terrain in order to reach informants. Suspicion from IDPs was the other problem because some people since the ethnic clashes of 1963 had not been resettled while others had lost their livestock, land and their loved ones, thus any interrogation tended to retraumatize. Nevertheless, the respondents were assured that through such studies new findings will guarantee peace for future generations.

3.11 Ethical Considerations

In accordance with the principles of research ethics contained in Belmont Report, the researcher got permit from the National Council for Science, Technology and Innovation and from Ministry of Education, which was done through the available bureaucratic arrangement, starting from the university administration. Permission and further assistance were accorded at Bungoma County Commissioners, Sub-county commissioners and ward administrators from the areas where research was undertaken including chiefs, assistant chiefs, and village elders, (The National Commission for the Protection of Human of Biomedical and Behavioral Subjects Research, 1979). The letters helped during identifying selected homes of the informants, constituting of Focus Group Discussions, and location of suitable respondents conversant with the problem of study.

As underscored by Okoth, (2012), observance of fair treatment of research subjects is an ethical requirement, consequently therefore, Principles of Research Ethics worked in that the researcher made informed consent, minimized the risks of harm to participants and

himself, protected anonymity and confidentiality, avoided deception and protected participants right. The research involved four research assistants with a minimum academic qualification of diploma with a written research project. The research assistants administered interviews using an interview guide. The respondents were assured of confidentiality, anonymity and that the information collected was purely for academic research.

3.12 Chapter Summary

In this study, the researcher used descriptive research design. The study was carried out in Bungoma County with a population of 1375065. Non-probability sampling techniques were used. Research instruments included an interview schedule, Focus Group Discussions, and Documentary analysis. Data analysis involved easing complicated issues by reducing them to their component parts in themes and kneading them together. A detailed introduction, translators, and assurance of the respondents' confidentiality helped to overcome study limitations. The next chapter provides the discussions on findings.

CHAPTER FOUR

NATURE OF INTER-ETHNIC CONFLICT IN BUNGOMA COUNTY

INTRODUCTION

The chapter captures the nature of inter-ethnic conflict starting from the influence of inter-ethnic traditional and colonial structures to growth of inter-ethnic competing identities against the backdrop of mutating nationalism.

Just as is observed by Muncaster & Zinnes, (1990), Thomson, (1990) and Morrow, (1988), for sake of ethnic unity and inter-communal co-existence, an ethnic community as well as inter-ethnic communities in Bungoma had, first its intra ethnic structures and then inter-ethnic structures to regulate and therefore pattern relationships from the lapse of erratic inter-communal behavior. According to FGD held at Cheptais, a respondent familiar with inter-communal co-existence particularly of the Bukusu and Sabaot was emphatic that;

In pre-colonial Kenya the Bukusu and Sabaot lived side by side, each community was held together as a unit by its customs, language, myths of origin, geographical location, socio-economic and political organization. The same forces which united each ethnic community worked for or against inter-ethnic conflict depending on whether they were positively or negatively reinforced for or against each other. (FGD 3:2018)

Each ethnic community in Bungoma had a name, a measure of solidarity pegged on, common ancestry, shared historical memories in form of myths or legends in their oral traditions, language, religion, customs, a territory and self-awareness as an ethnic group (FGD 3:2018). In essence, an ethnic group in Bungoma was a sufficiently developed or

evolved collective identity of a people, with a unique common ancestry that surpassed genetic ties. However, as communities interacted at different levels of engagements they similarly evolved or developed their own traditional intra and inter-communal mechanism of enhancing co-existence (Barasa, 2011). Besides traditional authority, other inter-communal engagements like trade and intermarriage played a part as well. Such evolution or interactions including adjustments were not without conflicts as they sought equilibrium. Bukusu oral tradition for example intimate that they conflicted with the Sabaot over cattle and food and it seemed to have started as early as before their migration from their common ancestral origin Egypt through Sirikwa before their present settlement (Makila, 1992). Though the Bukusu and Sabaot had cultural values which initially governed their co-existence but as an elder at a FGD pointed out that it broke down over time because of intergenerational disintegration of inter-ethnic cultural fabric and inter-communal cattle raids, (FGD 2:2018). A Sabaot respondent observed that the Bukusu numerical expansion threatened their existence as a minority community through assimilation which equally increased tension, (Respondent 7:2018).

In essence thus as the Bukusu numerical strength increased they dominated other communities stressing inter-ethnic co-existence. Gradually, Bukusu-Sabaot and Teso land and boundary disputes including leadership contests came to characterize the nature of inter-ethnic conflict in Bungoma, when the Bukusu became dominant particularly in leadership positions as chiefs in the colonial and independent period (FGD 3:2018). The Sabaot, for example, complained of not being recognized by the Bukusu, (RCNECCI, 2009). It was this background that initially informed the nature of socio-political and

economic organization of pre-colonial communities in terms of inter-ethnic conflict and co-existence particularly the Bukusu and Sabaot in Bungoma County.

4.1 The Nature of Inter-ethnic communal Structures and Inter-ethnic Conflict in Bungoma County

Figure 4.1:

Influence of Traditional Institutions on the Nature of Inter-ethnic Conflict



Source: Research, (2018).

Forty-two percent of the respondents did concur that elders were instrumental in the event of inter-ethnic conflict. The Bukusu as well as the Sabaot, for example, selected their elders who convened a meeting where each community sat side by side and argued their case until they came up with an agreement over disputes which was then communicated to the members of each community by the elders. Inter-communal

marriage came second in rating at twenty-three percent of respondents. The shared cultural background between the Bukusu and Sabaot for example was rated third with twenty percent respondents in the affirmative while trade had the least respondents in the affirmative.

4.2 Organization of Ethnic Communities and the Nature of Inter-ethnic Conflict in Bungoma County

Evident from the traditional administrative structures of the Bukusu and Sabaot in particular, elders played an important role as agents of inter-communal conflict or positive coexistence. Among the Bukusu which was also replicated among the Sabaot, for example, as was concurred by two elders at an FGD at Kapsokwony, it was clear that,

Eldership among the Bukusu and Sabaot consisted not only the living human beings but were interlinked to the late ancestors some of whom, beyond remembrance by name but with a functional role to the living (FGD 2:2018).

Ancestral spirits of the dead amongst the Bukusu and Sabaot were associated with immense power exceeding that of the living, immortalized force of co-existence. The ancestors among the Bukusu like was the case among the Sabaot had to be obeyed as well as appeased in the event of going against established societal regulations. The legacy of the departed ancestors was observed and protected in community laws, customs, and traditions (Makila, 2004). Bukusu elders like the Sabaot enjoined the living and dead hence gave credence to the overseeing invisible power yet so consequential and guarding the tenets of the society. This linkage traditionally ensured continuity of the past into present society and so was the sustenance of the accepted inter-communal code of

behavior from members of society including elders themselves. Any disobedience either from the members or elders went against the lineage of the living and departed elders hence attracted the collective wrath of the living and the dead, by extension ensured both spiritual and secular compliance (Barasa, 2011). Obedience was enforced and achieved among the Bukusu and Sabaot through fear of what the ancestral spirit might do to both the offender and the entire community, (Respondent 66:2019). When an individual committed a crime it was like the entire community hence accepted spiritual cum secular collective responsibility for the mistake and spiritual cum secular corrective measures thereof (Makila, 2004). This form of punishment was derived from the collective responsibility conferred to the community in terms of ensuring compliance to the societal morals and by extension responsible upbringing of children within accepted code of conduct of the community and to their neighbour. For communities to raise members of the community to this high level of discipline expected of them, each ethnic community went through education and training codified in forms of taboos and belief whose observance by either Bukusu, Sabaot, Tachoni was the fulfillment of not only physical but also spiritual goals of the community (Wafula, 2000). To the Sabaot as well as to the Bukusu, including the Teso and Tachoni taboos had religious and political significance and they held the society together alongside maintaining spiritual as well as physical societal standards (Wafula, 2000). Taboos, distinguished accepted social, political, economic, and religious behavior from the unwanted (Wafula, 2000). Violation of taboos could cause a curse to an individual or to an entire community (Wafula, 2000).

Among the Sabaot an elder “*boontet ab kook*” was equally respected (Naibei, 2016). To the Bukusu as well as amongst the Sabaot, initiation into eldership was both a physical

cum spiritual process. Elders were men, who had undergone training on how to look for and take care of wealth at that time measured in terms of the number of cattle, built a house and took care of others, (Respondent 55:2019). Circumcision and being married were the primary qualifications for eldership (Respondent 7:2018, Barasa, 2011, Naibei, 2016). The Bukusu identified their leaders and groomed them from a very young age largely distinguished from the rest of the family members by displaying generosity through sharing, tolerance to others, and being courteous. Children's upbringing and training were tailored to achieve these qualities (Makila, 2004). To the two communities Bukusu and Sabaot, an elder was a man who understood the core values of the community. Among the Bukusu, an elder was not only the eldest child in the family but an adult with circumcised children and owned property, (Respondent 7:2018). In essence poverty and childlessness were disqualification to eldership. Other qualities included one who had shown personal merit for example in war (Oyugi & Gitonga, 1995). The Bukusu believed that if the eldership was crowned to a toddler it would make them impotent because of the spiritual sorcery methods taught or imbibed to the elders (Barasa, 2011). Toddlers were also seen as far removed from the departed spiritualized ancestors and were less informed regarding the traditional code of conduct largely acquired informally through, though informal but included spiritual learning. Similarly, the fact that the training of an elder was informal the duration one spent under instruction was to be commensurate to the acquisition of both spiritual cum physical knowledge. Such requirements by extension reduced succession wrangles over spiritual cum physical eldership institution.

Leading elder among the Bukusu for example was ‘*Omukasa*’ singular, or “*Bakasa*” plural they were chosen because of age and their leadership skills displayed in careful listening, influence to others, non-talker tiff, gentle, wise and an arbiter (Barasa, 2011). *Bakasa* were adults with experience, bestowed with the powerful political position of ancestral spirit. They were cloaked in traditional regalia copper bracelet *Kumukasa*, Ivory armlet *Lichabe* armband *epokoto* cowries shell hat and dressed in Monkey or buffalo skin *ekutusi* (Makila, 2004). *Bakasa* presided over village councils, settled cases, kept the peace, and took care of the subjects. While others worked as sacrificial priests (Makila, 2004).

To the Sabaot an elder was distinguishable just as was among the Bukusu, that is, a man who displayed generosity, hospitality, with wives, children, cattle, and land (Naibei, 2016). At the helm of Sabaot leadership was *Kirwangindet*, who headed several villages (Imbuye, 2016, Kisémbé, 1978). *Kirwangited* was the only one among the Sabaot cloaked in monkey skin and iron necklace which signified authority (Imbuye, 2016). Like the Bukusu *Kirwangited* was distinguishable from the general members of society through the display of tolerance, generosity, diplomacy, wisdom, and justness (Imbuye, 2016). He settled disputes between villages. The office of *Kirwangited* was not hereditary. At the village level, the Sabaot had a Laitirian who settled and prevented disputes from emerging. He presided over cases and shared land. At the lowest level among the Sabaot was the father who headed smaller sub-division on a clan basis, solved disputes, and protected the family (Imbuye, 2016). Additionally, the Sabaot like the Bukusu had a council of elders called *Kokwet* for the Sabaot and *Kokwa* for the Bukusu. They handled matters that were beyond the laitirian (Imbuye, 2016, Kisémbé, 1978).

Unlike the Bukusu who were separated in terms of clans each in a fort, the Sabaot families occupied a ridge and shared a camp or caves (Kisembe, 1978, Kakai, 2000, Imbuye, 2016). The Sabaot warrior called Murenik lived in special houses of warriors called 'Kotap Mureen'. Like the Bukusu, a Sabaot group of families constituted a village just like the Sabaot however unlike the Bukusu who lived in forts the Sabaot families were separated by bushes, hills, rivers, or escarpments which formed 'Pororosiek' a uniting structure (Imbuye, 2016). Like the Bukusu where each fort had a warrior class that defended the fort from external attack, the 'Pororosiek' of the Sabaot had a territorial unit of *Murenik* assigned to defend it (Imbuye, 2016). Elders derived their authority from people's belief that the elders were closer to the late ancestors and they were a link between the living and the dead, the physical cum spiritual leadership (Wafula, 2000). As a result of their position in society the elders were diviners, ritual specialists and were treated with reverence to the extent that their word was respected as physical-spiritual law and order (Wafula, 2000). In some circumstances, they were worshipped and their pronouncements could bless or curse the people as well as appease the Supreme Being to spiritual cum secular forgiveness. It was because of this background that elders were feared in equal measure as respected. They had power over inter-ethnic conflict, ornamentation, curse, and death (Wafula, 2000). According to the elders interviewed it was within these structures that the composition of the Bukusu and Sabaot council of elders worked for or against inter-ethnic disputes.

4.3 Divination in Inter-ethnic Conflict in Bungoma

As observed by Almquist, (1997), religion or spirituality play both conflictual and reconciliatory role in conflict. In pre-colonial Bungoma the inter-ethnic conflict was

characterized by a spiritual dimension. According to one respondent familiar with Bukusu-Sabaot eldership at an FGD at Kimilili, observed that;-

Bukusu and Sabaot conflict had developed and not only acquired a spiritual dimension but also a systemic dimension where divine seers referred to as *Worgoonded* or *Oloibon* by the Sabaot and *Bang'osi* by the Bukusu were involved (FGD 1:2018).

Spiritual leaders played different roles including catalyzing the conflict (Imbuye, 2016, Makila, 2004). Both oral and written source concur that what became the famous Bukusu-Sabaot Ngachi conflict, though with varied oral explanations, was an example of an inter-ethnic competing divination stand points among communities in Bungoma. Specifically, Bukusu-Sabaot conflict at Ngachi famously referred to as 'Ngachi Conflict' was triggered when the Sabaot attacked and killed the Bukusu elders who were going to what became Uganda through Cheptais to visit their cousins the Bakisu, (Respondent 66:2019). When the Bukusu warriors heard of the deaths of their kin they retaliated overlooking their prophet's advice not to go to war because prophetic signs were not in their favour (Kakai, 2000). The Sabaot prophet on the other hand, aware that Bukusu would retaliate readied his soldiers by applying medicine on them and on the path that the Bukusu warriors were suspected would use as they attacked. The incursions resulted in massive loss of Bukusu warriors vividly remembered in the Sabaot and Bukusu oral traditions, (Respondent 4:2018). Its severity is today underscored in statements such as the blood from the killed Bukusu soldiers' filled Kabkweya stream at Cheptais. During the FGD at Cheptais, elders concurred that to date the Bukusu are reluctant to drink water from this stream and they are often hard swearing that '*nakhanywa namele senywa*

mukabkeywa tawe’ translated as ‘however drunk I cannot drink water from Kabkweya River’ (FGD 3:2018).

The other oral version of Ngachi conflict which came up during FGD at Cheptais and was highly supported by the Sabaot was that it arose when a section of the Bukusu moved and settled on the area the Sabaot regarded as their land near Cheptais. This angered the Sabaot, prompting one of them to try and burn down the houses belonging to the Bukusu. Conflict ensued, where the Sabaot attacker was killed. This forced the other Sabaot to join into the fray, killing a Bukusu. The two dead bodies of a Bukusu and Sabaot were buried in one grave facing each other the Sabaot on top of the Bukusu and speared through from the top downwards (Respondent 40:2018). To the Sabaot this signifies immortality of the conflict between the Bukusu and Sabaot.

Later, there were efforts made by a renowned Bukusu elder and spiritual leader of *ndini ya Musambwa* Elijah Masinde to offer sacrifice at the site but were thwarted by the Sabaot. FGD at Cheptais established that the Sabaot were nostalgic about this conflict. One of the respondents described it in a heroic statement as the most ‘celebrated’ conflict by the Sabaot (FGD 3:2018). Such sentiment signaled that largely Bukusu – Sabaot reconciliation had not been achieved and remained volatile waiting for yet another trigger. To the Sabaot subsequent conflicts with the Bukusu are not accidental but were a fulfillment of prophecy (FGD 3:2018). A Sabaot elder argued that the 1992 conflict was one such chance for prophecy fulfillment unfortunately the 1992 conflict started from Trans-Nzoia instead of Bungoma in line with the Sabaot prophesies (Respondent 19:2018). The Sabaot up to date look forward to the date when the conflict will start in Bungoma in line with prophesy, for them to root out the Bukusu from their land. In

essence, the increased incidences of Bukusu-Sabaot conflict in independent Kenya were partly a reflection of this background pegged on highly competitive yet ethnic inclined election campaigns which often put the Bukusu and Sabaot against each other and their perceived supporters at the interval of five years of the election cycle.

It follows thus that the diviners of both the Bukusu and Sabaot performed their role through foreseeing, dreams, and witchcraft which largely jeopardize inter-ethnic co-existence giving credence to conflict (Imbuye, 2016). The Bukusu for example had their God responsible for war and peace god *Wele Mukhobe* (Wafula, 2000). Before engaging in any war the Bukusu warriors prayed to *Wele Mukhobe*. It was believed that he advised rulers through dreams and vision (Wafula, 2000). *Wele Mukhobe* was as well invoked during peace settlement to ensure that peace lasted for long (Wafula, 2000). In essence, the Bukusu god held power for war and peace.

Spiritual explanation of inter-ethnic conflict was first, a reflection of the remote origin of the conflict, second, the importance of prophets as catalysts in the conflict, and third testimony to the uncertainty of the outcome of the war and the importance pegged on such conflict beyond the physical trust they had in their soldiers, but most importantly the far rooted origin of the conflict and its transformation thereof. The Bukusu war was a divine intervention on their behalf by the Supreme Being for their survival (Barasa, 2011). Bukusu ancestral spirit and elders were linked to the divine hierarchy of god and He controlled the conduct and actions of departed ancestors (Makila, 2004).

It was this background that accounted in particular, for Bukusu- Sabaot political organization. To the Bukusu for example, since war and peace went side by side

Omukasa the leader of the council of elders was a conciliator, Gunter Wagner described *Omukasa* of the Bukusu as a great arbitrator, peacemaker, or wise man (Barasa, 2011).

To settle inter-ethnic conflict shading of blood was crucial. Blood ‘enjoined the dead and the living’ and, whoever failed to abide by a decision arrived at such agreement did not only disobey the living but the departed ancestor as well as their god and was bound to die as the sacrificial animal (Respondent 66:2019). The sacrificial animal among the Bukusu for cleansing inter-ethnic animosity entailed slaughtering an animal at a neutral place for example on the border of the two warring groups or at a cross-road or junction or at a nearby stream (Barasa, 2011). The sacrificial animal was cut into two halves the fore and hindquarters. Rumen content extracted, mixed with blood and sometimes traditional beer ‘*busaa*’ was used to bind the conflicting parties, such that warriors dipped their leafy branches in the rumen remains mixed with blood and sprayed to their rivals (Barasa, 2011). Warriors from either side roasted the share of their meat, sliced it using the spear and by use of the spear point served it to their rival warriors, who then reciprocated in the same way thus sealing peace settlement (Barasa, 2011). Bukusu-Sabaot conflict and peace settlement involved god, ancestors, elders, and the people.

4.4 Inter-ethnic marriages and the Nature of inter-ethnic Conflict in Bungoma County

It was conflicting when a respondent, a former police officer who had taken part in keeping peace in Mt Elgon region in 1992, remembered how a rich luhya from Kakamega, who had settled in Mt. Elgon, though married to a Sabaot as a strategy of enhancing inter-communal relationship was shot and killed by suspected Sabaot arsonists, (Respondent 67:2019). It was surprising that elders of the Sabaot (Koony),

Teso and Luhya in 2008 at the Elders Conference on Cohesion and Integration in 2008 recommended inter-ethnic marriage as one of the ways of encouraging inter-communal co-existence among communities in Bungoma, (RCNECCI, 2009). Largely however, from the respondents, inter-ethnic marriages between the Bukusu and Sabaot for example, regulated inter-communal co-existence though on a lesser scale comparative to the role of elders. Marriage union was important to both the Bukusu and Sabaot. It was a key measure for eldership as well as a gauge for the men's ability to handle societal responsibilities and property including cattle. A Bukusu elder argued that marriage unions among the Bukusu and Sabaot 'intertwined communities together' and divorce was frowned on, (Respondent 20:2018). Marriage union among the Bukusu, Sabaot, Tachoni including Teso, was held in high reverence. In-laws were highly respected. 'Dowry negotiations and exchange of livestock bound the nuclear and extended family and community of bride and groom. Intermarriages helped to demystify stereotypes amongst antagonistic communities (NSC, 2011).

However, an elder respondent noted that the Bukusu-Sabaot intermarriage did not largely hinder inter-communal animosity.

'In a time of clashes, women would either 'relinquish their marriage or stay on, in either way the women went through fear, intimidation, and trauma'. (Respondent 18:2018)

Similarly, though the Bukusu and Sabaot intermarried it was not on an equal basis instead the Sabaot men married more Bukusu girls than the Bukusu men did (Respondent 20:2018). An elder, while confirming that indeed the Bukusu girls were married more to the Sabaot than vice versa argued that, the key to Bukusu-Sabaot intermarriage was the,

‘Coveted large number of cattle that the Sabaot men kept and were readily willing to pay as dowry to the Bukusu’. (Respondent 20:2018)

It was thus, partly, for this reason, that the Bukusu readily accepted their daughters not only to get married to the Sabaot but also to undergo ‘clitoridectomy’ without hindrance (Respondent 20: 2018,). In any case, Bukusu-Sabaot inter-ethnic conflict did not stop intermarriages between the two communities yet the severity and recurrence of conflict increased over time. Besides intermarriages, the Bukusu and Sabaot had shared cultural practices including male circumcision and cyclic age sets, which the Bukusu (Bantu) had adopted from the Sabaot (Respondent 2:2018).

4.5 Influence of Inter-ethnic Trade on the nature of inter-ethnic conflict

Though trade could bring about peaceful co-existence among communities including Bukusu and Sabaot the oral interview received pessimism in the two communities co-existing solely because of trade as its scores were comparatively low from the elders interviewed as shown figure 4.1. The Bukusu and Sabaot in particular interacted on the markets, buying and selling craft wares. Pottery was exchanged between the Bukusu and Sabaot, since pre-colonial Kenya during barter trade (Makila, 2004, Wafula, 2000). By 1931 the Bukusu bought meat and baskets from the Sabaot as they exchanged with cereals and bananas in turn (Makila, 2004, Kakai, 2000). Like other communities who stopped conflict to allow trade, the Bukusu, in particular, carried a leaf branch to gain peaceful entry into foreign territory to trade (Respondent 19:2018). Meanwhile despite the many years that the Sabaot and Bukusu had interacted on the market conflict still erupted as late as 1992. In 1945, the Bok clan of the Sabaot complained that Chief Jeremiah Kukubo a Bukusu denied the Sabaot trade licenses in favour of the Bukusu

(Respondent 8:2018, Kakai, 2000). The Sabaot blame the Bukusu for not appreciating or supporting their course, (Respondent 8:2018). The Sabaot elders argue that the location of trade centres for their trade products from Mt. Elgon was far removed from them and located largely on the lower part of Mt Elgon closer to the Bukusu or along the borderline dividing the two communities (FGD 3:2018). In essence, thus trade had both inherent conflict and peace depending on how it was organized.

4.6 Nature of Inter-ethnic Conflict in Colonial and Post-Colonial Kenya

The advent of colonial centralized administration reversed the glimpses of inter-ethnic pre-colonial traditional structures upon which inter-ethnic co-existence was anchored and marked a major intergenerational breakdown of inter-communal co-existence then up to date, (Respondent 66:2019, Rop, 2016). In essence, the traditional authority which, although held each ethnic community in Bungoma raging from name, which had evolved and provided a conscious intra-ethnic collective identity above the clan, a common ancestry, historical memory, territory and common culture exhibited in shared language, customs, religion and intra-ethnic institutions including food and dress but had entrenched inter-ethnic co-existence was disrupted. Traditionally, for example, the Bukusu though lived in decentralized fortified villages but were held together by their cultural values just like the Sabaot (FGD 2:2018). The Bukusu and Sabaot pyramidal working power structure was not only interfered with but disrupted including the roles it played in ensuring inter-communal co-existence. Traditionally, the Bukusu for example, administrative pyramidal power flow was organized in a way that at the apex was the position of *Omukasa* whose occupant was an adult male, trained from a childhood of sound character and with the ability (Respondent 21:2018). The age factor ensured that

the occupant of the office of *Omukasa* was closer to the ancestors and their spirit and understood what was expected of the community by the ancestors and hence he was the bridge between the community and the departed ancestors, he understood the consequences of disobedience of community norms by society, the ancestors and the appeasement process that was involved to cleanse (Respondent 4:2018, Makila, 2004). As a ruler *Omukasa* of the Bukusu was distinctly cloaked not in domestic animal skin but in that of the wild animal such as monkey, Buffalo, or leopard traditionally called *ekutusi*. The head of *Omukasa* was covered by a warrior's hat *ekutwa* (Respondent 20:2018 Makila, 2004). Each Bukusu fort was led by *Omwami we Lichabe* meaning the elder of the ivory armband or *Omwami we Lukoba* elder of the fort. *Omukasa* co-coordinated all activities within the fort, presided over village councils and was the final authority in the arbitration of disputes (FGD 1:2018). Below *Omwami we Lichabe* were clan elders who presided over family councils, *Omwami we ekholo* (clan elder) was empowered to enhance peace by stopping wars (Respondent 4: 2018). Besides, the Bukusu leaders, *Bakasa* or *Babami* communicated to their people through daily gatherings, conferences, or meetings where issues were discussed and resolved. Individual cases were tried and arbitrated at *Sisiina* for the Bukusu or *Kokwet* for the Sabaot which acted as a councillor court presided over by a judge *Omukhalaki*, (Makila, 2004, Imbuye 2016).

The major blow to the Bukusu traditional authority by the colonialists took place at two incursions at Lumboka and Chetambe (Respondent 20:2018, Makila, 2004). From earlier on, the Bukusu had frantically resisted the establishment of foreign rule including that of the British from December 1894 up to 1895, because of their socio-political and military organization (Makila, 2004). Additionally, while aware of the impending external

aggression the Bukusu had continued to welcome and accommodate and acquire guns from the soldiers who had deserted the British African army (Respondent 4:2018, Makila, 2004). Similarly, the Bukusu were not willing to accept foreign British overlord-ship at the expense of their sovereignty nor were they willing to provide forced and free labour to the alien authorities (Makila, 2004). In essence, the Bukusu had their government with working structures. They were aware of what was expected of them based on societal rules or individual conduct spiritualized in the invisible power of taboos and beliefs of their community (Makila, 2004). They thus resisted collaborating with the British prompting the British to attack. Amongst the British soldiers who attacked the Bukusu were 1000, long-time neighbours the Elkony and about 10000 Wanga. Others were Baganda, Basonga and the Teso (FGD 1:2018, Makila, 2004). As a unit the Bukusu 'government' machinery resisted but they were overpowered and vanquished. This marked the collapse of a complex, working pre-colonial administrative structures of the Bukusu and inevitably that of the Sabaot that came to survive only in people's memory leaving a shell that was never rebuilt. The inclusion of the Sabaot among the British soldiers who attacked the Bukusu was a pointer to the extent by which the British antagonized the two neighbouring communities and by extension set them on a collision course. Colonialists established formal boundaries between ethnic groups.

The peace agreement between the vanquished Bukusu and the colonial administration at the end of the Lumboka and Chetambe wars paved way for both Mumia and the colonial government to not only consolidate their leadership but also broke down the Bukusu, Sabaot and Teso political hegemony, (Makila, 2004). First, Mumia used the opportunity to sneak to the Bukusu leadership both kin, a brother in law, and a colonial friendly Sudi

Namachanja on the leadership of the Bukusu (Respondent 21:2018). Mumia, working on behalf of the British Colonial authority achieved this by leaking the interview answers to his kin Sudi Namanjanja (Respondent 4:2018, Makila, 2004). Mumia recommended Sudi Namachanja to administer South Bukusu (Respondent 21:2018, Imbuye 2016:61). Consequently, as Namachanja earned colonial chieftaincy it led to the eventual strengthening of colonial rule over the Bukusu and by extension over the Sabaot. Namachanja's appointment marked the beginning of colonialists' formal disintegration of the basic Bukusu guidelines upon which their leaders were selected that is spiritual cum secular honesty, generosity, and tolerance to interview, favouritism, and forgery (Respondent 21:2018). Leadership among the Bukusu had been guarded against gossipers, the temperamental and stingy, hence property was a qualification for leadership in traditional leadership.

The colonist further dismantled Bukusu's political structure by directing that they demolish their fortresses and leave in the open traditionally unsecured and, their warrior class was broken down when they were ordered to shave the dreadlocks, the then external symbol of warriors (Makila, 2004). The destruction of a fortress had implication on Bukusu traditional authority which was organized at clan level, the informal training and informal education held in fortresses were compromised by extension societal rules of conduct and procedure in form of taboos and beliefs were watered down yet very little was done to substitute traditional authority that enhanced inter-communal coexistence. Colonialist's orders of shaving the dreadlocks were equally applied to the Sabaot as well, though, it's important to mention that, it was unfortunate that shaving of Sabaot

dreadlocks was reinforced by the colonial Bukusu chiefs, which further restrained inter-ethnic relationship between the Bukusu and Sabaot (Respondent 66:2019).

The disintegration of Bukusu hegemony paved way for the integration of British Colonial structures. In April 1902 Nabongo Mumia was officially installed as the king of the Baluhya, under the Native Authority Ordinance (Imbuye, 2016, Aseka, 1989). By extension, the traditional system of administration of the Bukusu, Sabaot and Tachoni was replaced officially by that of the secular British Colonialists. The local administration was structured to implement the colonial policies and programmes which included maintaining law and order, and repair of roads. By 1912 under The Native Authority Ordinance the powers of the headmen were increased to include, controlling larger administrative units while by 1937 Native Ordinance empowered them to control the manufacture of liquor, the spread of animal diseases, plant pests, and regulation of grazing and cutting of trees including the collection of tax, largely lacking was inter-ethnic linkages of inter-ethnic co-existence (Nguru, 2012).

At the top of the colonial administrative pyramid in the colony was the governor. He was the head of government and represented the British Government in the Colony. He was answerable to the Queen of England of the British Monarch. The colonial government ran its affairs through the provincial administration, whereby the colony was divided into provinces, districts, divisions, locations, sub-locations, and villages, (The Final Report of the Constitution of Kenya Review Commission, 2005). The centralized colonial systems of administration helped the colonialists keep Africans in check while in equal measure or more disrupted secular cum spiritual traditional authority (Nguru, 2012). The Province was headed by the Provincial Commissioner (P.C), the District by the District

Commissioner (DC), and the Division by a District Officer (D.O) all the three offices were held by the whites. Africans were incorporated into the provincial administration at the base of the pyramid at the location and sub-location as Chiefs and Sub-Chiefs respectively (Nguru, 2012). Unlike traditional leaders, the role of the Chiefs and Sub-chiefs was to implement colonial government policies, report to the government groups, clans, communities, and individuals who resisted colonial authority. They were also mandated to maintain law and order at the local level as they enhanced colonial rule (Nguru, 2012).

It is important to understand the implications of colonial administration concerning the nature of inter-ethnic conflict particularly between the Bukusu-Sabaot, which influenced inter-ethnic conflict in Bungoma County. The colonial administrative structures were designed to collect and export surplus capital and material resources from Kenya to Britain but not enhance the peaceful co-existence of the African communities (Boahen, 1990, Imbuye, 2016). Article 34 and 35 of the Berlin Conference gave the European powers to declare spheres of influence and enhance trade and transport (Boahen, 1990). Kenya was linked to the British merely as a throughway from Mombasa port to Uganda which was the source of river Nile, thus an important lifeline for the British occupied territory Egypt and Suez Canal (Imbuye, 2016, Omwoyo, 2003). Kenya's creation was therefore a reversal from its objective of spiritual cum physical serving its citizens to serving Britain and British Egypt.

This was explicit for example the colonial legislative council in Kenya though established as early as 1907 but African membership was not allowed until a decade later. Even then their inclusion and interests were represented by a European nominated missionary until

1944 when the first African was nominated in the legislative council for the direct representation of Africans, (Respondent 19:2018). To the Bukusu and Sabaot, it came to fruition in 1957 following the nomination of Masinde Muliro, (Respondent 66:2019). Largely the colonial government's administrative structure consisted of European civil service. Similarly, the colonial judiciary system was as well designed to serve the Europeans as Africans were sidelined except where it enhanced colonial interest. The governor as the Commander in Chief appointed all judicial officers and High Court Judges by 1905 (Nguru, 2012). In essence, for many years the colonial administration broke down traditional structures without substitution.

4.6.1 Colonial Chiefdom and the Mutation of the Nature of inter-ethnic Conflict in Bungoma

The use of African colonial chiefs mutated the nature of inter-ethnic integration in Bungoma. An elder observed that,

‘The role of Colonial chiefs amongst the Bukusu and Sabaot was basically to implement the policies of the Colonial state.the advent of Nabongo Mumia secularized erstwhile spiritualized Bukusu-Sabaot traditional leadership by both cutting off the divine link and directly subordinating it to colonial government’ (Respondent21: 2018).

As late 2008, a Sabaot elder while making presentation at the National Elders Conference on Cohesion and Integration, described Nabongo Mumia as a leader not only imposed on them but as a person who caused cultural shock and disintegration, (RCNECCI, 2008). Nabongo, like other colonial chiefs who came after him were no longer a link between the people and their departed ancestors, as earlier alluded to. He could not, for example, appease the departed to ensure forgiveness or pray on behalf of the Bukusu, Sabaot or

Tachoni through offering of sacrifice (Respondent 21:2018). Unlike the traditional leadership which linked the people and the departed ancestors and ensured inter and intra- ethnic compliance, Nabongo enjoined the people to the colonial government. In essence, the colonial chiefs watered down traditional authority as was underscored in taboos and beliefs to instill discipline and obedience and replaced it with entirely secular rules applied largely by force for the benefit of the Europeans (Respondent 19:2018). The invisible discerning power that accompanied traditional authority was discarded, (Responded 2:2018). As a result, the secular Mumia's leadership was followed by not only the reorganization of the traditional authority but close by was the alienation of Bukusu-Sabaot land for the economic productivity of the colonialists, further complicating inter-ethnic integration (Respondent 2:2018). For example, the British Colonial powers shifted Eastern Province from British Protectorate (Uganda) to British East Africa Protectorate (Kenya) (Thomas & Spencer 1938). This was done in order to enhance effective administration of the Kenya-Uganda railways under Imperial British East Africa (IBEAs) as a British conduit for extracting Africans' economic resources at the expense of breaking down ethnic and inter-ethnic territorial identity, (Thomas & Spencer 1938 July). The colonialists' objective was to make the railway particularly its environs economically viable (Nguru, 2012). To accomplish this mission, the colonial government through their agent the governor Sir Charles Elliot invited white settlers to come to Kenya with the sole economic objective of enhancing agricultural productivity further destabilising inter-ethnic hegemony (Lays, 1993).

White settlers antagonized inter-ethnic co-existence when they were given land in Trans Nzoia which used to belong largely to the Sabaot and forcing them to move to Bungoma

and Mt Elgon region (The Kenya Land Commission Report (KLC), 1934). The development and success of the European settler agriculture in Trans Nzoia depended on the availability of not only land but also labour and payment of tax by the Africans, which enhanced dispersal of particularly the Sabaot from Trans-Nzoia (KLC, 1934). As the colonialists' put structures for their successful administration of the colony, by extension it resulted in not only institutionalization of the disintegration of inter-ethnic traditional authority with inherent inter-ethnic bridges but also institutionalized inter-ethnic contest in Bungoma (Respondent 19:2018). This had started in earnest, following the installation of Nabongo Mumia as King under the Native Authority Ordinance, (Aseka 1989). Subsequently, the colonialists gained control over North Kavirondo District and all the councils of elders sandwiched under Mumia, (Kakai, 2000, Aseka 1989). This was also followed in 1908 by dissolution and extension of the traditional boundaries of, for example, the Bukusu and Sabaot and paved way for the division of Baluhya into Butso, Kabrasi, Marama, North Kitosh, Nabakholo, Samia, South Bukusu, and Wanga further alienating traditional leadership without an equivalent structural substitution to ameliorate inter-ethnic unity in Bungoma, (Kakai, 2000, Aseka 1989).

The colonial Bukusu chiefs did not only apply force to meet the colonialists' demands of free labour and payment of tax, but the Sabaot felt that excessive force was exerted against them more by the Bukusu chiefs because of their ethnic background further fueling Bukusu-Sabaot disunity and disintegration of inter-ethnic co-existence (RCNECNCI, 2011). Meanwhile, though both the Bukusu and Sabaot were forced to relocate or escape from the colonialists and their agents the African chiefs to different

directions where some went to Eldoret, Kapenguria, Kitale including Uganda and Tanganyika particularly the Sabaot, the two never united into a solid group against the Europeans but subsequently each community united against the other experienced in Bungoma, largely because the colonial displacement of population in Bungoma weakened inter-ethnic linkages while sharpening and strengthening intra-ethnic unity against inter-ethnic integration (RCNECNCI, 2011, KLC Report 1934, Wagner 1949,). Two issues were of consequence regarding this inter-ethnic displacement, first as the members of the two communities moved, the inter-ethnic traditional authority which held the members of the two communities in peace continued to disintegrate because they were no longer bound by the inter-ethnic traditional cultural web. Secondly, the movement later antagonized the Bukusu and Sabaot because as the Sabaot vacated their farms they were taken over largely by the Bukusu (RCNECNCI, 2011, KLC Report 1934, Kakai, 2000, The Land Question in Kenya Republic-Fox News, 2016). The matter worsened due to the fact that since the farms were not registered, it was difficult to determine the real owners even at independence and beyond. As a result, it became a major point of contention between the Bukusu and Sabaot (Respondent 6:2018). Unlike in the traditional society, there were no clear-cut judicial procedures of reconciling the two communities, hence it became a systemic source for the buildup of tension at that time and later in the nature of inter-ethnic conflicts in Bungoma.

The evidence of the movement of the Sabaot and Bukusu was underscored in settlement of what a Sabaot elder termed as alien people with different cultural backgrounds of the Abakhayo, Abawanga, and the Teso among the Bukusu in lower Bungoma on the slopes of Mt. Elgon while the Sabaot found themselves deep into Mt Elgon away from the

colonial chiefs (Respondent 66:2019, RCNECNCL, 2011). Though such importation and settlement of the foreign communities beefed up the colonial administration under Mumia and his assistant Murunga but alongside was the disintegration of spiritual cum physical traditional inter-ethnic co-existence fabric particularly among the Bukusu and Sabaot which came to define hostile inter-ethnic relationship in Bungoma (Respondent 19:2018). The heterogeneous settlement without clear-cut administrative procedures on ever-decreasing scarce land against increasing population, paved way for increased inter-ethnic friction experienced in independent Bungoma among the Bukusu, Sabaot and other communities (RCNECNCL, 2011). Additionally, though some of the Wanga and Teso have largely been assimilated either into Bukusu or Sabaot but inter-ethnic stereotypes particularly from the Bukusu against the two communities still persists to date, (Respondent 19:2018). In essence thus, the colonialists sow the seeds of Sabaot, Teso, Wanga and Bukusu inter-ethnic contests.

Equally significant, the colonialists imposed their appointees, particularly African chiefs to rule over the communities in Bungoma in total disregard of the spiritual cum physical cultural underpinnings in the selection of leaders, a cultural practice that had not only evolved intra-ethnic linkages but inter-ethnic bridges as earlier alluded, in pre-colonial Bungoma (RCNECNCL, 2011). First, since the appointed chiefs were selected under the whims of the colonial government, they were not fully accepted in their area of jurisdiction nor did they conform to the traditional for example, spiritual –cum physical Bukusu-Sabaot leadership, (RCNECNCL, 2011). Nabongo Mumia was resisted by the Bukusu and the Sabaot. His assistant Murunga was also resisted by both Bukusu and Sabaot communities in 1934 and his place was taken over by Musa Namutala Mayeku

(RCNECNCI, 2011, Kakai, 2000). Jeremiah Kukubo was not only resisted by the Sabaot who accused him of using *Kibukusu* his mother tongue to address public gatherings while aware that the Sabaot did not understand Bukusu language but most importantly it reflected the Sabaot gradual cultural loss of their evolved linguistic unity and identity over the Bukusu (Kakai, 2000).

Additionally, the elders observed that; ‘initial appointment of Bukusu chiefs over the Sabaot in Bungoma by the colonial government saw the seeds of discontent in the nature of inter-ethnic conflict because the Bukusu community was seen as favoured against the Sabaot’ (RCNECNCI, 2011, Respondent 16:2018). Equally important since the colonialists used the Bukusu Chiefs to exert and execute forced labour, alienation of land, payment of tax, flog, and uproot the dreadlocks of the Sabaot warrior class in the end it made the Sabaot see the Bukusu as yet another imperial power over them that they had to liberate themselves from, but most importantly it broke down chances of inter-communal unity at that time and subsequently, particularly after independence (Respondent 8:2018).

Unlike pre-colonial traditional leaders, the colonial African Chiefs supervised the oppression of their fellow Africans for the welfare of the colonialists (Imbuye, 2016). Unlike the pre-colonial leaders who encouraged spiritual-physical unity, the colonial chiefs encouraged and enhanced the British divide and rule policies which put ethnic communities on a collision course. The imposition of the Wanga chiefs over the Bukusu and the Sabaot, the appointment of the Bukusu chiefs over the Sabaot caused suspicion and hatred between the two-spanning colonial period into independent Kenya, (Respondent 21:2018). Similarly, unlike the pre-colonial traditional elders, the colonial spheres of administration were expansive; hosting people from different ethnic

background hence they could not apply the inter-communal traditionally accepted indigenous spiritual cum secular administrative nor judicial procedures (Respondent 6:2018). First, because colonial areas of jurisdiction were larger than they had been in pre-colonial, hence they constituted diverse and sometimes conflicting inter-cultural underpinnings (KLC 1934, Nguru, 2012). In the end therefore, Chief Tendeti a Sabaot, for example, enhanced the unity of Sabaot as the Bukusu chiefs did the same thus colonial chieftaincy appointed on an ethnic basis increased inter-communal competition than spiritual cum secular traditional inter-ethnic integration. The disintegration of peace among inter-ethnic communities particularly the Bukusu and the Sabaot can be traced to this colonial period in alienating traditional authority while opening inter-ethnic animosity.

Largely thus, since the initial colonial chiefs came from the Bukusu than the Sabaot in Bungoma County and since the colonial state used them as agents of change to spur to the other they became a source of differentiation between the two communities. The colonial chiefs and headmen were favoured by being provided with not only new seeds but also new farming technology, (Ochieng & Maxon, 1992).

4.6.2 Integration of Colonial Economic Activity in the Nature of Inter-ethnic Conflict in Bungoma

Integration of colonial economic activity mutated the nature of inter-ethnic co-existence in Bungoma. As observed by Draman, (2003), economic equality, equity and economic opportunities enhance inter-communal co-existence, while poor distribution of economic resources enhance inter-ethnic animosity, (Hoffman, 1981). However, in Bungoma, inter-communal economic inequality evolved over time. The elders at FGD held at

Kapsokwony, concurred that the varying economic lifestyle of the Bukusu and Sabaot set a stage for inter-ethnic conflict (FGD 2:2018). The early European travelers described the Bukusu as a true agricultural community who kept cattle and planted crops such as eleusine, sorghum, green grams, simsim including bananas, and sweet potatoes (Wafula, 2000). Sabaot practiced both nomadic and crop farming depending on the geographical location, weather, and availability of land (Imbuye, 2016, Were, 1972). In an uninhabited area, the Sabaot grazed their animals and hunted. Largely, however, the Sabaot were pastoralists who moved and occupied mountainous environments because of misfortunes like the death of a member of a family or livestock or when population increase which reduced grazing land, raids from neighbours or when they evaded colonialists (Imbuye, 2016, Kitembe, 1978). In essence, both the Bukusu and Sabaot had their traditional land ownership arrangements which were vested in the family, clan, or community (Imbuye, 2016).

‘Colonialism brought about rapid changes in land relations among communities in terms of land ownership, control and use’. (Respondent 8:2018)

Comparatively, colonial administrative arrangements worked against the Sabaot nomadic way of life than it did to the crop farming Bukusu hence antagonized the two communities because it appeared to have favoured the Bukusu and marginalized the Sabaot (Respondent 17:2018). The colonialists encouraged the peasant production of maize and traditional grains like groundnuts, potatoes, and simsim (Ochieng’ & Maxon, 1992). The pastoralist way of life of the Sabaot in particular was considered harassment to the Europeans. First, the alienation of African land which extended from central Kenya that is Kiambu, Murang’a to the North Rift Trans-Nzoia, largely displaced and disrupted

both the Bukusu and Sabaot forcing them to move to the neighboring Bungoma while others crossed over to Uganda particularly the Sabaot who joined their cousins the Sebei (KLC Report 1934, Kitembe, 1978). Second, the individual unlike the communal land tenure system advanced by the colonial administration comparatively favored settled agriculture Bukusu than largely pastoralist Sabaot. At the FGD held at Cheptais, a respondent observed that issuance of title deeds made them (Sabaot) lose their land at Chelebei, Kaptenai, and Chesiro (FGD 3:2018). The Sabaot argued that though they had earlier reported the matter of the loss of their land to the colonial government, but later issuance of title deeds to the Bukusu irreversibly challenged the process of their case as well as recovery of their land which had new Bukusu occupants with title deeds (FGD 3:2018). Up to date, this area has remained a conflict hot spot between the Bukusu and Sabaot.

Individual land tenure system advanced by colonialists anti-climaxed and revolutionized the way of life of communities in Bungoma including that of the Sabaot and Bukusu respectively, (Respondent 8:2018). To the Sabaot for example, it was to their disadvantage while to the advantage of their archrival the Bukusu to an extent that by the time the Sabaot fully settled to crop farming their land had been taken and it remained a point of contention between the two communities. The Sabaot elders at FGD at Kapsokwony did concur that this background explains their claim on the larger areas of lower Bungoma County justified in the various Sabaot names on some villages and towns that are today settled on by the Bukusu, arguing that this was an indication that they had settled in those areas before the Bukusu but partly because of their way of life and lack of land registration these areas were later taken over by the Bukusu (FGD 2:2018). Names

like Bungoma from Bongomek, Chebukwa, and Kabuchai are some examples mentioned as Sabaot names but today settled on by the Bukusu (Respondent 21:2018). However, the fact that some Sabaot clans like the Bungomek who had interacted with the Luhya for long were assimilated into Luhya could have contributed to the presence of some names though not all of them (Imbuye, 2016, Wandiba, 1983, Were, 1967, Makila, 1978).

In the end, thus the varying economic activity of the colonialists to the Bukusu and Sabaot for example integrated the Bukusu to internal and external market through commodity production than the Sabaot who were largely pastoralists, (Ochieng' Maxon). The colonial economy by extension thus tended to increase wealth for some community than the other particularly the Sabaot. The Bukusu could afford to buy better clothes, tools, bicycles including utensils and housing than the Sabaot (Respondent 8:2018). Thus, the colonial economic activity saw the seeds of inter-ethnic competitive economic imbalance which has remained anathema to peacebuilding and enhanced inter-ethnic animosity in Bungoma County. The situation was inherited by independent Kenya because the independent government did not break a way in totality from the colonial administrative and economic structures, (Ochieng' & Maxon, 1992). Economic factors became triggers of inter-ethnic conflict in Bungoma after independence hence defining inter-ethnic conflict in Bungoma.

4.6.3 Integration of Education contests in the Nature of Inter-ethnic Conflict in Bungoma

Integration of education dimension in the nature of inter-ethnic conflict in Bungoma started in colonial Kenya. Education, just like an economic resource demanded investing into. A Sabaot elder observed that;

The contradiction between the traditional way of life and colonial education compromised the inter-ethnic educational development which later compromised inter-ethnic co-existence by bringing on board new criteria of eldership (Respondent 8:2018)

The Sabaot compared to the Bukusu, neglected education for nomadic life. They did not comprehend the need of selling their cattle, traditionally regarded as an ultimate economic asset as well as a cultural symbol of wealth, and then invest in foreign colonial education which they least understood (Respondent 66:2019).

This background largely contributed to the delayed development of not only education but also the establishment of schools in Mt. Elgon, which started as late as 1948 and drugged on in development unlike among the Bukusu in lower Bungoma where at Independence schools like Friends School Kamusinga, Bungoma and Kibabii were already up and running, (Makila, 2004).

Schools and urban establishment followed a particular pattern of development, that is from the entry of missionaries, starting from where they first entered and settled as they progressed and spread their religion and education, (Respondent 57:2019). Friends African Mission moved from Lirhanda 1905, Vihiga in 1906, and Lugulu came later in 1914. Similarly, schools for Christian Missionary Society (CMS) started and followed a particular pattern, Maseno 1906, Kima 1905-1907, Butere 1927. Pentecostal Assembly Nyang'ori 1924, Salvation Army S.A Malakisi 1936. Mary hill mission (Catholic) Mumias 1904, Eregi 1912, and Kibabii 1931. The markets followed European establishment as well –Malakisi market 1909, Bungoma 1926, Broderick Falls 1926, and Kimilili 1926 (Makila, 2004). Conspicuously missing in this establishment were schools and markets of Mt Elgon region which came later. Consequently, not many Sabaot went

to school early like their neighbours the Bukusu, (Respondent 7:2018). The two communities, Bukusu and Sabaot acquired literacy and Christianity at different rates. Though there were unique individual factors that dictated the response rates of each community to colonial literacy and conversion to Christianity but the sudden cultural shock that occurred between the colonial masters and local African culture was a befitting explanation (Makila, 2004). The Sabaot drifted away from the colonialist, because their spiritual leader the Oloibon had fore-warned them, that strange visitors will come carrying fire in their mouths and spears that would not miss the target (Imbuye, 2016). Others avoided European contact because of forced labour, taxation, and the brutality of African colonial chiefs who flocked and uprooted the African's dreadlocks (Imbuye, 2016).

The point of contention as was established from the FGD concerning inter-ethnic co-existence was that the Sabaot elders interviewed blamed the Bukusu for their lack of educational development (FGD 2:2018). This was particularly felt after independence when it became clear that not many of the Sabaot qualified for employment like their counterpart Bukusu because of their low education (FGD 2:2018). Worse still, even when the Sabaot got what they referred to as their 'own district' several decades later in independent Kenya in 1993 not many of them could get employed. Over time, however, though the Sabaot embraced education and the government set up more schools but since they did merge those in Bungoma, they did not cultivate good relation between the two groups but remained a source of discontent because of the benefits that came along with education in independent Kenya, (Respondent 8:2018). This became a fertile ground upon which ethnicity was used by politicians as a tool to justify unequal development

between the Bukusu and Sabaot as a result developed a wedge initially between the two communities but later affected all communities in Bungoma.

This was later justified when the few Sabaot and Bukusu who acquired colonial education early through mission schools but it did not help them enhance peaceful inter-communal co-existence instead they instrumentalized the ethnicities for their social, political, and economic ends as a new center of elite elders, they thus took advantage of the circumstances (Respondent 8:2018, Sandra, 2003). For example, while the pioneer Bukusu mission elites formed Kitosh Educational Association later named Bukusu Union to cater for their educational needs of their community, their neighbours the Sabaot came up with the Sabaot Union whose objective was largely a duplication Bukusu Union, centered on enhancing Bukusu- Sabaot competitive individual ethnic and identity interests (MacArthur, 2016, Kakai, 2000). By extension thus the initial Bukusu- Sabaot elite entangled themselves into ethnic welfare which separated one community from the other instead of bridging the gap. Additionally, education became an avenue for developing an alternative class of elite elders from the traditional ones, (Respondent 21:2018). The main undoing to the mission-educated elites was that they had grown up in a religious environment that largely questioned and undermined the African culture and its authority (MacArthur, 2016). The new elites grew up in a traditionally legal vacuum created by colonial sophistry largely devoid of traditionally intrinsic cultural values from neither Bukusu, Teso nor Sabaot. The mission boys were neither expert in the working of traditional nor colonial administrative machinery. The ethnic identity between the two Bukusu and Sabaot for example became handy to Kenya's independence struggles which equally took an ethnic angle in Bungoma.

In essence, thus colonial education fostered inter-ethnic differentiation from colonial to independent Kenya particularly among the Bukusu and Sabaot. The initial Colonial education opened the Bukusu than the Sabaot to access relatively stable employment as church workers, clerks, and teachers which enabled them to start investing early further enhancing differentiation among communities. The Sabaot largely remained pastoralists. Equally significant with the Bukusu and Sabaot differentiation was the influence of early urbanization of the Bukusu than the Sabaot which had a bearing on Bukusu-Sabaot inter-ethnic conflict. Urbanization of Bungoma, Webuye, Malakisi, and Kimilili largely amongst the Bukusu accessed them to participate in early trade than the Sabaot and hence further enhanced differentiation that has remained anathema to inter-communal co-existence.

4.6.4 Colonial Land Management and the Nature of Inter-ethnic conflict in

Bungoma

To the Sabaot, inter-communal animosity was fueled when the colonialists alienated their economic resource land, while at independence land acquisition took an ethnic dimension whereby according to the Sabaot, their land was taken over by the Bukusu, (RCNECCI, 2008). A Sabaot elder observed that

The effect of the colonial imposition of European land tenure and management to the Bukusu and Sabaot affected us (Sabaot) differently. A large segment of us Sabaot had difficulties in adjusting to the agrarian economy as well as adapting to the mountainous terrain and marginal ecosystem. As a result, it intensified inter-ethnic contests, animosity, and conflict than harmonious co-existence (Respondent 8:2018).

Land, is a limited yet key resource as it conferred wealth and strategic advantage to the Bukusu, Tachoni and Sabaot. Kenya's colonial land laws not only nationalized erstwhile communally owned land but largely reflected the provisions of the Berlin conference 1884/85 particularly articles 34 and 35 which emphasized evidence of occupation by a colonial power over the colony (Boahen, 1990). The Berlin conference set guidelines upon which the colonialists were to operate while enhancing the primary objective of economic exploitation of Africa, to achieve this, particularly from land resource, the British started by laying out a legal framework of acquiring land from the Africans which by extension made it a systemic problem (Imbuye, 2016). Five years after the Berlin Conference in 1884, all land in what became Kenya was declared not only the property of the British crown but the Africans lost their rights over land (Towett, 2004, Overton 1988, Syagga, 2002 Nguru, 2012, Imbuye, 2016). IBEA Company was allowed to use land for all agricultural purposes including grazing land (Imbuye, 2016). The 1897 East Africa Land Regulation allowed European whites to acquire land leases for 21 years. In subsequent years attractive land alienation laws prompted the influx of white settlers into Kenya, at first invited to the protectorate by Governor Sir Charles Elliot. The availability of land for agriculture motivated more settlers to come to Kenya so that by 1903 there were 596 Europeans, by the end of March 1914 the number had risen to 5438 and by December 1929 they were 16663, (Syagga, 2002, Lindsay, 1987, Towett, 2004). Land alienation followed the same trend and pattern as the Europeans first came in and increased over time in numbers. By 1903 for example, about 2000 hectares had been alienated, by 1914 it rose to 260000 hectares and by 1930 over 2.74 million hectares had been taken away by the Europeans (Syagga, 2002)

Though, colonial land alienation policies could have united the ethnic communities in Bungoma County including Bukusu and Sabaot against the land-hungry colonialists but on the contrary it set communities on the systemic collision course, jeopardizing peacebuilding more than a century later. The East Africa (Land) Order in Council of 1901 alienated and defined African land as crown land, referring to all public land within the East Africa Protectorate, in essence, land became a colonial state property (KLC Report 1934, Wafula, 1984, Kakai, 2000). While in 1913 the colonialist recognized Africa settled areas as Africa reserves and by 1915 land lease for the Europeans was made more lucrative by increasing lease from 99 years to 999 years (KLC Report 1934, Wafula, 1981, Kakai, 2000).

The white highlands boundaries extended from Kiambu to Trans Nzoia displacing the Sabaot as well as the Bukusu but because of the nomadic lifestyle of the Sabaot and the hatred the Europeans had over pastoralists, the burden was much heavier to the Sabaot, because such evacuation off-loaded the Sabaot and their livestock onto scarce land reserves where they had to compete with the Bukusu (KLC Report 1934, Kakai, 2000). In the long run, the displaced Bukusu-Sabaot population competed for scarce land which became a source of disunity between two communities. The other African populations off-loaded from what became the White highlands were moved into African reserves, which became a reservoir for white settler's free labour force. Creation of African reserves also enhanced the disintegration of pre-colonial traditional inter-ethnic authority. By 1915 native rights over land were recognized under the Crown Land Ordinance but largely as squatters (The Final Report of Constitution of Kenya Review Commission, 2005, Anderson, 2005). In 1926 there was formal creation of reserves for each Kenyan

tribe preserving the white highlands for the Europeans (KLC Report 1934, Anderson, 2005). By mid-1930 a fifth of usable land had been set aside exclusively for the white settlers. The colonial government sort to create, mobilize and control the supply of African labour through the creation of African reserves as well as build and maintain the colonial economic infrastructure and the administrative bureaucracy (KLC Report 1934, Anderson, 2005). This led to the emergence of migrant labour, forced labour, heavy taxation, and squatters all of which worked against inter-ethnic traditional authority of co-existence. In essence development of the colonial economy depended on the availability of land, labour, and capital from the Africans, but in entirety, it lacked ligaments for inter-communal peaceful coexistence as it continually led to the reduction of African means of production by extension created inter-communal competition and friction particularly between heterogeneous communities like the Bukusu and Sabaot.

Land in pre-colonial Bungoma was communally owned, the community controlled allocation (Respondent 4:2018). Though individual members had exclusive rights over portions of land given to them but it was limited to the use of land, (Respondent 36:2018). Communal land ownership was premised on the background that certain sections of individual allocation of land were open for use by the entire community particularly grazing fields (Respondent 65:2019). At the clan level, *Omukasa* of the Bukusu controlled the access to land (Wafula, 2000). *Omukasa* could summon clansmen to clear uncultivated land if famine struck. The Sabaot on the other hand had the right to caves, hunting and grazing grounds (Imbuye, (2016).

A respondent at FGD at Kapsokwony observed that; besides political contests between the Bukusu and Sabaot, European land alienation antagonized the leader of the Bukusu

Masinde Muliro and that of the Sabaot Daniel Moss just before independence (Respondent 57:2019). The contest between the two arose when in 1962 the Boundaries Commission failed to resolve the boundary dispute over the contested Bukusu-Sabaot ownership of Kitale (FGD 3:2018). As the exit of the colonialists became eminent Masinde Muliro and Daniel Moss differed over the future ownership of Trans Nzoia, (Respondent 19:2018). Muliro supported by Abaluhya elders demanded that Kitale becomes the headquarter of the western region, while Daniel Moss also supported by the Sabaot presented to the commission the Sabaot's wish of taking over Kitale and being administered from the rift Valley (Respondent 57:2019, Kakai, 2000, Wolf 1977, Kiliku 1992, Wandiba 1996, RCNECNCI, 2011). Though both Moss and Muliro failed to convince the commissioners with their demands the 'Sabaot felt that they had lost more because Muliro who had been their representative since 1957 and they had voted for him he had abandoned them at the point of need hence increased animosity between the Sabaot and Muliro and by extension the Bukusu (Respondent 19:2018). Additionally, according to the Sabaot oral tradition, they were the original owners of Trans Nzoia and any decision otherwise injured them more (The Land Question in the Kenya Republic, Kenya Fox News, 2016, Akiwumi Report –Part 3-Nyansa and Western Province).

According to the Sabaot

The European settlers displaced the Sabaot and wanted to employ them as labourers but Sabaots refused to work as labourers and European settlers brought in Bukusu to work for them and.....as a result of this the Bukusu dominated the area. After independence when the European were leaving, the land was sold/settled to mostly the Bukusu and other communities but the Koony (Sabaot) felt that the land should have been given back to them. (RCNECNCI, 2011)

The chain reaction from this background significantly contributed to electioneering conflict between the Bukusu and Sabaot in 1963 triggered by a Luhya Matifari's intention to contest on a largely Bukusu backed KADU ticket against a Sabaot Daniel Moss on a Western Kalenjin Congress at that time affiliated to KANU in a predominantly Sabaot area of Mt Elgon (Respondent 57:2019). This resulted in violence pitting the Bukusu against the Sabaot marked by raids, burning of houses, and displacement of population. Despite the minority status of the Sabaot, Daniel Moss, the Sabaot political leader refused to join a minority political party KADU and formed Western Kalenjin Congress (WKC), and later joined the majority community party KANU of the Luo and Kikuyu just because the Bukusu were in KADU (Respondent 66:2019). The violent political contest between KADU candidate Matifari a Bukusu and KANU candidate Moss and the burning of Matifari's vehicle resulted from unresolved colonial Bukusu – Sabaot land dispute, (Respondent 57:2019). Key, was how ethnicity was used by Masinde Muliro and Daniel Moss to get not only support for their respective political parties but most importantly how it ate into the traditional eldership roles of inter-ethnic co-existence. The two leaders used ethnicity to achieve disputed goals as leaders of KADU for Muliro and WKC for Moss at the expense of first inter-communal unity and then traditional eldership.

4.6.5 Integration of Colonial Administrative Units in the Nature of Inter-ethnic

Conflict in Bungoma

A respondent observed that;

the colonial aligning of Bukusu-Sabaot administrative units along ethnic lines but under the unitary colonial over lordship alongside colonial education not only undermined and disrupted traditional inter-

ethnic pillars of unity but eventually created new yet incompatible Bukusu-Sabaot unique administrative community needs which went beyond the ability of Bukusu and Sabaot traditional elders. This necessitated the emergence of a new crop of elite elders to deal with emerging issues. this background set the roots of Bukusu-Sabaot elite identity contests which jeopardized inter-ethnic co-existence and paved the way for systemic inter-communal demand and contest over self-administrative unit since the colonial period up to 1993 in independent Kenya and beyond (Respondent 7:2018).

Attachment to a piece of territory as a characteristic of ethnic communities largely applied to the ethnic communities in Bungoma. First, in pre-colonial Bungoma, specifically, the Sabaot and Bukusu communities lived independently from each other without an umbrella administrative unit but in contravention of this traditional socio-political and economic setting, the colonialists established an overall administrative unit and demarcated boundaries including assigning ethnic names for some regions thus compromising pre-colonial evolved inter-ethnic tolerance without inter-ethnic structural regulation, (Respondent 7:2018). As alluded to, in 1908 for example, Nabongo Mumia (whom the Sabaot elders referred to as imposed on them deeper into independence) Suleiman Murunga, acting district commissioner Archer arbitrarily divided North Kavirondo into eight administrative units with ethnic names Butso, Kabrasi, Marama, North Kitosh, Nabakholo, Samia, South Bukusu, and Wanga but conspicuously missing were the Sabaot then lumped together with the Bukusu, yet the Sabaot in their oral tradition were not only among the first to settle in the Western region but they were culturally and linguistically different (RCNECNCI, 2011, Respondent 2:2018).

The colonialists, from the very beginning had thought that the Sabaot (Elgoonyi) was a dying 'tribe' partly because of their initial small numerical strength, their dual citizenry, of being in Kenya and Uganda, and higher chances of them being assimilated because of

their comparatively small number and of course not overlooking the British execution of their divide and rule tactics among ethnic groups (The Final Report of Constitution of Kenya Review Commission, 2005, Respondent 21:2018, The KLC Report, 1934, Kakai, 2000).

It was out of this background that communities that had been administratively lumped together in what was later referred to as ‘alien’ regions like the Bukusu and Sabaot initially in North Kavirondo demanded for their ethnic identity through administrative self-determination partly because that was how they had been traditionally organized, united by language, culture including geographical location as a conscious ethnic unit (Respondent 21:2018). It was equally upon this background that a respondent at FGD Kimilili agreed that, in fact, between the Bukusu and Sabaot, the community which was on the forefront in demanding for their own administrative unit was not the Sabaot but the Bukusu who demanded of being detached from North Kavirondo (FGD 1:2018). The Sabaot having had the same past experience from the Bukusu as well as being conscious of its ethnic background demanded for their administrative unit more viciously in subsequent years just before and after Kenya’s independence in 1963 (RCNENCL, 2008). As earlier alluded to, in pre-colonial Kenya the Bukusu using their traditional authority had united their clansmen into a larger and cohesive community that withstood and resisted enemies including cattle raiders, meaning they were a separate conscious entity, the same was true with regard to the Sabaot, (FGD 1:2018).

Additionally, the need for a separate administrative unit followed the gradual shifting of the centre of power from traditional elders to the new center of power of the mission-educated elites of the Bukusu and Sabaot, (Respondent 2:2018). This inter-communal

competitive identity was fueled more by the colonial administrative units which housed communities in one unit but with unregulated competition over for example, education and economic spheres which found its way in independent Kenya and Bungoma in particular, (Respondent 8:2018). This was in response to the new colonial socio-political and economic organization of the North Kavirondo particularly when the mission educated elites realized that their respective communities were disadvantaged when competing for an entirely new yet important colonial education, agriculture and even administratively within the first North Kavirondo District, later Elgon Nyansa and Bungoma districts (Respondent 29:2018, Kakai, 2000).

It can thus be argued that, the expansion of colonialists' administrative units brought on board new areas of inter-ethnic competition and hence blurred inter-ethnic identity which initially united two communities Bukusu and Sabaot to demand for their administrative self-determination in agriculture, education, health, and revenue separated from North Kavirondo district but later it antagonized the Bukusu and Sabaot in independent Kenya as the Sabaot equally wanted their own administrative unit different from that of Bungoma which was dominantly inhabited by the Bukusu (Respondent 6:2018). The initial area of inter-ethnic contest between for example, the Bukusu and Sabaot while under North Kavirondo was in education particularly the use of *Wanga* and *Olulogoli* as a language of instruction in schools (Respondent 8:2018). Both the Bukusu and Sabaot argued that their children were disadvantaged in education where the language of instruction was Luhya *Olulogoli* and *Wanga* which neither the Bukusu nor Sabaot were fully conversant with yet their children were required to equally compete at par with children from the two communities *Maragoli* and *Wanga* whose mother tongue was

Olulogoli and *Wanga* respectively, (Kakai, 2000). The Sabaot were worse off since unlike the Bukusu who could either hear or quickly learn Wanga and Maragoli classified under Luhya and Bantu, they belonged to a different linguistic group of the Nilotes. It was from this background that dominantly Bukusu and Sabaot came up with Kitosh Education Society (KES) in 1936 which demanded for their own administrative unit in order to determine their own affairs, (Respondent 4:2018). Fourteen years later the Elgon Nyansa District was granted (Respondent 8:2018).

Subsequently therefore since the Sabaot had not only witnessed but supported the creation of what they (Sabaot) later referred to as ‘Bukusu District’ it rightly prompted them to demand for their district (Respondent 2:2018). It was at this point that ethnic ties between the Bukusu and Sabaot overrode any other loyalty and drove communities to owe allegiance to their ethnicity (The Final Report of the Constitution of Kenya Review Commission, 2005).

In essence thus though in pre-colonial Kenya Bukusu and Sabaot lived in relative harmony with mutual respect for each other, however, ethnic identity was later politicized leading to the breakdown of the pillars of peacebuilding into inter-ethnic tension and conflict. The Bukusu-Sabaot ethnic identity degenerated further when the independent government treated ethnicity as a threat to nationhood while using the same to entrench inter-ethnic tension and conflict, (The Final Report of the Constitution of Kenya Review Commission, 2005).

To date, the Sabaot in particular, argue that the colonial demarcations of administrative boundaries deprived them of their property and land which consisted of the present

Bungoma and Trans-Nzoia County, (RCNECNCL, 2008). They further claim that their neighbours were not the Bukusu but the Nandi, Tachoni, Kabras, Teso, and Wagishu of Uganda meaning the Sabaot lay claim on all the land settled on by the Bukusu, (RCNECNCL, 2008). They still wonder why after independence their land was not reverted back to them. These were the fissures that have enhancing inter-ethnic contests and conflict.

Additionally, the colonial appointment of Headmen and African Chiefs was done arbitrarily, such that the British created their own community leaders who not only readily obeyed them but also were ready to disregard traditionally accepted elders, (RCNECNCL, 2011). The colonial appointed Chiefs enhanced the welfare of, first the colonial appointing authority the British, then their community but by drawing an ethnic wedge as it happened between the Bukusu and Sabaot. Colonial chiefdom had expanded and housed more than one community like the Bukusu and Sabaot unlike pre-colonial Kenya (The Land Question in Kenya Republic-Kenya Fox News, 2016). Such administrative arrangement appeared to favour one community over the other who felt secluded and oppressed particularly in regions that had a majority and minority community like the Bukusu and Sabaot respectively hence it increased inter-communal incompatibility. The Sabaot largely felt left out in colonial administrative arrangements (Imbuye, 2016, Kakai, 2000). The perceived and actual favouritism divided ethnic communities pitting one against the other. Ethnic groups, as observed by Sadra, can come together when in pursuit of a socio-economic or political goal but as well change as any social organization (Sandra, 2003).

For a long time therefore the Sabaot were not only administered from Bungoma but they had no administrative identity such as a location or division but both their major centres Kapsokwony and Cheptais in Mt Elgon were under Kimilili and Malakisi locations respectively largely under the Bukusu (Respondent 19:2018). The creation of Mt Elgon Constituency, Location, Division Sub-District, and District were politically created by both Kenyatta and Moi as though wrestled or forcefully hived from the Bukusu-Bungoma (Respondent 66:2018). According to the Sabaot, the process by which they acquired the district was a liberation struggle from Bukusu colonization and discrimination of development in terms of schools, infrastructure, hospitals to freedom (Respondent 8:2018). In essence, thus, the administrative structure of Bungoma and Mt Elgon is not only ethnic but emotive having evolved since the colonial period as anathema to peacebuilding and conflict management.

Most importantly for inter-ethnic co-existence was the social-political and economic differentiation between the districts and or regions established from colonial period into independent Kenya. The adoption of the colonial commodity production between the Bukusu and Sabaot regions did not occur at par because the Sabaot were located away from colonial urbanization, trade, communication, education including missionary activity. It is this background that came to haunt Bukusu- Sabaot peacebuilding and conflict management, particularly in independent Kenya.

4.6.6 Christianity and the Nature Inter-ethnic Conflict in Bungoma.

While at an FGD at Kapsokwony, a respondent observed that;

Christianity instrumentalized Bukusu-Sabaot's inter-ethnic coexistence. It divided ethnic communities along denominational lines and hence pitting one community

against the other. As regards inter-ethnic conflict, it emanated from varying levels of development initiated by missionaries in different parts at different times which ultimately caused unequal development among neighbouring communities, (Respondent 24:2018).

Missionary activities in what is now Bungoma County did not unite the people but instead divided the faithful into protestant led Friends African Mission (FAM) and Catholics, (Imbuye, 2016). The first mission to arrive in Western Kenya was FAM, which established its base first at Kaimosi in 1902, (Imbuye, 2016, Samita, 1992, Gimonde 1992). From Kaimosi, FAM moved to Lirhanda, Vihiga before reaching Lugulu in 1914, (Makila, 2000). Mary Hill Catholic Mission, on the other hand, which came later and by 1931 they had established at Kibabii after they had been at Mumias and Eregi in 1904 and 1912 respectively, (Makila, 2000). The Bukusu were divided into protestant dominated North Kitosh and Catholic-dominated South Bukusu, (Imbuye, 2016). Other than denominational division Christianity divided humanity into believers and non-believers.

The fact that Christian missionaries reached Mt Elgon much later, for a long time communities largely belonged to different faiths (Respondent 54:2019). The Sabaot educational development lagged behind because unlike the Bukusu where FAM was in Lugulu as early as 1914 and Catholic at Kibabii by 1931, the missionary activity in Mt, Elgon came as late as 1948 (Respondent 24:2018). As a result, this made the Sabaot lag behind in education as well as in urban development creating a systemic imbalance in inter-communal development between the Bukusu and Sabaot regions. This became a major determining factor in the Bukusu-Sabaot inter-ethnic contests in independent Kenya addressed in the next chapter.

4.6.7 Integration of Ethnic, Regional and National Politics in the Nature of Inter-ethnic Conflicts in Bungoma

President Woodrow Wilson of USA zeroed in on the concept of self-determination as a core measure for peaceful sustainable inter-communal co-existence if it involves people in decision making than transferring people from one jurisdiction to the other without their consent, (Temperley, 1920). Though internally, but this reflected what befell the Sabaot in Bungoma during the nationalist contests. A Sabaot elder, a former Councilor observed that;

Independence nationalistic struggles against colonialists in Bungoma neither broke down inter-ethnic consciousness nor inter-communal identity. Instead, it paved way for democratic elections but aligned it within ethnic divisions such that the majority community not only triumphed over the minority because of the numerical strength but also replaced traditional elders by elected leaders who could cope with new socio-political dispensation which came along with inter-ethnic nationalism and democratic elections' (Respondent 19: 2018).

Nationalist contests was comparatively a double tragedy to the Sabaot in Bungoma, in that, besides their minority status in comparison to the Bukusu, they did not actively take part in the decolonization process in Kenya and specifically Bungoma hence their ethnic interests were not fully catered for at independence, and their eldership was technically subordinated to that of the Bukusu just like other smaller communities in the region the Teso and Tachoni (Respondent 19:2018). Imbuye, (2016) summarized the absence of the Sabaot in Kenya's decolonization process as having been occasioned by their small numerical strength and their conservative nature. The Sabaot *Oloibon* had forewarned the Sabaot against engaging into conflict with the Europeans whose weapons, had cautioned, were accurate at hitting the target, yet decolonization was driven on selfless dedication

and sacrifice which involved putting life at risk (Respondent 19:2018). Similarly, not many Sabaot had been prepared for nationalism since not many of them had acquired western education early enough compared to their counterpart Bukusu at that time led by Masinde Muliro, who took the forefront in decolonization in the region (Respondent 8:2018). In essence, the Sabaot absence left the decolonization initiative in the region fronted by the Bukusu under Masinde Muliro.

Though decolonization was centered on the concept of self-determination of the African people and establishment of a democratic electoral process, political parties which emerged between 1955 and 1958 were not only district-based or ethnic aligned but also provided an avenue for intra-district minority-majority inter-communal competition between the Bukusu and Sabaot for example, which made majority Bukusu dominate minority Sabaot alongside substitution of traditional elders with educated political elites (Respondent 19:2018). In essence, thus Colonial district-based political arrangement undermined spiritual-physical traditional authority much as it provoked both ethnic consciousness and strong ethnic following obliterating the spirit of nationhood for ethnicity particularly among communities in Bungoma, but most importantly excluded some communities from internal self-determination which became a recipe for future inter-ethnic rivalry in Bungoma (The Final Report of Constitution of Kenya Review Commission 2005). In essence, thus, the initial colonialists' pursuit of ethnic-oriented political arrangements among Africans, not only fragmented Africans unity and made them easy prey for divide and rule policy but it set the foundation for the displacement of traditional eldership particularly as regards Bukusu, Sabaot and other smaller communities in Bungoma.

Elders at the FGD at Kimilili observed that, in what became today's Bungoma County, the pioneer political party formed under colonial district-based arrangement was not led by traditional elders but a Bukusu mission educated political elite Masinde Muliro of Elgon Nyanza District Congress (ENDC) (FGD 1:2018). It was a dominant political association in Elgon Nyanza with North Nyanza's Africa's District Congress (NNADC) led by Joseph Daniel Otiende (Kakai, 2000). The March 1957 election contest was not amongst traditional elders but a new crop of political elders, Masinde Muliro and his (ENDC) against Otiende of (NNADC), Wycliffe W. Awori, Nathaniel Sikanga, W.B Akatsa, and Joseph Kadima, (Ong'ayo 2008, Kakai 2000, Aseka, 1989). Muliro's triumph over other contenders and his election as the first elected member for the North Nyanza Constituency which consisted larger part of today Busia, Bungoma, Kakamega and Vihiga counties marked the peak in the displacement of traditional elders (Respondent 28:2018). This was not unique to Bungoma, other regional leaders who largely displaced traditional elders were Tom Mboya, Nairobi, Ronald Ngala Coast, Benard Mate Central, Daniel Arap Moi Rift Valley, Oginga Odinga for Nyansa Central, Lawrence Oguda for Nyansa South, and James M. for Southern Ukambani in other words the exclusion of some communities from self-determination was not only regional but became a national affair, (Respondent 19:2018). Conspicuously missing in the contest was the Sabaot whose contribution to Muliro's success was short-lived but also meant that their identity was to be housed and protected under the Bukusu leadership (Respondent 2:2018).

The disintegration of Kenya's nationhood into respective district units largely traditionally unregulated ethnic communities under the newly educated eldership were

not limited to what later became Bungoma but it was part of a larger characteristic of national arrangement that covered the entire nation (Respondent 19:2018). Other district-based political associations that emerged and penetrated traditional eldership included Nairobi District African Congress (NDAC), Nairobi Peoples Convention Party (NPCP), the Mombasa African District Association (MADU), the African District Association (ADA) of Central Nyanza, the Abagusi Association South Nyanza District (AA), The South Nyanza District Political Association (SNDAPA), the Taita African Democratic Union (TADU), The Nakuru District Congress (NDC), the Abaluhya Peoples Association (APA), The Nakuru African Progressive Party, (NAPP), the Mwambao United Front (MUF), and the Nyanza North African Congress (NNA), (Korwa, 1998).

Masinde Muliro's effort to initiate Luhya intra-communal unity including regional unity though it received resistance but it represented a new spirit of elite elders which went above traditional authority (Respondent 21:2018). Meanwhile, however, the Luhya communities continued to degenerate into separate ethnic identities of Maragoli, Kabrasi, Samia, Butso, and Bukusu but under new political elite elders after independence. The worst hit was inter-ethnic alliances particularly in Bungoma which housed socio-cultural and linguistic varying dialects of Iteso and Sabaot communities yet with degenerating traditional eldership (Respondent 66:2019). Unity of the Bukusu and Sabaot of mid 1950s was largely caused by increased African, European and Asian tension which had been caused by increased African agitation for the multiracial composition of the legislature, executive council, and increased participation of Africans in politics but without inter-ethnic regulation. Korwa, (1998), avers that ethnic-oriented association created ethnic loyalties around self-styled new ethnic kings. Masinde Muliro became

such a king among the Bukusu who championed the interests of the Luhya at the nation and that of the Bukusu at the ethnic level (Korwa, 1998). It was difficult for Muliro to fully champion the interests of the Sabaot with the inherent Bukusu-Sabaot inter-ethnic contests which had been sharpened and largely unregulated over time from colonial period, (FGD 1:2018). At the time of fighting for racially inclined colonial government, the Bukusu and Sabaot like the entire African population fought as a unit against the colonialists (Respondent 19:2018). However, as it became clear that independence was imminent ethnic fissures between the Bukusu and Sabaot became pronounced (Respondent 7:2018). It was at this time that Muliro and the new Sabaot leader Daniel Moss got engulfed into an ethnic contest over the location and ownership of Trans Nzoia at the Boundary Commission of 1962 headed by Sir Stafford Foster Sutton (Respondent 19:2018). The Boundary Commission had been set up to establish what Kenyans wanted with regard to the demarcation of their boundaries (Respondent 19:2018, The Land Question in the Kenya Republic, Kenya Fox News, 2016).

This in part explains the reason why, when the colonial government eventually allowed real national parties in early 1959 it did not yield much in reconciling the communities nationally and regionally including the Sabaot and Bukusu but merely coalesced unregulated ethnicities into national parties, (Respondent 19:2018). Masinde Muliro for example formed Kenya National Party (KNP), in July 1959, though supported by Africans, one European, and six Asians but did not attract massive support of all Kenyans partly because of ethnic divisions (Respondent 8:2018). Similarly, even the change of name from KNP to Kenya African Peoples Party (KAPP) did not massively attract ethnic diversity (Respondent 8:2018, Bongonko, 1980, Aseka, 1989). This was despite, the

party's core objective underscoring repossession of crown land including unused land by the Africans (Kakai, 2000).

The degeneration of Bukusu and Sabaot into unregulated ethnic hegemonies was fueled further by the majority-minority community interests of KADU and KANU nationally which tended to overshadow nationhood at independence (Respondent 19:2018). The Kalenjin for example coalesced around Kalenjin Political Alliance (KPA) led by a new educated elite Daniel Arap Moi, the Maasai under John Keen, Coast African Peoples Union (CAPU) under Ronald Ngala, and the Somali coalesced into Somali National Association (SNA), these ethnicities coalesced into the larger Kenya African Democratic Union (KADU) under new educated elite elders (The Final Report of Constitution of Kenya Review Commission, 2005). Kikuyu under Jomo Kenyatta and Luo under Oginga Odinga and Ukambani under Paul Ngei coalesced into KANU (Korwa, 1998). In essence, thus Kenya's independence was a fragile united ethnic shell that held fragile ethnicities that had come together for political convenience but totally under new ethnically unregulated political new elite elders. The Sabaot under Daniel Moss who joined decolonization late coalesced around Western Kalenjin Congress under KANU after their messy divorce from Masinde Muliro's KADU, (Respondent 21:2018). In essence, at the time of independence, the Bukusu and Sabaot traditional eldership role had degenerated.

Various underlying factors accounted for the decolonization alongside degeneration of specifically the Bukusu and Sabaot communities in Bungoma, first the electoral boundaries in Bungoma came to align along with traditional theories of ethnic migration and settlement of the Bukusu and Sabaot. The build-up to Kenya's independence

subscribed to the colonialists' demands which divided the country along ethnic lines pegged on their initial provision which only allowed local district associations yet fitted well with ethnic communities to the extent that when the later regional and national parties came into force ethnic associations had already taken root largely along pre-colonial ethnic loyalties yet under the administrative umbrella of a district yet unregulated. Thus, the colonialists strengthened ethnic hegemony at the expense of nationhood, the case of Bukusu and Sabaot nation being an example (Korwa, 1998).

The ethnic kings born out of nationalists struggle were basically mission educated elites who risked their life and resisted the colonialists while others took advantage of the vacuum of the weakened, challenged, and diminishing traditional eldership authority, to perpetuate their interests over and above those of their ethnic communities, regions, and national demands (Respondent 7:2018). In actual fact, national interests were patterned within individual interests and that was what became Sabaot, Bukusu and eventually Bungoma which constituted Kenyan ethnicities. For example, at first, Masinde Muliro represented the larger parts of Kakamega, Busia, and Bungoma county in the legislative Council but this waned over time until he technically came down to eventually represent his own 'Bukusu ethnic community' by 1969 and beyond (Respondent 21:2018). The democratic tenets in Kenya were aligned to ethnic loyalties. The mission educated 'galvanized their communities into springboards which enabled them to achieve higher political appointments and offices (Respondent 8:2018). This was further strengthened when the constituency boundaries were aligned to ethnic boundaries between the Bukusu and Sabaot (Respondent 2:2018). The setting of the Bukusu and Sabaot constituencies in

part explains the triggers of tension and conflicts at every election cycle of five years in Bungoma (Respondent 57:2019).

The trigger of KANU and KADU contests in general and by extension to the Bukusu and Sabaot in Bungoma, in particular, were both economic and political factors, (Respondent 21:2018). First, Masinde Muliro though in Kenya African People's Party (KAPP), he was the vice president of the Kenya African Democratic Union, under its president Ronald Ngala and chairman Daniel Arap Moi. Muliro and his team of KADU members, though they demanded for Self-government but were suspicious of what was referred to as perceived land-hungry Agikuyu who dominated Kenya African National Union (KANU) the contention which divided the ethnic majority KANU from ethnic minority KADU (Kakai, 2000, Okoth, 2006). Muliro sought to defend the interests of Abaluhya of western Kenya, (Okoth, 2006) while Moi and Ngala took care of the interest of the people of Rift Valley and Coast respectively (Okoth, 2006). Because of this background, KADU went in for strong regional, by extension ethnic inclined government in Kenya with regions to control the emotive land resource, primary, and secondary education, regional police force and local government, while the defense, foreign affairs, and higher education were to fall under the central government (Kakai, 2000). KANU on the other hand wanted a unitary state with a strong central government in charge of the executive, legislative, and judiciary roles (Okoth, 2006, Kakai, 2000). The division between KANU and KADU fueled Bukusu and Sabaot dispute because the two communities belonged to the two ideologically separate political parties (Respondent 19:2018).

As earlier noted, for a long time the Sabaot did not take an active role in the decolonization process of Kenya but largely degenerated into a conscious ethnic

community in Elgon Nyanza District (Imbuye, 2016). In the new district, the Sabaot were a minority who felt insecure because their interests like that of KADU were at stake with what they described as “land-hungry Bukusu” hence the communities were put on a collision course locally and nationally than under peaceful coexistence which characterized independent Bungoma and the nature of inter-ethnic conflict in the region.

4.7 Chapter Summary

The study established that nature of inter-ethnic conflict in Bungoma was influenced by eldership. It was the core traditional institution that facilitated inter-ethnic conflict and co-existence including customs, language, myths of origin, geographical location, socio-economic and political organisation. The traditional inter-ethnic animosity was cleansed by shading of blood which not only bound the two communities but spiritually linked the living and the departed ancestors. The other traditional inter-communal engagement that influenced the nature of inter-ethnic conflict was intermarriage which joined families and communities of the groom and bride, particularly through dowry payment. Trade and shared culture played a part as well.

The study established that the changes in nature inter-ethnic conflict was caused by colonialists’ centralized pyramidal administration which was designed to exploit the colony than enhance inter-communal harmony and, in the process,, it created inter-communal incompatible goals. Colonial chiefs hijacked traditional authority and cut off the spiritual link and connected it to the colonial government. New colonial economic practices which alienated African land, favoured settled agriculture, and individual land tenure than pastoral lifestyle changed the inter-communal co-existence as well as drove a

wedge among communities by creating inter-communal competitive incompatible goals over land. The varying levels of the adoption of colonial formal education and Christianity between the Bukusu and Sabaot as well changed and divided the two communities by creating competitive incompatible goals. Colonial education and administration brought forth new challenges leading to the birth of new elite elders. The new crop of elites largely transformed, eroded, and replaced the traditional eldership among the Bukusu and Sabaot during nationalistic struggles in Kenya. The 1963 independence constitution did not harmonize particularly Bukusu-Sabaot's inter-communal incompatible goals hence the state and non-state peacebuilding addressed in the next chapter.

CHAPTER FIVE

PEACEBUILDING STRATEGIES BY THE STATE AND NON-STATE ACTORS IN MANAGEMENT OF INTER-ETHNIC CONFLICT IN BUNGOMA COUNTY

5. 1 Statist Peacebuilding Strategies in Inter-Ethnic Conflict Management in Bungoma County Since 1963

Introduction

The chapter addressed state-centric role in peacebuilding for inter-ethnic conflict management by examining various causes of conflicts particularly between the Bukusu-Sabaot and demonstrating how the government through its structures responded in form of peacebuilding and conflict management. The themes interrogated were the influence of Political leadership, Politics, Socio-economic and Identity issues in inter-ethnic conflict and peacebuilding in Bungoma County.

At independence in 1963, the colonial authority had not only alienated and differentiated inter-ethnic traditional structures of inter-ethnic co-existence including divination, intermarriage, traditional trade, eldership, informal education, land management, administrative units, religion, but also replaced it with new colonial centralized administrative structures which were largely adopted at independence (Respondent 8:2018). Bukusu- Sabaot inter-ethnic political consciousness, for example, was aligned to the ethnic majority and minority community interests was equally linked nationally through the unity of the Sabaot led Western Kalenjin Congress of Daniel Moss and KANU of Jomo Kenyatta on one hand and the Bukusu, Masinde Muliro of KADU on the other (Respondent 19:2018). In essence, thus by 1963, largely the inter-ethnic interests in Bungoma became

part of the wider Kenyan society. Similarly, by 1963 Bukusu and Sabaot contest became part and parcel of the contest between KANU and KADU, the then two major ethnic inclined political parties in Kenya which in subsequent years characterized inter-ethnic peacebuilding and conflict management particularly because the Sabaot unlike the Bukusu had contributed to the success of KANU which had made pledges to fulfill for them if they won the election in 1963 (Respondent 19:2018).

In essence, thus, by 1963 inter-ethnic contests in Bungoma particularly between the Bukusu-Sabaot were drawn into Kenya's national political leadership differences where racial animosity had subsided but technically replaced with political leadership contests between KANU and KADU and by extension inter-ethnic contest because of political alignment, (The Final Report of the Constitution of Kenya Review Commission, 2005). The inter-ethnic differences in accessing colonial education, schools, and employment made the Bukusu and Sabaot in particular vulnerable to inter-communal attitudinal and perceptual prejudice, (Respondent 66:2019). This was further enhanced when the independent government failed to encourage the traditional institution of governance like the council of elders and the government's continued intolerance of some economic activities like pastoralism which largely slowed inter-ethnic integration in Bungoma which had started in colonial Kenya, (The Final Report of the Constitution of Kenya Review Commission, 2005).

The primary tool that was at the disposal of the centralized political leadership was the constitution which apportioned power and roles. According to The Constitution of The Republic of Kenya 1963 for example, the executive authority of the government was vested and exercised by the president directly or through officers subordinate to him (The

Constitution of Republic of Kenya. 1963 Cap 23 (1). According to the constitution, between 1963 and 2008 the constitution was amended several times which made the president not only Head of State and the executive arm of government but also Commander in Chief with additional power over the judiciary, public service including the police force, (The Constitution of Republic of Kenya 1963 Cap 23(1). It was, therefore, on this basis that the study interrogated the extent by which the political leaders worked to establish structures that united ethnic communities in Kenya, specifically among inter-ethnic communities in Bungoma County.

In essence, the government political leadership became the core institution mandated by law to foster national integration from the grassroots, enhance nationhood through national shared history, culture, and safety of the people. This in turn was to counter ethno cultural intolerance among communities and achieve a common focus on national goals. By 1963 thus the presidency, as was constituted, underscored people's unity, people's aspirations and hope which obliterated tribalism, greed, nepotism, corruption, ignorance, and poverty, (The Final Report of the Constitution of Kenya Review Commission 2005).

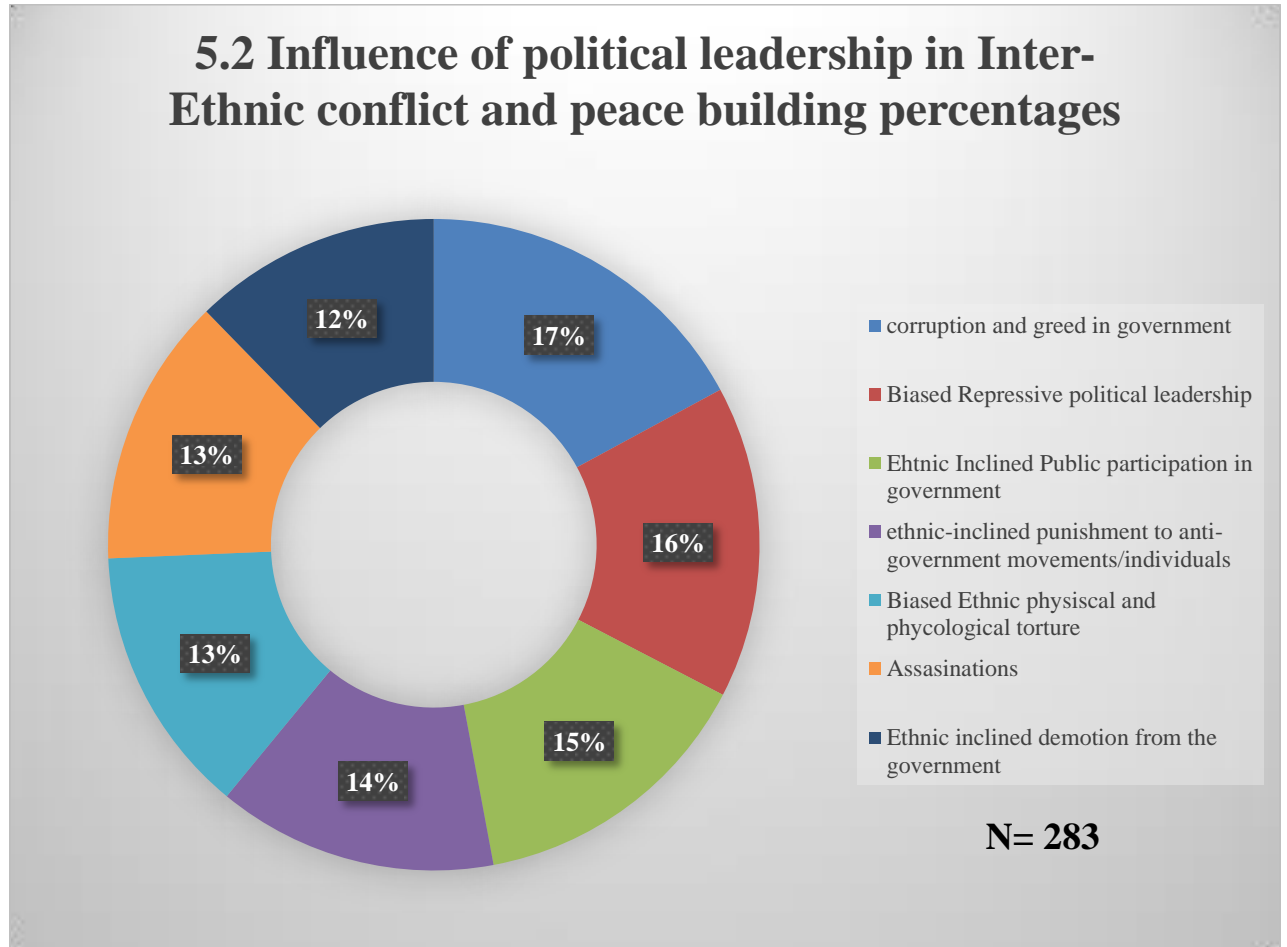
The constitution of Kenya 1963 gave political leadership legal powers of ensuring national ethnic integration through various avenues including balanced political, civil service, and judicial appointments (Respondent 8:2018). The independence constitution gave the president executive authority and powers over appointments of state officers including constitutional officers, public service commissioners, and the police force (The Constitution of The Republic of Kenya 1963 Sec 23, 24, 25, 106, 108, and 110).

However, the constitution was not used as earlier intended. Instead, it was skillfully skewed to enhance corruption through various constitutional amendments to benefit the presidency as well as a tool for control and oppression (The Final Report of the Constitution of Kenya Review Commission 2005). Subsequently, the constitution was skewed to the extent that it blurred good governance, rule of law, equity in resource distribution, transparency and fair administration. After being elected Prime Minister and later president, Kenyatta embarked on consolidating his power in the party KANU and over the state by use of both coercion and persuasion including constitutional amendments at the expense of inter-ethnic integration in nationhood, (Nyawalo, et al 2011). Under Moi, as evident in 1992, the rule of law had increasingly degenerated exemplified in negative ethnicity, inter-communal political intolerance, poverty and corruption (Respondent 8:2018).

Thus, though the pre-colonial Kenya ethnic communities' lived independently, inter-communal interaction was largely enhanced by the eldership structures. Yet the birth of what became Kenya and by extension Bungoma the home to inter-ethnic communities including the Bukusu and Sabaot, was forcefully created by the British notwithstanding inter-ethnic co-existence, (Lonsdale, 1989, Ochieng' & Maxon, 1992). Largely therefore during the colonial period the Bukusu, Sabaot, Teso including Tachoni underwent a social-political and economic transformation which enhanced inter-ethnic differentiation than integration into nationhood, (Ochieng' and Maxon, 1992). At independence, though political leadership had influence on various communities in Bungoma it was riddled with ethnic inclined corruption, biased repressive political leadership, and ethnically inclined political participation in government, ethnic inclined punishment to anti-government movement or individuals, and ethnic inclined demotions from the government.

Figure 5.1:

Influence of Political Leadership in Inter-ethnic Conflict and Peace Building



Source: Research (2018)

5.1.1 Transformation of Political Leadership

Political leadership, which revolved around the presidency and the executive, organ of the government was cited by the respondents as having influenced Bukusu Sabaot conflict and peacebuilding. Interview findings agreed with written sources which demonstrated that the influence of political leadership on Bukusu and Sabaot in particular had started just before independence but it was actualized when all executive, judicial,

legislative including discretionary powers were centralized within the office of the president as it weakened other organs of the government including inter-ethnic traditional authority (Respondent 4:2018, Korwa, 1998, The Constitution of The Republic of Kenya, 1963). The FGD at Kapsokwony established that Kenyatta's presidency, for example, instrumentalized the Sabaot against the Bukusu. Just before independence, a respondent recalled;

Kenyatta gained entry and secured political backing from the Sabaot for his political party KANU by taking advantage of the political rivalry and misunderstanding between Daniel Moss the political leader of the Sabaot and his neighbour Masinde Muliro of KADU the leader of the Bukusu' (FGD 2:2018).

Muliro and Moss had drifted apart because Masinde Muliro was accused by the Sabaot of supporting the Bukusu and other Luhya communities to take over and settle in Trans-Nzoia as the white settlers left Kenya at independence yet according to Sabaot, they were the rightful owners of Trans Nzoia because the colonial government had alienated their land, made it part of White highlands and gave it to the White Settlers, (RCNECNCI, 2011). Similarly, Kenyatta largely influenced the creation of Mt Elgon Constituency through the electoral Commission of Gakia and Chesire as well as the creation of Elgon Division in 1969 (FGD 2:2018). Earlier, while on a campaign tour of Mt Elgon in 1963; a respondent recalled;

Kenyatta accompanied by Tom Mboya promised the Sabaot many things including employment if they supported KANU' (Respondent 66:2018)

In essence thus, initially Kenyatta used his position not only to embitter the two communities but endear to the Sabaot than the Bukusu. This was among the reasons why

official corruption which was evident in the early years of Kenyatta's presidency, greed, and ethnic inclined leadership were pointed to by the respondents as having compromised not only the ethics of the nation but also made the presidency lose its neutral arbitral role and its symbolism of unity initially between the Bukusu and Sabaot in particular and later among inter-ethnic communities in Bungoma County. The two vices were rated highest in influencing Bukusu-Sabaot conflict and peacebuilding. Corruption was not only a manifestation of the weakness of the government perpetuated by discretionary and monopolistic powers of the presidency as was embedded in the independence constitution but also permitted constitutional amendments which gave leeway to what Nduku and Tenamwenye refer to as 'politics of the belly' characterized by poor leadership emanating from weak institution of governance including questionable accountability, weak ethical values and weak judicial system (Nduku & Tenamwenye, 2015). At a national conference held as late as 2008, a Sabaot elder complained that though politicians had amended the Lancaster constitution but they sat back and watched corruption eat into national cohesion and integration. (RCNECNCI, 2011)

Frequent politically instigated constitutional amendment by both Kenyatta and later Moi from 1964, 1966 through to 1988 curbed the opposition which largely characterized Bukusu politics under Masinde Muliro than the pro-government Sabaot, as well as weakened the legislature and judiciary to the advantage of the ruling party KANU, the presidency and their diehard followers including the Sabaot (The Report of the Constitution of Kenya Review Commission, 2005). Subsequently, the constitution lost its contractual role of being accountable to the people in Bungoma County and collapsed into a tool of oppression and inter-ethnic disintegration among communities in Bungoma.

Corruption and greed led to biased repressive leadership in Bungoma, to ethnic inclined public participation in state affairs coupled with inter-ethnic suspicion. Corruption was at the core of poor leadership since it involved elected leaders' side stepping on peoples' given mandate to run their affairs (Nduku & Tenamwenye, 2015). Political leadership corruption in Bungoma, created suspicion and hatred among communities because it shrove on dishonesty, illegality and brought about both, perceived or real undue advantage of undeserving cases over the deserving cases worse still along ethnic lines. In essence, thus tension that characterized weakened political leadership in a centralized executive arm of government was concerted and explosive that negatively cut across the right functioning of the government paving way for inter-ethnic suspicion, animosity, and conflict than peacebuilding among the Bukusu and Sabaot in particular subsequently affecting inter-ethnic coexistence in Bungoma County.

Close by, biased repressive political leadership which happened to favour the community of a person on the Presidency or cronies like it happened between Kenyatta and Sabaot on one hand and Bukusu on the other was rated at 16% (45). It was as a result of increased ethnic inclined repression of opposition politicians from independence, that by 1990 culminated into vigorous movements in support of the multiparty system of government largely supported by the Bukusu than the Sabaot further compromising the already weak inter-communal unity (Respondent 19:2018).

In the third position was negative ethnicity identified as having restricted and largely skewed public participation in government, (Respondent 66:2019). Patronage and nepotism, were both products and causes of corruption and their effect in the government was demonstrated by lack of popular participation in government by the general public,

because of high political monopolization, large ethnic divisions, and high levels of in-group favouritism by political leaders (Respondent 8:2018). This was not only against the constitution but also against peacebuilding and conflict management. In essence thus though 1963 constitution upon which Kenyatta and later Moi's government derived their authority, discouraged discrimination based on tribe exemplified in affording different treatment to different persons in respect of tribe, place of origin, or race, it was undercut leading to the fueling of conflict than peacebuilding between the Bukusu and Sabaot which more often engulfed the entire Bungoma (The Constitution of The Republic of Kenya 1963, Article 82 (3)).

The oral interview findings enlisted were corroborated with written sources which did concur with the historical contextual setting that ethnic inclined participation in government had started in 1963. This was when the first independent government under President Jomo Kenyatta illegally worked closely with his kin and cronies at the exclusion of other communities. Kenyatta created an ethnic politically dominant group which controlled the socio-economic and political state in terms of access to education, wealth and hence status, such that seven years into independence, ethnic entrenchment had formal and informal networks (Hornsby, 2011).

When the second president of independent Kenya Moi took over power in 1978, he surrounded himself with the Kalenjin, whom the Sabaot were part of and thus marginalizing the other communities including the Bukusu (Respondent 21:2018). This was underscored in the perceived inequitable distribution of resources. In essence, both Kenyatta and Moi's administration created a systemic ethnic disequilibrium that was not

only vulnerable to enhancing ethnic tension but also the disintegration of nationhood into ethnicities, particularly in Bungoma County.

The 1963 constitution had vested in the presidency discretionary powers of single-handedly making appointments of senior government officers for example the Vice President, Ministers, Junior Ministers, Permanent Secretaries, Judges including Police Commissioner without constitutional checks and balances (The Constitution of Kenya 1963 Articles 22, 24, 61, 108 and 111). It was largely upon this background that later the Constitution of Kenya Review Commission set out the process of attaining good governance by entrenching transparency, accountability, fair administration, and corruption-free public officers, (The Final Report of the Constitution of Kenya Review Commission, 2005). Subsequently, the Constitution of Kenya 2010 took note of the gap and constitutionally cut down presidential discretionary powers by creating independent commissions and ensuring that all presidential appointments or nominations were subjected to vetting and approval by the National Assembly for example the appointment Cabinet Secretaries, Principal Secretary where the bottom-line was to ensure ethnic diversity, a clause which came to characterize county appointments (The Constitution of Kenya 2010 Articles 166, 245).

Biased ethnic physical and psychological torture that is through harassment of members of those who appeared to oppose the government was pointed to as yet another bottleneck that tainted the political leadership role towards influencing inter-ethnic peacebuilding in Bungoma County. Both Kenyatta and Moi governments had demonstrated antipathy to Masinde Muliro whom the Bukusu looked up to as their leader as they endeared the Sabaot through their leader Daniel Moss, (Respondent 19:2019). For example, unlike the

Sabaot leader Daniel Moss who remained in Kenyatta's cabinet throughout his presidency, Masinde Muliro was sacked as a minister (Respondent 8:2018). President Moi was accused of harassing and rigging Masinde Muliro out of the parliamentary election in 1988 (Wandiba, 1996).

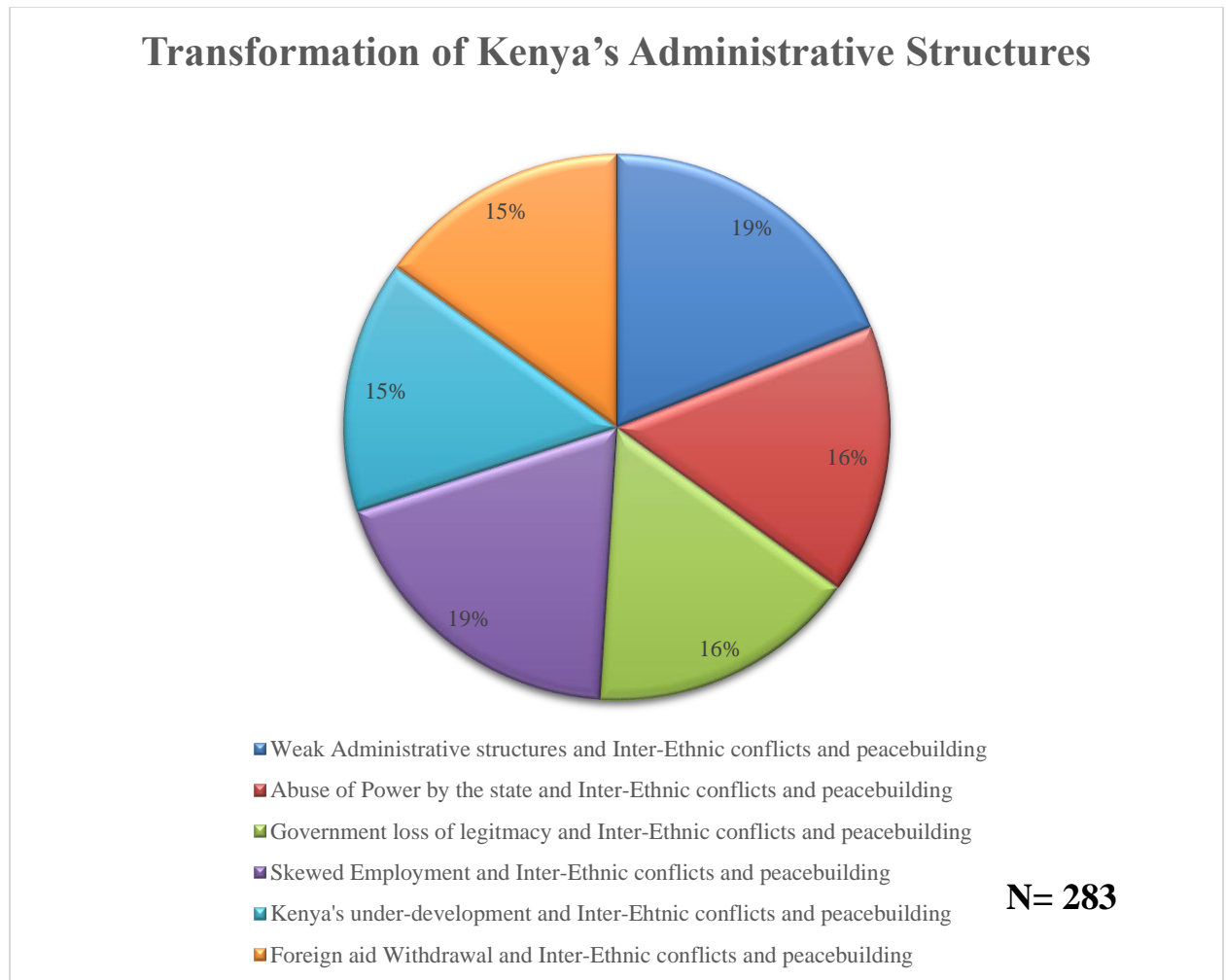
Though assassinations of political leaders was pointed to as a factor in political leadership that influenced Bukusu-Sabaot conflict and peacebuilding but such association, it was established, was not directly to the Bukusu nor the Sabaot but the fear that came along with assassinations created insecurity. Both Jomo Kenyatta and Daniel Moi's governments were associated and blamed for the assassination of political leaders including the murder of Masinde Muliro's parliamentary colleague J.M Kariuki in 1975 blamed on Jomo Kenyatta's administration while the death of a Foreign Affairs minister Robert Ouko was blamed on Moi's administration (NSC, 2011).

Though the independence constitution did not refer to harassment the 2010 constitution and act of parliament outlaws violation of the other person's dignity through intimidation, hostility, degrading, humiliation, or harassment on account of ethnicity, (The National Cohesion and Integration Act No.12 of 2008). The Constitutional Review report demonstrated that there was need to remove arbitrary restrictions on people's rights by the police and Chiefs (The Final Report of Constitution of Kenya Review Commission, 2005).

5.1.2 Transformation of Kenya's Administrative Structures and its effect on Inter-ethnic Conflict and Peace building

Figure 5.2:

Transformation of Kenya's Administrative Structures and Inter-ethnic Conflict and Peacebuilding



Source: Research. (2018)

Unlike the traditional eldership administrative machinery which was largely transformed by the colonial government in Bungoma County, the independent government largely

adopted and expanded the former colonial administrative structures into independent Kenya particularly in Bungoma County, (Leys, 1975, Ochieng' & Maxon, 1992). By extension thus, the fact that the colonial administration enhanced inter-ethnic differentiation than integration among inter-ethnic communities in Bungoma, it was equally adopted at independence and remained unregulated. This was worse to the inter-ethnic co-existence in Bungoma because administratively the colonialists had integrated competing administrative interests bolstering the Bukusu against other communities particularly the Sabaot as earlier alluded to.

Administrative structures were identified by the respondents as having affected Inter-ethnic conflict and peacebuilding rated at 19% (54). Efficacy of administrative structures was comparatively measured against other indicators for example government's misuse of power 16% (45), loss of legitimacy 16% (45), inequitable distribution of employment 19% (54), underdevelopment 15% (42), and withdrawal of foreign aid at 16% (45).

Weak administrative structures within the office of the president referred to as Provincial Administration ranged from Village Elder, Assistant Chief, District Officers, and District Commissioners up to Provisional Commissioner. The fact that the Provincial Administration linked the grass root and the central government, its inability disoriented administrative coordination and the overall performance of the government in conflict and peacebuilding particularly in an ethnic volatile environment like Bungoma County (Respondent 7:2018).

The colonial government, as earlier alluded to set up and used the Provincial Administration as not only a link of Kenya's families, communities, villages, locations, divisions, districts, provinces, and Kenya as a nation to the British Crown but largely as a

conduit for socio-political and economic exploitation of the colony. The independent Kenya government adopted the same administrative structure at independence but largely failed to customize or change its structures into pillars of peacebuilding (Respondent 8:2018). From the start, Kenyatta largely used the provincial administration as a weapon against political opposition, (Nyawalo, et al., 2011). His administration drove ethnic identity right in the middle of government machinery from grassroots through Provincial administration to the entire nation (Respondent21:2018). During Kenyatta's tenure, the provincial administration was largely run by not only members from his ethnic Kikuyu but sometimes his kin and conservative insiders (Hornsby, 2011). Half of the Provincial Commissioners, for example, from 1967 up to 1978 consisted of his tribesmen from Central Province. Three of the eight PC'S were sons of colonial chiefs meaning Kenyatta's administration made an effort to retain the colonial status at the core of independent Kenyan administration (Hornsby, 2011). In essence, Kenyatta's provincial administration was not fully detached from the colonial structure hence it was labeled as an African imperial government that planted the seeds of ethnicity by favouring one community against the other and degenerated nationhood into negative ethnicities (Final Report of the Constitution of Kenya Review Commission, 2005, Charles, 2012).

As alluded to, the Provincial heads, that is the Provincial Commissioners were the main pillars of colonial administration designed to subjugate the Africans as well as consolidate socio-economic, and political power for the prosperity of the colonial government. Kenyatta used it in the same manner, as a tool for the consolidation of socio-economic and political powers, (Respondent 8:2018). The role of Provincial administration though civil servant was skewed to play both political and administrative

functions of the government including taking part in peacekeeping and peacebuilding, unfortunately, it was inclined to the ruling party, the presidency, and to the cronies as was experienced in Bungoma County (Respondent 7:2018).

The multiple roles that provincial administration undertook later in independent Kenya, became a point of envy for those who missed those prestigious positions but highly rewarding to those who ascended to such positions of executive and political power as individuals, as well as, the community that they came from and therefore represented, but most importantly facilitated the growth of ethnic consciousness as opposed to national integration (Respondent 21:2018). As a result, the communities competed to have their person appointed as a PC, DC, or DO. By extension, Provincial Administration became a point of inter-communal antagonism particularly when it became largely a preserve of one ethnic community as it happened in independent Kenya yet it was a centrally positioned pillar for inter-communal, regional, and national integration (NSC, 2011). A Sabaot respondent at FGD at Kapsokwony nostalgically pointed out that Kenyatta's administration had appointed a Sabaot, Psenjen DC (FGD 2:2018). The study established that ethnic inclined political leadership restricted public participation in the government through such avenues of provincial administration thus compromising the neutrality of the government and peacebuilding thereof (The Final Report of the Constitution of Kenya Review Commission, 2005).

Similarly, during Moi's administration, the government amassed powers for the executive as it disabled the principle of separation of powers. The DO, DC, and PC's were to license political meetings in their areas of jurisdiction (Omolo, 2010). By extension, the provincial administration had powers over elected leaders. They could prevent an elected

MP from addressing his/her constituency or even summon them (Respondent 10:2018). Membership in a political party was pegged not only on patronage and loyalty to the president but to the provincial administration as well as to the ethnic community of the president. The parliament and judiciary were weakened in their functions as they became subordinate to the executive (Omolo, 2010, Korwa & Munyae, 2001). The dismantling of governing structures also marked the disintegration of pillars of peacebuilding. Since the general administrative glue in Kenya was within the mandate of the Office of the President under the then Ministry of State of Provincial Administration and Internal Security, as it became tainted with ethnicity it undermined nationhood because it was the organ mandated with executive management of the country as well as conflict (NSC, 2011). Instability in the Office of the President destabilized not only the Provincial administration but also compromised the link between the national government, the people including CSO and Peacebuilding forums from the national level to the grassroots, particularly in Bungoma County.

Akiwumi Judicial Commission appointed by the government to inquire into tribal clashes in Kenya including that of the Bukusu and Sabaot in Bungoma noticed laxity and ethnic inclined provincial administration as a hindrance to ensuring peaceful co-existence particularly between the Bukusu and Sabaot in 1992 (Akiwumi Report of the Judicial Commission 1999). The commission was informed that Changole a Kalenjin, the then District Commissioner in Bungoma during the inter-ethnic conflict of 1991/92, addressed several public gatherings in February 1992 warning people against joining a Bukusu dominated opposition political party in the region, Ford Kenya, without establishing its real intention (Akiwumi Report of the Judicial Commission, 1999). According to the

Judicial Commission Changole's warning went a long way not only to advise but also showed that the Provincial administration took sides, and in the same breadth those people who attacked Ford Kenya supporters had the backing of provincial administration and therefore the government (Akiwumi Report of Judicial Commission, 1999). The commission was persuaded to arrive at this conclusion because Changole had taken sides against the Bukusu and as a senior member of the provincial administration his stand was misconstrued to represent the position of the government against the Bukusu. In essence, DC Changole was at the forefront building tension between the Bukusu and Sabaot by extension the government.

The judicial commission also found another official of the Provincial Administration a Sabaot Chief Nathan Bwomji Kirui culpable of failing to stop the Sabaot youths from attacking the Bukusu, when he testified to the commission that though he had met the Sabaot youths going to attack the Bukusu during the 1992 Bukusu-Sabaot conflict but did not bother to stop them nor arrest or report the matter to the police, (Akiwumi Report of Judicial Commission, 1999). This behavior of the chief made the judicial commission to believe that the Chief's behavior was prompted by the fact that he was a Sabaot and therefore supported the Sabaot youths and their activities (Akiwumi Report of Judicial Commission, 1999). The Judicial Commission recommended that both Changole and Bwomji be investigated to establish their role in the 1992 conflict and punished. Fundamentally, this depicted the extent to which the provincial administration worked against peacebuilding in Bungoma County. The Akiwumi led Judicial Commission described the public gathering organized in response to Bukusu-Sabaot tension and conflict addressed by the members of the provincial administration in 1992 as useless

partly because of their ethnic inclined skewed response (Akiwumi Report of Judicial Commission, 1999).

From the contextual setting drawn from other parts of Kenya that is besides Bungoma, Akiwumi led Judicial Commission of inquiry into tribal clashes had established that elsewhere the provincial administration acting with impunity carried out evictions without lawful sanction from the courts (Akiwumi Report of Judicial Commission, 1999). PC Yusuf Haji was heard, at the dismay of the commissioners; proudly argue that with or without a court order, as a provincial commissioner he could evict anybody. DC Nicholus Mberia, also with impunity had evicted Luo squatters from Buru Farm under the pretext that they were a security risk (Akiwumi Report of Judicial Commission, 1999).

The constitutional review commission report of 2005 did concur that the provincial administration was not only a hindrance to political plurality but also authoritarian, paternalistic, corrupt and misused power (The Final Report of the Constitution of Kenya Review Commission, 2005). The independence constitution not only vested executive powers in the presidency but also in the officers subordinate to it (The Constitution of the Republic of Kenya, 1963 Section 23 (1). Like the heads of the executives themselves Kenyatta and Moi, the Provincial Administration was turned into a conduit through which ethnicity was channeled from the top to the grassroots and vice versa. The 2010 Constitution restructured the executive from that of the 1963 Constitution into -National Executive arm consisting of the President, Deputy President, and the Cabinet. Most importantly was the clause that demanded that the composition of the executive was to reflect the regional and ethnic diversity of the people of Kenya (The Constitution of Kenya 2010, Article 129 Sub Section (1) (2) and Article 130 Sub-section (2)). The other

executive-level was created at the County, which consists of the Governor, Deputy Governor and members appointed by the County Governor, with approval of the County Assembly, from members outside County Assembly members (The Constitution of Kenya 2010, Article 179 Sub-section 1 & 2 and Article 197 Sub-section 2 a&b). The County executive was shielded from ethnicity by the constitution under the clause which demanded that the communities and cultural diversity of a county like Bungoma should be reflected in the executive committee of the county including protection of minority groups.

5.1.2.1 Structural Transformation in the Application of State power and its effect on Inter-ethnic Conflict, Peacebuilding and Conflict Management

Though inter-ethnic competitive interests particularly those of the Bukusu and Sabaot were engulfed in the national government, the government organs lacked clear-cut independence from the executive, (FGD 1:2019). This gave a leeway for the presidency to negatively influence the judiciary and legislature for political expediency than inter-ethnic integration. Misuse of power which entailed a lack of separation of power from executive, judiciary, and legislature was rated at 16% (45) as having influenced inter-ethnic conflict, peacebuilding and conflict management. While at Kimilili FGD, a Bukusu elder noted that;

While Daniel Moss the leader of the Sabaot and MP Mt Elgon solidly remained in the government as an assistant minister, Masinde Muliro who had our (Bukusu) following was tossed in and out of government (FGD 1:2018).

In essence, Muliro and Moss representing the Bukusu and Sabaot respectively played competing inter-ethnic communal positions in government.

This was contextualized in both Kenyatta and Moi governments, where people placed high in the government hierarchy including the president used their positions to benefit their communities and cronies, sharply dividing nationhood (The Final Report of Constitution of Kenya Review Commission, 2005). An ex-Senior Chief observed that the executive arm of the government interfered in other arms of government, such that, for example during Moi's government people could not distinguish the executive arm of government from the judiciary. The executive was seen as largely in charge of the Judiciary' (Respondent 21:2018).

Both Kenyatta and Moi used the powers bestowed upon the presidency for appointments of ministers, junior ministers, permanent secretaries, the civil service including judicial officers to incline the government to themselves and those in power as well as an enticement or bait for gaining undue socio-economic and or political influence than nationhood, by extension they sow the seeds of ethnicity alongside animosity, particularly between the Bukusu and Sabaot in Bungoma (Respondent 21:2018). Kenyatta appointed the MP of Mt Elgon, Daniel Moss in his first cabinet as an Assistant Minister as a reward for the political support he had received from the Sabaot for KANU but excluded the Bukusu who had voted for KADU (FGD 2:2018). Technically therefore Moss' appointment and continued stay in the cabinet was thus a continuous reminder of the Sabaot allegiance to Kenyatta as well as their rift with the Bukusu from 1963 and in subsequent years. At first, president Jomo Kenyatta and later Daniel Moi manipulated the 1963 constitution and used it against Masinde Muliro by drifting the Bukusu from the Sabaot as well as entrenching inter-ethnic differentiation than unity (FGD 1:2018).

Kenya's 1963 constitution was open to manipulation by the executive in the sense that it permitted the president to make appointments without checks and balance to ensure that there was ethnic and regional balancing (Respondent 8:2018). Indeed it was Section 16 (1) and 19 of the constitution of Kenya of 1963 which gave the president power to appoint ministers and the junior ministers that was used against Masinde Muliro by Jomo Kenyatta to remove him from the cabinet, (The Constitution of the Republic of Kenya 1963). The historical setting was such that, it was the same sections 16 (1) and 19 used by the executive arm of government to arm-twist and secure loyalty from the legislature since it allowed the president to appoint ministers from the members of the National Assembly. This not only strangled the functions of the parliament but also tainted the country into various ethnicities exemplified in Bungoma County (The Constitution of The Republic of Kenya, 1963, Section 16, 19). Largely by use of this section, Kenyatta brought into his fold, first his kinsmen as ministers and junior ministers as well as lured Kikuyu Members of Parliament to be loyal and support his government in anticipation of being appointed ministers but at the same time, it was used as a whip against those who dissented.

Contextually, there was evidence that Kenyatta's administration provided the fertile ground for the growth of ethnicity than nationhood which jeopardized inter-communal harmony also experienced in Bungoma. This was evident when it became necessary that the government engage the services of the International Labour Organisation (ILO) to survey and evaluate the ethnic distribution of employment opportunities and other means of income-generating activities across various ethnic communities in Kenya in 1972, (Ochieng' & Maxon, 1992, Korwa, 1998).

The findings of ILO and later World Bank report in 1972 and 1975 respectively were clear to the fact that the political leadership had increased inter-ethnic inequality, restricted and skewed development to Central Province the then home province of the president Kenyatta (Ochieng' & Maxon, 1992, NSC, 2011). The report revealed that compared to other regions in Kenya, people in Central Province were most privileged and rich. Though ILO recommended that public resources be redistributed for purposes of achieving greater equity in development and income-earning but negative ethnicity fought back where the privileged Central Province MPs, Ministers, and other influential people supported the president and blocked the deliberation on what was described as the damning ILO report in Parliament because it was critical of their people and the political leadership of the Central region and the government to which they felt was their own (Ochieng' & Maxon, 1992, Korwa, 1998). Such blockade largely integrated negative ethnicity nationally which eventually came to bedevil the government particularly Bungoma County which had already been divided into competing communities. The subsequent deliberation on the ILO Report by the legislature took ethnic lines (Korwa, 1992). For example, although Elijah Mwangale the then MP for Bungoma East made an effort to lobby the parliament to adopt the ILO report and its recommendations to help in integrating communities, little was achieved largely because the legislature was divided along ethnic lines with the central province solidly united against the report. Under the circumstances, Mwangale was forced to preemptively table the ILO report in parliament largely demonstrating the fact that though the government had sponsored the ILO to investigate the ethnic distribution of employment and other means of income it was not committed to dealing with the ethnic inclined government, (Korwa, 1998). It was equally

evident that as Central province flourished in wealth other regions remained underdeveloped because wealth distribution was skewed. The constitution of Kenya review commission report pointed at enormous disparities of wealth and access to resources by a certain class and some regions in Kenya (The Final Report of Constitution of Kenya Review Commission, 2005, Korwa, 1998, Kenya National Assembly, Official report, April 26, 1963).

Any opposition or resistance to the ethnic inclined government was repulsed with impunity either by being marginalized or assassination; this was evident when the government officials and Members of Parliament including those from Central Province who attempted to resist the ethnic pattern of running the government during Kenyatta's time were labeled as a traitor (Respondent 21:2018). When J.M Kariuki an MP, as well as an Assistance Minister for Tourism from Central Province, advocated for a complete reversal of privileged social, political, and economic status of Central Province of Kenya he was branded a traitor. Kariuki had questioned the monopoly of wealth enjoyed by a few powerful groups of greedy, self-seeking politicians, civil servants, and businessmen from the Central region of Kenya. He was opposed to the ethnic skewed national economy which benefitted a few while the larger population remained poor, (Korwa, 1998). Mwangale on his part was emphatic that the gap between the haves of central province and have nots from other regions and communities was wide, where only 10% controlled the entire national economy as others languished in poverty, by extension thus nationally shared values were compromised by inequity yet these were primary avenues for peacebuilding and therefore nationhood.

The 1963 Constitution did not make a direct assertion on the distribution of resources concerning the ethnic minorities and disadvantaged (The Final Report of Constitution of Kenya Review Commission, 2005). This became part of the background of constitutional review with a focus on amending unequal distribution and participation in national decision making and management of national affairs to reflect ethnic diversity and inclusivity.

Power of appointment then vested in the presidency was as well used punitively especially against dissent without tolerance to healthy dissent which became a fissure upon which inter-ethnic conflict and peacebuilding grew and wobbled particularly among ethnic communities in Bungoma (The Final Report of Constitution of Kenya Review Commission 2005). Jomo Kenyatta, with impunity targeted government critics and their sympathizers then categorized as not only cultivators of disunity but also, as those who undermined government (Korwa, 1998). The government retaliatory on dissent on ethnic aggrandizement aimed at instilling fear and by extension perpetuated ethnic groupings. After the 1974 election, Kenyatta applied powers then vested in the presidency concerning appointment and removal of ministers and junior ministers against the sympathizers of J.M Kariuki who happened to be largely luhya including Masinde Muliro, Martin Shikuku, and Burundi Nabwera and dropped them as Junior Ministers along with J.M Kariuki because they had been critical of the ethnically inclined administration and had supported J.M Kariuki, (Korwa, 1998). Largely this incident sent a signal to the Luhya in general and the Bukusu in particular of being marginalized from the government. J.M Kariuki's stand on equitable distribution of wealth earned him assassination in March 1975, (Respondent 21:2019). The special Investigation

Committee assigned to investigate Kariuki's death included Maina Wanjigi and Charles Rubia and supported by Masinde Muliro. They gave a report suggesting that members of the police force had been involved in his murder (Korwa, 1998). Unfortunately, three assistant ministers, two of whom Luhya, Masinde Murilo and Peter Kibisu, then John Keen lost their position after they voted against the government in support of the Special Investigative Committee Report which had implicated the police force in the murder of J.M Kariuki (Korwa, 1998). The Luhya were further isolated when Shikuku was put in detention later in 1975 when he announced to the assembly that KANU was dead (Kakai 2000). Kenyatta's administration thus degenerated nationhood into sub-states of ethnicities and the method he engaged in maintaining compliance through threat and coercion was autocratic that could not be imported into peacebuilding which largely depend on voluntary inter-ethnic cooperation (Sandra, 2003:46). By extension Kenyatta's administration largely built ethnic consciousness which grew from the centre to the entire nation obliterating nationhood and substituting it with ethnicities sometimes with hostility at the expense of peace building as it happened between the Bukusu and Sabaot. In essence, thus the first Independent government set and largely created conditions suitable for the creation of ethnic Sub-states than the nation-state which were unhealthy for inter-communal coexistence, peacebuilding and conflict management (Korwa, 1998).

Since the powers that the presidency applied were embedded in the 1963 constitution as a result of constitutional amendments therefore not contestable without law reform the state of affairs remained the same for a long time until when it was captured by the law reformers who made significant changes on the constitution to seal the loopholes of abuse of power.

The Constitutional Review Commission report underscored the need for dividing government authority into various organs with maximum checks and balances between them so that it allows one organ to restrain the other as well as balancing the excesses of the other. Similarly, the new constitution was to discourage state officers from abusing power (The Final Report of The Constitution Review Commission, 2005). Subsequently, the 2010 constitution made it clear that executive authority was derived from the people and the occupants of respective offices both at National Executive and County Executive were servants of the people. The constitution clearly separated various organs of government at the national level into the executive, legislature, and judiciary. Though the president nominated Cabinet Secretaries, vetting and approval were vested in the national assembly. At the same time the Cabinet Secretaries were not derived from members of parliament as had been in the independent constitution of 1963 but technocrats with proven experience in public service (The Constitution of the Republic Of Kenya, 1963 Article 23 Sub-section 1, The Constitution of Kenya Chapter 9). Appointment of Cabinet Secretaries from outside parliament meant that it cut down the presidency from holding the legislature at ransom by tangling cabinet positions as dice to sterile the legislature as had happened with the independent constitution of 1963. At the same time limiting the presidential role to the nomination, was a balancing act for both the legislature and executive to exercise its role of oversight and policy implementation such that in case of dispute the judiciary came in handy to interpret the constitution and clear the stalemate. Unlike the independence constitution, where the president appointed judicial officers, in the 2010 constitution the President appoints the Chief Justice and Deputy Chief Justice in accordance with the recommendation of the Judicial Service Commission and it was

subject to the approval of the National Assembly. While all Judges were appointed by the president in accordance with the recommendation of the Judicial Service Commission, the bottom-line in all appointments, was ethnic inclusivity and diversity (The Constitution of Kenya, 2010, Article 166 Sub-section 1(a) & (b)). The County Government also replicated separation of powers, County Governor appoints members with the approval of County Assembly, from people who are not members of County Assembly (The Constitution of Kenya, 2010, Articles 179 & 197).

5.1.2.2 Electoral Transformation and Inter-ethnic Conflict and Peace building in Bungoma County

It was out of electoral malpractices that Moi, using the provincial administration led by the DC Nicholas Mberia, was blamed by the Bukusu for rigging out Masinde Muliro in the 1988 election. This remained a major wound amongst the Bukusu against the Kalenjin to the extent that twelve years later when it was reported that Mberia had appeared in Kitale it caused riots hence fueling inter-ethnic tension (Respondent 21:2018).

The government's weakness was also associated with its loss of legitimacy from the people rated at 16% (45). There were, for example, complaints of the rigging of elections (The Final Report of the Constitution of Kenya Review Commission, 2005). The Electoral Commission of Kenya had a questionable reputation among people in Bungoma. Besides its commissioners being appointed by the president the electoral commission was open to both manipulation and suspicion because it was not only legally fragile but liable of being taken over or stopped by the Attorney General (Respondent 8:2018).

Though the rigging of election through falsification of democracy under the then ruling party, Kenya African National Union (KANU) started in earnest during Kenyatta's presidency the most vicious dimension that not only destabilized Bukusu- Sabaot unity but also increased inter-ethnic tension in the entire Bungoma was the election of 1988 when Masinde Muliro was rigged out by a Kalenjin District Commissioner, Nicholus Mberia (Respondent 8:2018). However, it is important to point out that this was not unique to 1988 election but even earlier elections of 1969 and 1974 were marked by malpractices where candidates who were perceived as being against establishment were barred from contesting allowing only those who supported the status quo to contest and win sometimes against the wishes of the electorates (Korwa, 1998).

Moi, the second president after Jomo Kenyatta, followed in the footsteps of his predecessor over and above ensuring that only the leaders of his choice went through the general election of 1983, in 1988 election the government introduced the queue voting with a provision which declared a candidate elected as long as they got 70% of votes cast at the level of nomination (Korwa, 1998), technically party nominations were converted to national elections.

The electoral article 41 of 1963 allowed the president to choose members of the electoral commission which largely disabled the commissioners because they became presidential appointees hence open to executive manipulation (The Constitution of The Republic of Kenya, 1963, Sect 41). Efforts to legitimize and eliminate rigging from Kenya's electoral process remained bumpy despite various legal efforts to correct the process. The Constitution of Kenya Review Commission Report indicated that although the president made appointments to the electoral commission it had to be done in consultation with

leaders of political parties (The Final Report of the Constitution of Kenya Review Commission, 2005). To circumvent electoral-related conflict, first, the electoral process had to become independent of the presidency and the provincial administration thereof. The 2010 Constitution established the Independent Electoral and Boundaries Commission consisting of the Chairperson and six other members though recommended by the president but then approved by the National Assembly and then appointed by the president. It is in the constitution that the electoral body had to reflect the regional and ethnic diversity of the people of Kenya (The Constitution of Kenya, 2010, Article 250 Sub-section 2&4), Independent Electoral and Boundaries Act No.9 of 2011 Section 5). Electoral disputes arising from the election were to be dealt with expeditiously where a petition had to be filed within seven days after the declaration of results. Serving of the notice of petition was eased such that it could be done directly or through an advertisement in the newspaper that had a national circulation (The Constitution of Kenya, 2010, Article 87 Sub-section 2&3).

5.1.2.3 Equitable Distribution of employment and Bukusu-Sabaot Conflict and Peace building

From the FGD 2 held at Kapsokwony and FGD 3 held at Cheptais the Sabaot respondents were nostalgic and largely satisfied that comparative to their population size and their education level with other communities in Bungoma, particularly the Bukusu; Moi and Kenyatta favoured them in employment, one elder observed that;

Kenyatta gave us employment including DC Psinjen, directors of parastatals, land at Chepyuk and Kaberwa forest, schools, nominated a Sabaot into parliament, and

stopped the Bukusu from taking over our entire land (FGD 3:2018).

Moi on the other hand was memorably remembered by the Saboot for appointing them as Assistant Chief and Chiefs as well as giving them land and a district which was hived from Bungoma. (FGD 2: 2018, FGD 3: 2018)

The other direct means through which Kenyatta and Moi's administration compromised peacebuilding and developed ethnic consciousness was through skewed employment of public servants. Both Kenyatta and Moi used the 1963 constitutional mandate section 108 (2) and (12) which vested appointment of Public Service Commissioners under the president and 25(1) which stated that every person who held office in service of the government did so at the pleasure of the president as a prelude to ethnicize the civil service and the nation at large (The Constitution of The Republic of Kenya, 1963). As a result of these provisions, the president had a free hand in ensuring that persons from their community and cronies got employed. In essence, the independent government systematically interfered with the independence of the civil service as apolitical. In 1964 for example, the power to appoint a civil service commission was bestowed to the president (The Constitution of The Republic of Kenya 1963). In 1966, the president was added the power to appoint and dismiss public servants, while in 1988, the positions of public service commissioners was made fragile as they lost their security of tenure (The Final Report of the Constitution of Kenya Review Report 2005).

During Kenyatta's time, for example, the head of Civil service from 1969 to 1979, Ministry of Defense, Education Secretary from 1969-1979 were his kin including the Governor of Central Bank and Director of personnel 1968 – 1978 was a Kikuyu including Permanent Secretary for Commerce and Industry. Nine years after independence, both

senior jobs in government, as well as Parastatals, were manned by Kikuyu. Heads of Parastatals were directly appointed by Kenyatta including ministers who were dominantly from Kikuyu ethnic community. East Africa Railway, East Africa Power and Lighting, General Manager KNTC, National Bank of Kenya, Kenya Tea Development Authority, Development Finance Company, East Africa Harbor Cooperation, Kenya Commercial Bank, Agricultural Finance Cooperation were held dominantly by Kikuyu. Similarly, in the private sector organization Kikuyu featured prominently, Chairman of Nairobi Stock Exchange 1970-1983, Kenya Cooperative Creameries 1968-1978, Chairmen BAT 1967-1995, Lonrho Chairman, Kenya Breweries and East Africa Industries were run by the Kikuyu (Hornsby, 2011). Kenyatta's administrative style largely did not encourage nationhood instead it contributed to the disintegration of the nation into ethnicities because it elicited ethnic consciousness than nationhood which found its way to grassroots (Sadra, 2003).

Like his predecessor, Moi created Kalenjin Sub-state which included the Sabaot by ensuring that government appointments were skewed in favour of the Kalenjin community where they were given senior positions in the military, security agencies, and in state-owned corporations (Africa Watch, 1993). In essence, ethnic enticement solidified the Sabaot strongly behind the Kalenjin fold under Moi as it marginalized the Bukusu and other communities. Favouritism, corruption, and greed made the presidency lose its neutral arbitral role as a symbol of unity felt more in Bungoma County because it was anchored on politics.

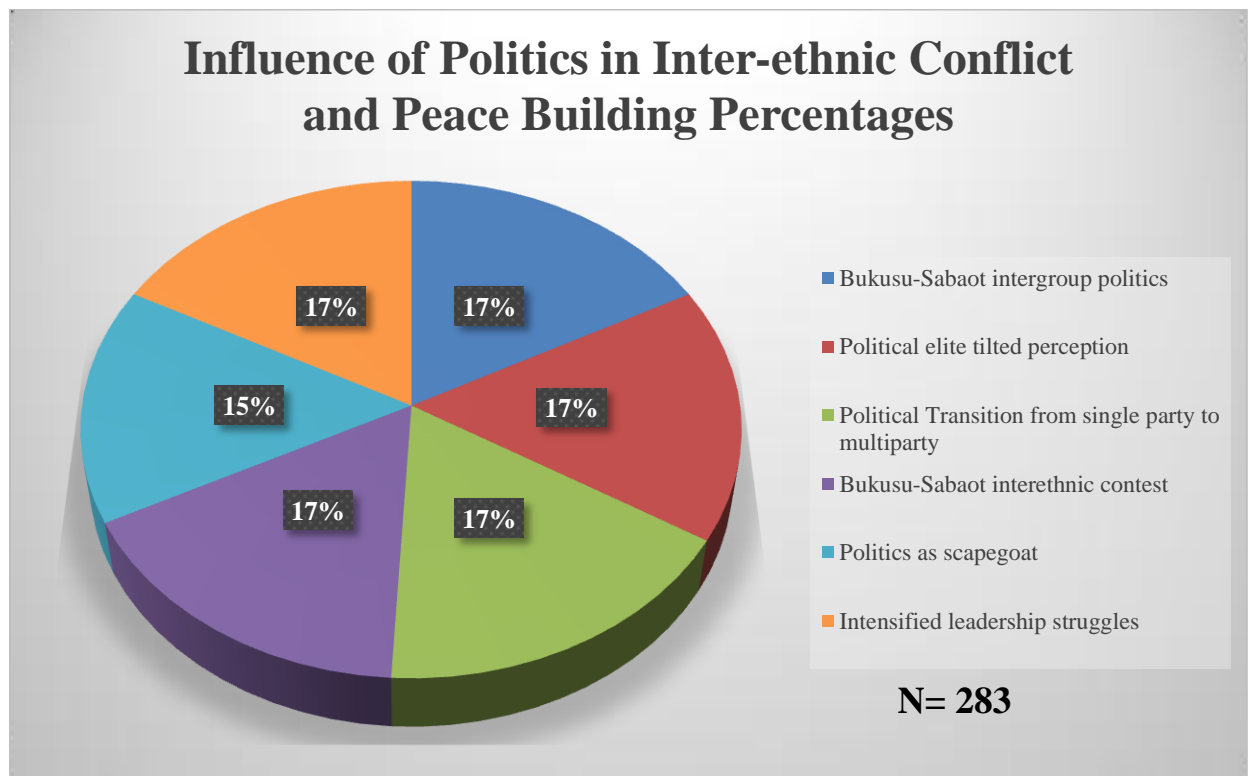
Inequitable access to employment in independent Kenya polarized communities one against the other particularly among communities that characterized by majority Bukusu

and minority Sabao (The Final Report of the Constitution Review Commission, 2005). Skewed Public Service employment was restructured by the Constitution of Kenya 2010 in a way that the presidential free hand in the appointment of Chairperson, Vice-Chairperson and Public Service Commissioners had to seek the approval of the National Assembly (The Constitution of Kenya, 2010, Article 233 Sub-section 1,2,&3). Neutrality and inclusivity in public service was promoted by restricting partisan personalities either immediate former political leaders at the level of County Assembly, National Assembly, party leaders from Public Service Commission both at the National Government and County Government. Additionally, public employers and employees at the National and County Government level were to demonstrate high standards of accountability, professionalism, impartiality, inclusivity and reflect either Kenya's or County's diverse ethnic communities at the national level and at the County. They were to offer not only equal but adequate opportunities for appointment, training and indiscriminate advancement in service to all ethnic groups, (The Constitution of Kenya, 2010, Article 232 Sub-section 1&2). These principles and values were to be executed not only in government and but in the private sectors as well.

5.1.3 Political transformation and Inter-ethnic Conflict and peacebuilding in Bungoma County

Figure 5.3:

Politics in Bukusu-Sabaot Conflict and Peace building in Bungoma County



Source: Research, (2018)

A retired Senior Chief while linking politics to Bukusu-Sabaot conflict than ethnicity recalled how his late father a Bukusu;

had successfully assisted a Sabaot of Bungomek community at Chelekei village, Kimilili Rural, Bungoma County to successfully ward off the Bukusu who wanted to invade and take over his land (Respondent 21:2018).

The family of the Bungomek still lives on the land which they today call ancestral home among the Bukusu. This was despite the Bukusu-Sabaot conflict of 1963 and in

subsequent years including the major conflict of 1992. It was from this background that he solely blamed politics as having been behind the Bukusu-Sabaot conflict. In their neighborhood, the respondent remembered, that before the vicious political contests, they lived side by side with the Sabaot. All the respondents subscribed to politics as having contributed to Bukusu-Sabaot conflict and peacebuilding in one way or the other the difference resulted from the magnitude of one political aspect to the other.

Biased Bukusu-Sabaot inter-group politics was identified as having exhibited inter-ethnic hostility by 17% (48). This was associated with intensified inter-ethnic leadership struggles over political representation rated 17% (48). The study found that political elites tilted the perception of the Bukusu against the Sabaot and vice versa for their political expedience 17% (48). Politicians used ethnicity as a scapegoat to deflect people's attention in order to gain political mileage rated 15% (42). The inter-ethnic conflict between the Bukusu and Sabaot over political power was enhanced by the political electoral systems where the winner took all system in Kenya was rated 17% (48). Political contests heightening negative ethnicity rated 17% (48).

The study further discovered that the Bukusu and Sabaot have largely not supported the same political party or candidate since 1963 (Respondent 19:2018). This was further fueled by the fact that Bukusu -Sabaot political parties were organized and demarcated along with ethnicities since 1963, which worked against peaceful coexistence particularly amongst communities that lived side by side but belonged to different rivals political parties like the Bukusu and Sabaot. As earlier alluded to, in 1963 the Bukusu-Sabaot tension got entrenched into the central government through major rival political parties of KADU and KANU further exacerbating inter-ethnic coexistence (Respondent 2:2018)

The study findings were corroborated with the administrative styles of independent Kenya. At independence the inter-ethnic peacebuilding did not align with the democratic process because of politicians' interests which heightened political contests among communities and the varying numerical strength of communities for example, the minority Sabaot and majority Bukusu, the worst ethnic contest came with unregulated independent competitive politics (The Final Report of the Constitution Review Commission, 2005).

It is important to start by noting that as the dominant Bukusu and minority Sabaot successfully acquired a district as early as 1956 it sharpened the minority status of the Sabaot against the Bukusu because unlike in pre-colonial Kenya where each community was administratively independently from each other, in colonial Kenya the two communities were coercively lumped together under the overall colonial government yet at independence there were no constitutional measures put in place to control or take care of minority and majority political interests in Bungoma, (Respondent 21:2019).

The elders interviewed observed that prior to the creation of Bungoma district ethnic tension within communities was widely spread out, (Respondent 15:2018)). The main socio-political and economic contests of the Bukusu and Sabaot narrowed down to the two communities following the demarcation of Bungoma district (Respondent 8:2018). This became more pronounced as democratic elections started to take root at independence when each community was divided further as it elected its political leaders starting from Members of Parliament to Councilors yet at the County Council for example, the Sabaot remained a minority compared to the Bukusu, and the same was true at the province and at the National Assembly. The Sabaot had only one Member of

Parliament from the entire province of majority Luhya (Respondent 19:2018). In essence, the acquisition of the district weakened Bukusu-Sabaot unity by increasing identity contests between the two. This settlement made the Sabaot start demanding for their administrative unit arguing that they ‘wanted to determine their education and development within their administrative unit (Respondent 19:2018)’. It is, thus, correct to assert that as the democratic institutions started to grow in Kenya they put the Bukusu and Sabaot at cross purposes. The Sabaot’s demand for their administrative unit unlike that of the Bukusu dragged and acquired not only local attention but national political dimension which made it volatile and more susceptible to political leaders’ manipulations since it offered an opportunity for the politicians to gain political mileage in disregard of the implications it had on inter-ethnic coexistence among communities. The FGD established that in the early 1960s, Jomo Kenyatta for example exploited the Bukusu-Sabaot hostility by luring the Sabaot into the KANU fold hence intensified Bukusu-Sabaot friction as it was marked by a fall out of the Sabaot from their neighbours the Bukusu who were in rival political party KADU (FGD 3:2018).

A Sabaot respondent at FGD at Cheptais observed that at the dawn of Kenyatta’s administration,

Kenyatta tried to apply some glimpses of affirmative action and consociationalism by integrating us into his government through employment, but the move broadened the wedge between us (Sabaot) and the Bukusu because it was perceived as a reward for our political support to KANU (FGD 3:2018).

The Sabaot comparative to their education and numerical strength in relation to the Bukusu they were given senior government jobs, for example, Wilberforce Kisiero, who later became the second MP for Mt Elgon after Daniel Moss was given a job in the

foreign embassy in Britain while others were allocated land at Chepyuk and Kiborowo in Mt. Elgon. Additionally, in 1969 Elgon was elevated to a division. These were some of the key reasons which made Kenyatta's administration be blamed for not only marginalizing some communities but by extension antagonized them and set the roots of Bukusu-Sabaot disintegration of peace-building structures in independent Kenya, (Respondent 19:2019). Kenyatta's divide and rule policy resulted in the integration of the Sabaot at the exclusion of the Bukusu.

The Truth Justice and Reconciliation Commission report concurs with this finding that Kenyatta's administration was responsible for direct and indirect marginalization of certain regions, ethnic communities, and groups by extension disabled the pillars of democracy as well as the anchor for peacebuilding and conflict management (TJRC Summary Report, 2013).

Moi, who later succeeded Kenyatta as president of Kenya even though a Kalenjin and an official of KADU in 1963, failed to bring a Kalenjin family member the Sabaot into his minority ethnic-driven political party KADU in early 1963 because of the presence of Sabaot's arch-rival Masinde Muliro, a Bukusu and at that time an official in KADU (Respondent 10:2018). It was from the same background, that when later Moi consolidated Kalenjin power base and by extension Kalenjin Sub-state from 1978 and beyond brought to the fore unprecedented animosity between the Bukusu and Sabaot which largely accounted for unprecedented violence between the two communities in 1992 (Respondent 66:2019).

The independent constitution did not adequately regulate and integrate inter-ethnic minority-majority and marginalized groups. The Sabaot were bitter that they had been marginalized since the colonial period, and they had been pushed out of their land in Trans-Nzoia to Mt Elgon where life was difficult particularly, as their number and that of their livestock increased (Akiwumi Report of Judicial Commission, 1999). Moi's administration later quenched the Sabaot's demand for a District in 1993 by giving them a district strangely demarcated along ethnic line further setting the two communities on a conflicting path, (Respondent 19:2018). Unlike the 1963 Constitution, the 2010 constitution Article 56 provides rights for the minority and marginalized groups by putting in place affirmative action programmes to take care of minority and marginalized groups, to ensure that they participate and are not only represented in governance but provided with special opportunities for education, access to employment, development of their cultural values and practices, access water, health services, and infrastructure (The Constitution of Kenya, 2010, Article 56). One of the core objectives of the devolved system, the study found out, was to protect the interests and rights of minority and marginalized communities, (The Constitution of Kenya, 2010, Article 174). On equality and freedoms, the constitution does not only guarantees each person equality before the law but the right to both indiscriminate equal protection and benefits of the law (The Constitution of Kenya, 2010, Article 27 Subsection 1-4). The National Cohesion and integration act criminalizes ethnic discrimination, ethnic-oriented harassment, and victimization including negative or skewed inter-ethnic comparisons (National Cohesion and Integration Act No.12 of 2008 Part II). It also prohibits any public establishment from having more than one-third of its staff from the one ethnic community. In Bungoma

County, this has largely affected the appointment of county officials including ensuring that the governor, deputy, and the executive committee reflect regional and ethnic diversity of the county. The study found that any inter-communal extreme disputes in Bungoma have been settled through courts and alternative dispute resolution mechanisms including dialogue, mediation, or arbitration (Respondent 19:2018).

With regard to political representation, the independence constitution of 1963 did not give room for socio-political reservations for the minority or the marginalized, or both. Though there were reservations under the nominated Members of Parliament but the reference was limited to parties that had representation in the parliament as well as the special interest groups by ensuring gender equality (The Constitution of The Republic of Kenya, 1963, Article 33 Subsection 1-5). Kenya's constitution of 2010 has captured minority and marginalized groups, giving provision for their recognition and respect of their rights to participate in the political process such that where they are not elected then they should be nominated by the political parties in proportionate to the seats received in the election in the county (The Constitution of Kenya, 2010, Articles 91 (1) e & 177 (1) c). The constitution provides for the enactment of legislation to promote representation in parliament of ethnic and other minorities and marginalized communities (The Constitution of Kenya, 2010, Article 100 d & e)

The inter-ethnic politics as a source of conflict because of ethnic communities belong to different political parties have largely been addressed in the code of conduct of the political parties. This is whereby political parties are under a legal obligation to promote;

- good governance and eradicate malpractices, regulate political competition as per the law, respect the rights of the minority including allowing their participation in the

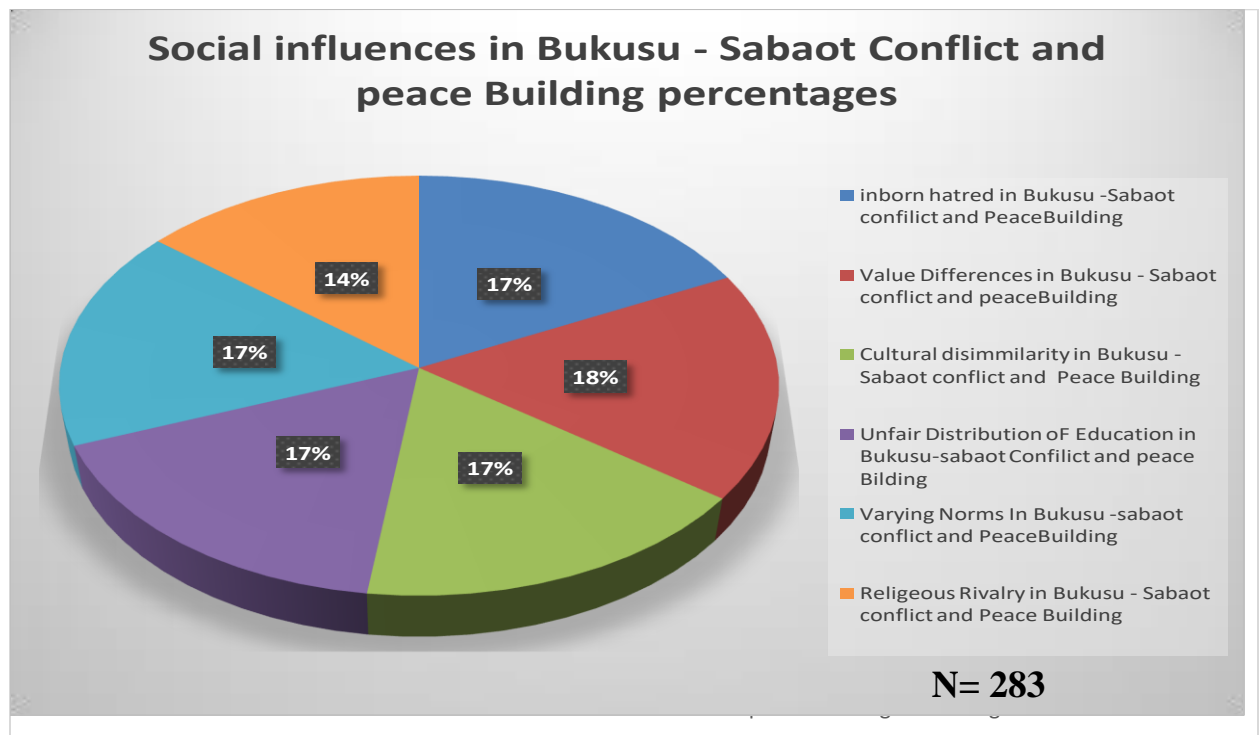
political process and where necessary use consensus building in policy decision making to attain ethnic diversity and inclusivity (Kenya Law Political Parties Act, NO.11 of 2011, Sec. 6, (2) (e). As regards inter-ethnic intergroup politics the political parties have to subscribe to conducting their affairs with integrity, respect, and tolerance (Kenya Law Political Parties Act No. 11 of 2011, Sec6, (2) (e).

Similarly, the politicians are under legal obligation not to tilt inter-ethnic perceptions or generate negative inter-ethnic contests or use ethnicity as a scapegoat but instead, they have to ensure free competition, respect different or dissenting political views and principles, discourage hatred that constitutes ethnic incitement, intimidation of opponents, or parties, discourage violence or breaking up or interfering in other political parties rally or demonstration of another party. And instead promote human dignity, equity, social justice, ethnic inclusivity, and protection of the marginalized (Kenya Law Political Parties Act No. 11 of 2011, Sec. 6, (2) (e). Bukusu-Sabaot leadership struggles can be regulated through the Political Parties Code of Conduct which provides that parties should promote sharing and devolution of power and resources, manage and mitigate political differences, foster trust and confidence through cooperation for example reconciliation (Kenya Law Political Parties Act No. 11 of 2011, Sec 6, (2)e). Since this is a legal document signed under oath by officials of political parties its implementation is therefore enforceable in law and therefore binding to all parties. However, it is important to acknowledge the fact that political crowds are occasionally hypnotized such that aligning them into legal establishment in order to determine and apportion blame may be challenging.

5.1.4 Statist Social Transformation and Bukusu-Sabaot Conflict and Peace Building

Figure 5.4:

Social Influences in Bukusu-Sabaot Conflict and Peace building



Source: Research (2018)

5.1.4.1 Transformation of inter-ethnic Intrinsic Hatred, Value Differences, Cultural Dissimilarity, Unfair Distribution of Education, Varying Norms and Religious Rivalry in Inter-ethnic Conflict and Peace building

Inter-ethnic intrinsic hatred rated at 17% (48) amongst communities was among highest under the social factors which influenced peacebuilding and conflict management. The study found that the inter-ethnic dissimilarity was a problem of socialization from childhood. To the Sabaot, for example, the 'Bukusu were classified as intruders while on the other hand, the Bukusu believed that the Sabaot were naturally militant (FGD: 3:

2019). The factors that constitute social influences between the Bukusu and Sabaot and the responses derived thereof cover the entire social life of the two communities from when the child is born, socialized up to adulthood. This meant that Bukusu-Sabaot integration was disjointed against peacebuilding right from birth to adulthood unlike traditional society which had structures that nurtured inter and intra-communal coexistence.

Both cultural dissimilarity and disagreement over norms were equally rated at 17% (48) as having affected inter-ethnic conflict and peacebuilding. Inter-ethnic differences on philosophical principles identified by the study as influencing Bukusu-Sabaot conflict and peacebuilding were grounded on the dissimilarity of cultural beliefs, varying norms, and value differences rated at 17% (48). Religious dissimilarity was rated lowest from the study.

Education, which could be expected to help neutralize in-built hatred among communities, was identified by the study as having degenerated because education opportunities starting colonial Kenya were unfairly shared, its influence was rated at 17% (48). The study found that the disharmony in education was further enhanced by lack of ethnic diversity in the learning institutions from primary, secondary, colleges and even in the former municipal and today county government, that is, in terms of employment. The FGD at Cheptais, found that the Sabaot complaint of having been ‘discriminated against’ from the Bungoma County Council up to Bungoma County government exemplified by lack of ethnic diversity in employment between the Bukusu and Sabaot, (FGD:3:2018).

A respondent observed that;

Bukusu – Sabaot socio-cultural rivalry in independent
Kenya was centered on resource allocation measured in

terms of distribution of development opportunities 'in education, roads, electricity and water connectivity including employment' (Respondent 8:2018).

Comparatively the Bukusu, that is, the lower region of Bungoma County of Mt Elgon does not only have many schools, hospitals, and roads but also many of the institutions are more developed than those in Mt. Elgon region (Respondent 7:2018). Though this background had a colonial origin however independent government have done very little to bridge the gap. As a result, the Sabaot felt disadvantaged than the Bukusu thus enhancing Bukusu- Sabaot identity, rivalry coupled with suspicion and hatred expressed in stereotyping each other. Intermarriages between the Bukusu and Sabaot have helped to demystify the stereotype but its efficacy is limited, as earlier alluded to (NSC, 2011).

In essence, thus though the Bukusu and Sabaot, for example, shared some traditions like circumcision as a rite of passage, the social influences were identified by the study as having affected peacebuilding. The FGD established that 'Sabaot had their circumcision songs, type of dance, and their unique period of circumcision (FGD 1:2018). As the Bukusu circumcised their male initiates in August of an even year the Sabaot circumcised though in an even year but in December'. The Sabaot unlike the Bukusu circumcises girls as well. The rite of the passage thus drew a distinction. Besides, the Sabaot had a 'well established and refereed institution of Oloibon' unlike the Bukusu, though they had their 'seers', 'but they were not as institutionalized and as unchanged as was the case with the Sabaot' (FGD 1:2018). To date, the Oloibon institution among the Sabaot remains strong and functional. A long-time peace practitioner in the Mt Elgon region was emphatic that 'traditional elders' institution among the Sabaot was highly respected than church leaders', yet among the Bukusu, the eldership had comparatively waned (Respondent

18:2018). Equally important, the Bukusu were agriculturalists while the Sabaot valued pastoral lifestyle alongside agriculture. It was from this background that the study found that ‘Bukusu-Sabaot disagreed over values underscored in customs, traditions, rituals, and even beliefs’. A respondent at an FGD at Kapsokwony observed that though the Bukusu argued that the Sabaot voluntarily moved away and abandoned their farms whenever their animals died, however the Sabaot on their part blamed their misfortune on ‘witchcraft from the Bukusu’ which they argued killed their cattle (FGD 2:2018).

Cattle rustlings were also established by the study as another socio-cultural practice that affected inter-ethnic co-existence. The Bukusu accused the Sabaot of stealing their cattle particularly along the border between the two (Respondent 57:2019). Complaints from the Bukusu IDPs included the loss of their cattle, driven into the forest in Mt. Elgon. The police, the NGO’s and elders were involved in settling such disputes (Respondent 8:2018).

5.1.4.2 Transformation of Inter-ethnic Identity and Peacebuilding in Bungoma County

Inter-ethnic identity issues elicited responses in the affirmative that it influenced conflict and peacebuilding. Inter-ethnic different histories had the highest responses in the affirmative accounting for 50% (141). Varying cultural identities accounted for 40% (113) of responses in the affirmative. Geographical locations of communities went a long way to strengthen identity issues rated at 10% (28). Different geographical locations of the Bukusu and Sabaot for example, meant that the identity issues remained intact and volatile since distance-limited interaction and largely maintained the status quo. The in-depth interview as well as FGD concurred that the Sabaot were largely labeled as ‘people

of the mountain’ (FGD 2:2018). This was further reinforced by the fact that other than topographical demarcation between the two communities, there was a clear-cut ethnic aligned administrative and electoral division or boundary between the two communities, dividing them into ethnic administrative units as well as into mountains inhabited dominantly Sabaot, and lowland Bukusu (Respondent 7:2018). The administrative boundary dividing Mt Elgon from the larger Bungoma was drawn based on Bukusu – Sabaot ethnicities (Respondent 66:2019). As a result, the border of the two is not only ‘administrative but cultural hence emotive’. The fact that the political demarcation of Mt Elgon constituency, dominantly Sabaot falls at the same border has more often than not been converted into a battlefield, (FGD 3:2018).

Meanwhile, the Sabaot respondent argued that they were victims of historical injustice, (FGD 3:2018). They asserted that they were the first to settle around Bungoma and merely welcomed the Bukusu whom they argue short-changed them by taking advantage of their migrant pastoral lifestyle. Misfortunes like the death of their kin and animals including colonial land alienation policies displaced them yet the government had not taken deliberate measures to resettle them (Akiwumi Report of Judicial Commission, 1999, KLC Report, 1934).

The Bukusu – Sabaot border was not only drawn or designed to suit individual and community interest but it was also congruent to the terrain of land dividing mountain Sabaot and lowland Bukusu (Respondent 2:2018). At the time of demarcating the two communities, people at the border were asked whether they wished to belong either to Mt. Elgon side Sabaot or the lowland side among the Bukusu (Respondent 66:2019). This

arrangement largely explains why the border-line between the Bukusu and Sabaot is ‘zigzag and ethnic’, dividing the Bukusu from the Sabaot (Respondent 66:2019).

The Bukusu – Sabaot borderline has equally some level of inter-ethnic contest between the two, (FGD 2:2018). An elder at FGD at Kapsokwony argued that the colonial Chief Murunga had planted eucalyptus trees as a border between the Bukusu community and the Sabaot, some trees which still stand up to date were pointed at as the border but it was ignored by the Bukusu, who crossed over and moved to the slopes of Mt. Elgon thus eating into what the Sabaot call ‘their traditional land, (FGD 2:2018). In essence, as the population and the demand for land grew, so is the level of hatred and contest over the current borderline between the Bukusu and Sabaot.

In Mt. Elgon region, for example, up to date the subsequent division of villages, Sub-locations, locations, and divisions along the borderline with the Bukusu are technically demarcated ‘vertically not horizontally along the mountain so as to ensure that the Sabaot remain dominant group than the other communities particularly the Bukusu, thus ensuring that the Bukusu in Mt Elgon remain the minority, marginalized, and sandwiched under the Sabaot Village Elder, Assistant Chief, and Chief as well as in the Ward under a Sabaot Member of County Assembly’ (Respondent 48:2019). In essence, thus though the Sabaot are the minority in larger Bungoma district and present-day Bungoma County, the minority Bukusu within Mt. Elgon Sub-County have been subdued under Sabaot dominated marginalized position in terms of role in public matters including employment or accessing public services. A Bukusu respondent lamented that;

We (the Bukusu) in Mt. Elgon have to move to lower Bungoma Sub- Counties to get bursaries including our

children getting selected into public colleges or join the police' or armed forces (Respondent 48:2019).

It can therefore be asserted that boundaries in Mt. Elgon became centres of suspicion, ethnic division coupled with emission of hatred than peacebuilding yet in the full glare of the government machinery.

Unlike the 1963 Constitution which did not make deliberate provisions to regulate inter-communal interactions against hatred, value differences, cultural dissimilarities, unfair distribution of social resources, and religious rivalry the 2010 constitution regulates communities. The Constitution of Kenya Review Commission Report showed that cultural identity had been politicized creating serious inter-communal conflicts caused by inter-communal differentials arising from colonial inter-ethnic divide and rule tactics and deferential access to modernization through education and employment. These inter-communal differentials created inter-ethnic attitudinal, perceptual, and prejudicial sentiments of marginalization among communities (The Final Report of Constitution of Kenya Review Commission, 2005). It was upon this background that the Constitution of Kenya Review was mandated to review socio-cultural obstacles among communities which promoted inter-ethnic discrimination and make recommendation in order to foster inter-communal equal rights, national integration, and unity which not only underscored respect for ethnic diversity but also allowed communities to organize and participate in their cultural activities as a way of expressing their identities (The Final Report of the Constitution of Kenya Review Commission, 2005). The responses and recommendations drawn thereof from the Constitutional review report show that Kenyans supported cultural diversity; respect for Kenyan linguistic communities including traditional

knowledge particularly on land and art (The Final Report of the Constitution of Kenya Review Commission, 2005).

Inter-communal hatred is factored in National Cohesion and Integration Act 2008. According to the Act, hate demonstrated verbally through threat, abusive or insulting words or behavior or through the display of any written material is an offense punishable in law (National Cohesion and Integration Act No.12 of 2008, article 13 (1) (a). Similarly, the Constitution protects individuals, communities against hatred perpetrated through written material, art, performance, visual images, or through programmes that are abusive or insulting one community by the other, (The National Cohesion and Integration Act No.12 2008, Article 13 sec (1) (b and c). The 2010 constitution provides for national values which are binding to everybody, including, state organs, state officers, and public officers. National values underscore patriotism, national unity, sharing and devolution including working within the framework of the law, observance of human dignity, equality, and non-discriminatory activities (The Constitution of Kenya, 2010, Article 10). With regard to cultural dissimilarity and varying norms, the constitution promotes cultural diversity and tolerance. It recognizes culture as the foundation of the nation and as the cumulative civilization of the Kenyan people. It promotes cultural diversity expressed through literature, traditional celebration, or cultural heritage (The Constitution of Kenya, 2010, Article 10). The affirmative action embedded in the constitution is to ensure that inter-communal discrepancy in development is limited or gradually neutralized so that the marginalized and minorities access education facilities, health services, infrastructural development, employment including the development of their culture (The Constitution of Kenya, 2010, Article 56 subsection (a-e). Annually, the

president is constitutionally expected to give a report on the status of national values and by extension the level of inter-ethnic national integration and nationhood (The Constitution of Kenya, 2010, Article 132 sec. (1). As regards the Bukusu- Sabaot historical land injustices and geographical location the constitution has a provision for National Land Commission charged with the responsibility of voluntarily or on basis of aggrieved party initiate investigation into present or historical land injustices and recommend appropriate action (The Constitution of Kenya, 2010, Article 67 (2) (e). In essence, the Sabaot-Bukusu complaints about boundary have constitutional provision for redress instead of resorting to inter-communal violence.

The study established that religious rivalry between the Bukusu and Sabaot depended on the pace of changes in a belief system as a result of interaction between the two communities and Christianity since colonial period (FGD 2:2018). For example, both the constitution of 1963 and 2010 provides for religious freedom including change of religion, manifesting one's religion in public or private, and voluntarily joining any religion of one's choice (The Constitution of The Republic of Kenya, 1963, Article 78 sec. (1-4), The Constitution of Kenya, 2010, Article 32 sec. (1-4). The Constitution of Kenya 2010, secularized the state and largely leaves decisions regarding religion to an individual or community but guides the individuals and groups in their religious practices including not antagonizing communities (The Constitution of Kenya, 2010, Article 8 (1) 27 (4) 32 (1-4).

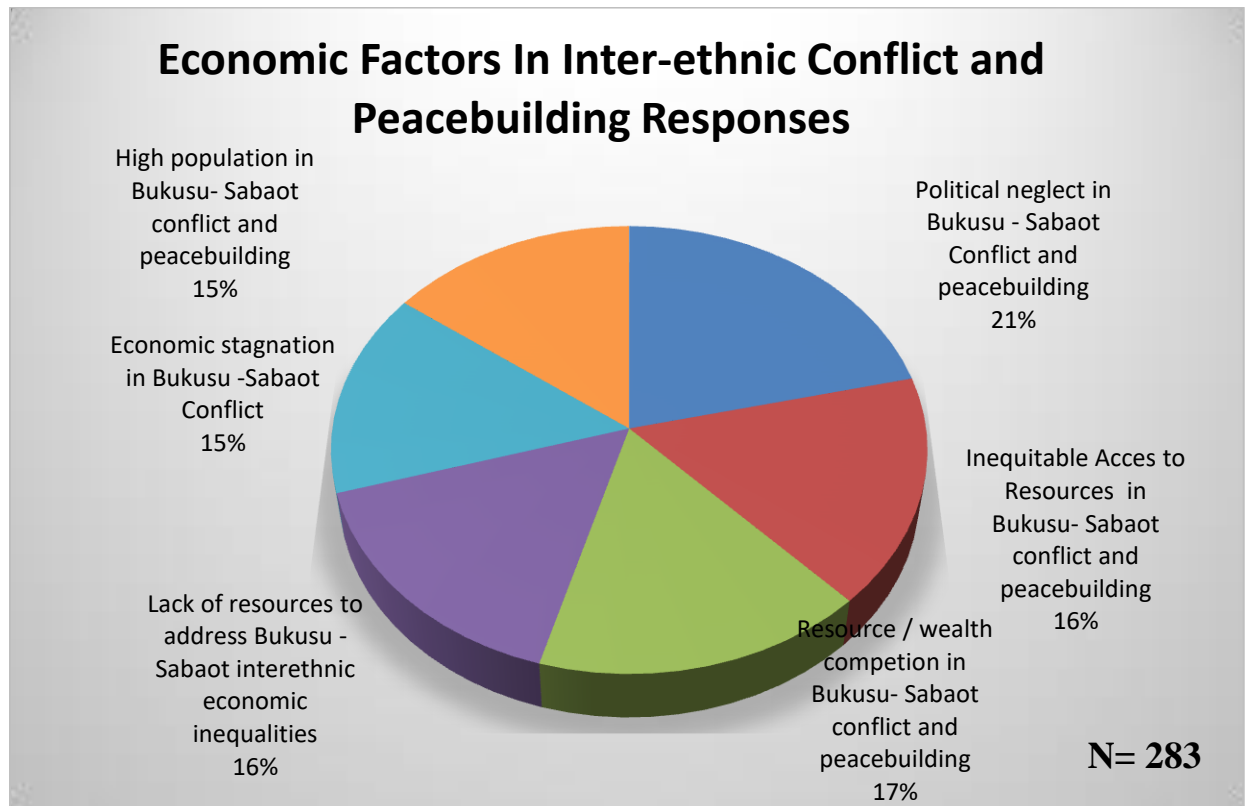
At an Inter-community Conference held in October 2011 at Mabanga Farmers Training Centre which involved elders from the Bukusu, Sabaot, and Iteso, issues of stereotype and prejudice were discussed and resolved that each community has a duty to respect the

legitimacy of each other's history and rightful status as equal members of both Bungoma and Trans Nzoia County and they were to continue consulting and recreating a shared positive narrative that would foster inter-communal unity (Un-Published Resolution of Mabanga Peace Conference, Adopted at the conclusion of Inter-Community Peace Conference, 2011). Regarding inter-communal prejudice, the conference resolved that communities respect each other's cultural practices and tradition, stop the use of derogatory names, teach children to respect each other's culture, embrace honesty and openness. With regard to naming or renaming of places communities in Bungoma are to liaise with the administration, (Un-Published Resolution of Mabanga Peace Conference, Adopted at the conclusion of Inter-Community Peace Conference, 2011). In essence, thus though the inter-communal conflict had affected Bungoma for decades peacebuilding remained elusive several decades later and it was an ongoing process.

5.1.5. Economic Transformation and Inter-ethnic Conflict and Peacebuilding in Bungoma County

Figure 5.5

Economic Factors in Inter-ethnic Conflict and Peace building



Source: Research. (2018)

The study established that economic resources influenced inter-ethnic conflict and peacebuilding starting from contrasting development between the Bukusu-dominated lower Bungoma and upper Mt Elgon.

First, unlike the Bukusu economic activity of cultivating maize, simsim, groundnuts including potatoes built on by the colonialists (Ochieng’ & Maxon, 1992), the pastoralist nature of the Sabaot was regarded as a harassment to the white settlers, as earlier alluded to. Additionally, the Sabaot, unlike the Bukusu, largely did not work alongside the Europeans because the Oloibon had fore-warned them against the whites and therefore

the Sabaot did not accept to work as labourers under the Europeans like their neighbours the Bukusu, (RCNECNCL, 2008). Equally, significant the Sabaot environment lagged behind in infrastructural development because they were marginalized since the colonial period, unlike the Bukusu lower Bungoma, (Respondent45:2019). In essence, thus Bukusu- Sabaot economic colonial alienation and differentiation which started in colonial Kenya continued into independent Kenya.

5.1.5.1 Economic Neglect and Inter-Ethnic Conflict and Peace building in Bungoma

Ranked highest from the oral interview was the association of ‘political leadership to economic neglect at the national, Bungoma County Council and Bungoma County government’. In addition, the FGD at Cheptais associated it with inequitable economic development between the Sabaot and Bukusu regions in Bungoma County in terms of medical infrastructure, education, and road network, (FGD 3;2018). The study found that ‘even the little funds that were channeled for infrastructural development in Bungoma, it developed predominantly Bukusu, lower Bungoma than upper Mt. Elgon region’, in essence, the government effort to ensure regional balance in development in Bungoma County has conspicuously remained at disequilibrium.

5.1.5.2 Transformation of Access to State Resources and Employment in Inter-ethnic Conflict and Peace building in Bungoma

Inequitable access to state resources and employment was equally discovered by the study as having influenced the inter-ethnic conflict and peacebuilding in Bungoma County. Inequitable access to resources meant that besides scarcity, even what was available was not equitably or equally distributed among communities particularly the Bukusu and Sabaot under the same national and local administrative unit. In essence,

even the available resources did not ease competition between the Bukusu and Sabaot communities but instead fueled the process. To compound, the matter was the lack of resources from the state for re-addressing the grievances of either the Bukusu or the Sabaot, (Respondent 45:2019). Lower Bungoma was more developed than the dominantly Sabaot Mt. Elgon region in nearly all aspects of development particularly ‘road network, schools, and hospitals’, for example unlike lower Bungoma by 1992 Mt. Elgon had no tarmac road (Respondent, 21:2018). The imbalanced development was felt more following economic stagnation against population pressure which worked against Bukusu-Sabaot peacebuilding rated at 15% (42) from responses. The study revealed that by 1992, Kenya’s economy was facing difficulties because this was when the World Bank and International Monetary Fund withdrew their assistance on Kenya citing corruption, lack of democracy and rule of law (HRW, June 1997). The economic stagnation that characterized Kenya’s economy of the 1980s also influenced Bukusu-Sabaot conflict and peacebuilding because it was aligned within the ethno- socio-political terrain of Kenya as a country and that of the Bukusu and Sabaot who belonged to different ethnic groups with different political loyalties to government.

The Resolutions of Mabanga Conference held in October 2011 to reconcile communities in Bungoma particularly the Bukusu and Sabaot demonstrated that peace was yet to be achieved. It was clear from the resolutions arrived at, that there was political domination and exclusivity of the minority groups, unfair distribution of jobs, skewed appointment to various boards in Bungoma County and political influence in resource allocation, (Un-Published Resolution of Mabanga Peace Conference, Adopted at the conclusion of Inter-Community Peace Conference (2011:3-4). This was underscored in the resolutions

adopted which advocated for discouraging the culture of political domination but instead foster inclusivity, inter-communal equitable sharing of County Government positions, application of affirmative action in employment which was to reflect fairness, equity, inter-ethnic regional and ethnic diversity, geographical spread and free from political influence (Un-Published Resolution of Mabanga Peace Conference, Adopted at the conclusion of Inter-Community Peace Conference, 2011). The efficacy of the recommendation is yet to be felt because the recommendations lacked a time frame, legal framework, and even entry point much as the resolutions were made in a conference attended and endorsed by the then vice president, Kalonzo Musyoka, National Cohesion Integration Commission Ahmed Yassin and the elders from the Sabaot, Reuben Butaki, the Bukusu, Henry Wanyonyi and the Teso, Joseck Okisai. It is hoped that restructuring the County and national government towards inclusivity would assist in fostering nationhood at the county and the national level, (NSC, 2011).

Meanwhile, the 1963 Constitution did not have a clear framework for the distribution of resources except for the general distribution of resources nationally. It was out of this omission that contributed to skewed development right from the national level to the village. According to the Constitution of Kenya Review Commission Report, Kenya's economy grew steadily in the first decade of independence but later dwindled and was characterized by unemployment, fluctuating interest rates, widening trade deficits, and poverty. The main undoing to inter-communal unity was disharmony in resource distribution (The Final Report of Constitution of Kenya Review Commission, 2005).

The 2010 Constitution makes provisions to close the gap guided by the principles of equity, population spread, and marginalized. Under the principle of Public Finance, the

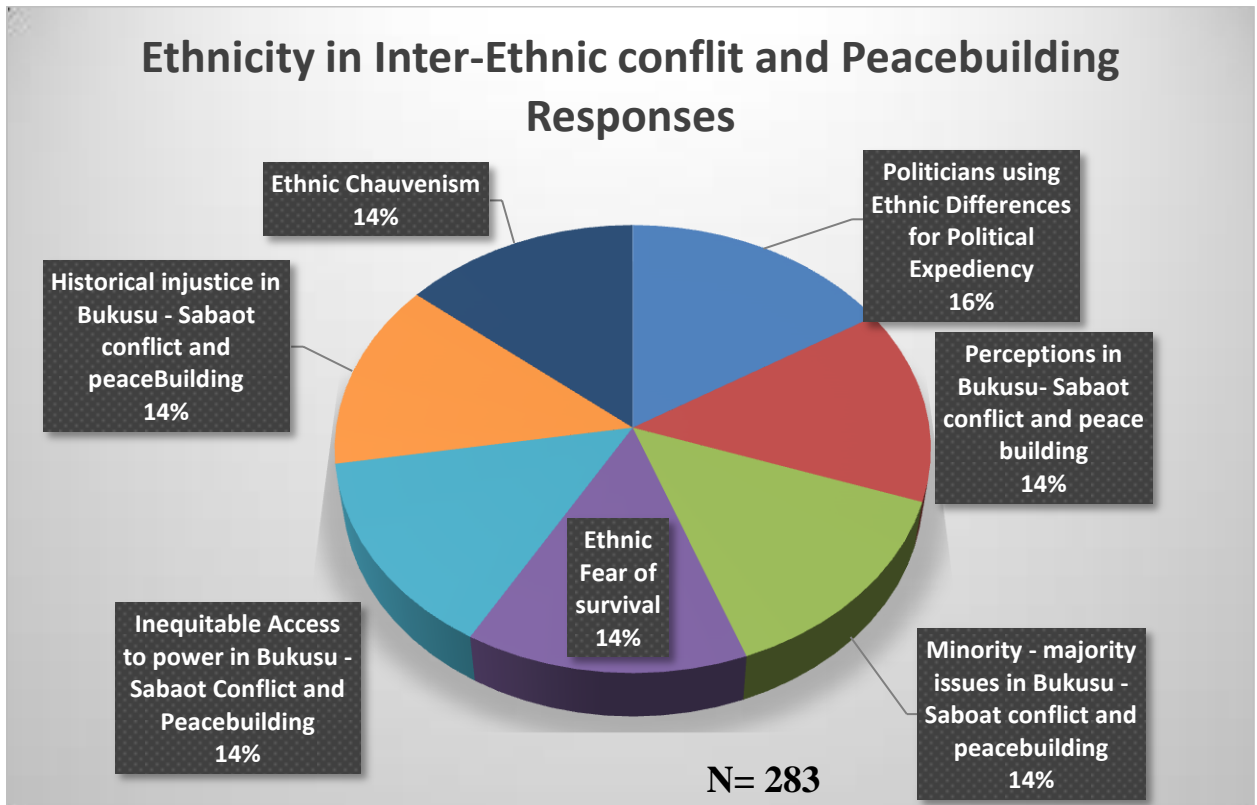
constitution provides for transparency in financial matters. The constitution underscores the fact that the Public Finance System should not only promote an equitable society through equitable sharing of revenue among national and county government but special attention for the equitable development of marginalized groups and areas be addressed (The Constitution of Kenya, 2010, Article 201(1) a&b). Additionally, equitable sharing of revenue between the national government and county government which is to take into account the need for affirmative action in order to take care of the disadvantaged groups and areas like that of the Sabaot. The 2010 constitution provides the formulae of sharing of revenue between the national government and county government as not less than 15% of all revenue collected by the national government calculated on the basis of the most recent audited accounts of revenue got and approved by the National Assembly (The Constitution of Kenya, 2010, Articles 203(2) &216). Commission of Revenue Allocation, the Senate, and National Assembly are mandated by the constitution to not only ensure equitable sharing but also to make sure that affirmative action requirements are met in order to take care of the minority and marginalized groups right from the grassroots (The Constitution of Kenya, 2010, Article 216).

Constitutional and legal reforms in resource allocation as demonstrated were foundations upon which sustainable development, equitable distribution of resources, and equitable regional development were to germinate and grow. This was to obliterate negative ethnicity pegged on the inequitable distribution of resources and imbalanced regional development experienced between the Bukusu and Sabaot (National Cohesion and Integration Act no.12 of 2018)

5.1.6 Integration of Ethnicity and Inter-Ethnic Conflict and Peacebuilding in Bungoma County

Figure 5.6:

Ethnicity and Inter-ethnic Conflict and Peace building



Source: Research, (2018)

Ethnicity by itself according to the study was a label that gave identity without levels or rating of communities' worth however it drew the dividing line between ethnic groups for example the Bukusu and Sabaot. As regards inter-ethnic conflicts in Bungoma County, politicians gave ethnicity a negative usage rated at 16% (45). It is this dynamic yet maneuverable ethnicity particularly among the Bukusu and Sabaot that the study sought

to establish the forces that worked for and against then peacebuilding. First, negative ethnicity was identified by the respondents as having been behind Bukusu-Sabaot conflict and peacebuilding.

The order of influence from the highest-ranked influence to the least was as follows; the use of ethnic differences as mobilizing factor for the pursuit of political power was rated highest from the respondents. Next which appeared to answer the first question ‘how?’ the study discovered that the political elites tilted the perceptions of ethnic communities including the Sabaot against the Bukusu and vice versa. The tilt gave ethnicity direction and therefore motion and momentum for or against conflict. While in motion, ethnicity as a tool was used to acquire some things but not others depending on its strength inherent in numbers hence the ethnic motion gave the significance of minority-majority issues between the Bukusu and Sabaot which therefore became a point of contention because numerical strength disadvantage minority interests. Mutual exclusive perception between the Bukusu and Sabaot was built along minority-majority respectively because of varying abilities inherent in numbers present in two ethnic communities. Ethnic political parties formed by the Bukusu and Sabaot were partly built on mutual exclusive perception and thus enhanced ethnic collective fear of survival.

Accordingly thus, Bukusu-Sabaot negative ethnicity was wheeled on ethnic political tilt, minority-majority issues, mutual exclusive perception, and Sabaot collective fear of survival; the three factors came in second after scoring equal percentage in rating on influencing Bukusu-Sabaot conflict and peacebuilding as demonstrated on the figure above. The peak of negative ethnicity between the Bukusu and Sabaot was fully realized at the electioneering contest. Politicians and those who wanted to become politicians

raised ethnic sentiments which exacerbated communities into conflict. In essence ethnicity between the Bukusu and Sabaot was used as the quickest political tool for conflict than peacebuilding, (NSC, 2011).

Corroborated with the Inter-Community Peace Conference held as late as 2011, it disclosed that inter-community unity had not been achieved. This was expressed in what they referred to as tribal-based politics and political hate speech (Un-Published Resolution of Mabanga Peace Conference, Adopted at the conclusion of Inter-Community Peace Conference, 2011). To deal with political incitement the conference resolved and adopted that the council of elders of the Bukusu, Sabaot, and Teso work together and eliminate ethnic politics by asking politicians, and all leaders to refrain from making hate speeches, and those who broke the resolution punished (Un-Published Resolution of Mabanga Peace Conference, Adopted at the conclusion of Inter-Community Peace Conference, 2011). As regards the minority-majority issues the conference resolved and adopted that Independent Electoral and Boundaries Commission take into account the interests of the minorities and the marginalized when creating administrative boundaries and where possible reconsider redrawing the boundaries (Un-Published Resolution of Mabanga Peace Conference, Adopted at the conclusion of Inter-Community Peace Conference, 2011).

The 1963 constitution of Kenya did not treat ethnicity as a threat to Kenya's inter-communal harmony, though it disallowed discrimination based on one's tribe (The Constitution of The Republic of Kenya, 1963, Article 82 Sec. 3). Fundamentally the independence Constitution of 1963 did not guard against negative ethnicity. With regard to ethnicity, the Constitution of Kenya Review Commissioners, for example, established

lack of proper linkage between traditional kinship based political arrangement and the then modern state machinery which made ethnicity become a focus for political life for majority of the people in Kenya as was the case in Bungoma County. (The Final Report of Constitution of Kenya Review Commission 2005:61)

Consequently, unlike the 1963 Constitution, the 2010 Constitution treats ethnicity as threats to nationhood in various aspects and in turn it protects nationhood as well as inter-communal harmony by providing a legal framework of ethnic operation. As regards political parties, the constitution provides that each political party's list of membership reflects the regional and ethnic diversity, disallows political parties established on basis of ethnicity, and makes provision for representation of minorities. The national as well as county executive organs of government to reflect the regional and ethnic diversity of a people of Kenya. The constitution provides for equal and adequate opportunities for the appointment, the composition of defense force as well as police service, commission appointments including public service to reflect regional and ethnic diversity (The Constitution of Kenya, 2010, Articles, 90(2), 91(2)a, 100(d), 130(2), 232(1)I, 241(4), 246, 250). While in employment both, national and county government employment must represent the diversity of the people of Kenya and by extension Bungoma for the County government. Henceforth it was illegal for a public establishment to have more than one-third of its staff from one ethnic community, (National and Integration Act No. 12 of 2008 Article 7 (2). Discrimination, harassment, unlawful dismissal that was inclined to ethnicity was prohibited (National Cohesion and Integration Act, Article 7).

5.1.7 Influence of Second Independent government of Kenya and its Role in Fighting Systemic Tribalism and Corruption in Bungoma County

The study found that though when the second independent government under president Moi took over in 1978 promised to follow in the footsteps of his predecessor Jomo Kenyatta *nyayoism* (following in the footsteps of his predecessor), however, at the start of his administration, Moi backtracked and reassured Kenyans that his government unlike that of his predecessor would deal with tribalism, corruption, and smuggling which had not only characterized Kenyatta's administration but was anathema to nationhood and ethnic integration particularly in Bungoma (TJRC Summary Report, 2013). In essence by 1978 tribalism and corruption were commonplaces.

At first, Moi engaged liberal policies largely to lure Kenyan public but later adopted a more severe ethnic inclined system that pulled the Sabaot into the Kalenjin fold while pushing and separating them from their neighbours the Bukusu in Bungoma. This eventually disabled inter-ethnic peaceful co-existence ending up in an unprecedented conflict in 1992'. (Respondent 4:2018).

Moi, in his initial stages of administration, had raised the ethnic Luhya and alongside the aspiration of Kenyans by pardoning twenty-six political detainees in December 1978. Amongst the released was a Luhya Martin Shikuku, others included Soroney, Anyona, Koigi Wa Wamwere, and Ngugi Wa Thiong'o (TJRC Vol.2A, 2013). The release of Martin Shikuku, in particular, placated the Luhya Sub-state and by extension the Bukusu because political elites had converted ethnicities into Sub-states such that even the release of detainees evoked ethnic sentiments (TJRC Vol.2A, 2013), Korwa and Munyae (2001). Alongside placating the Luhya and Bukusu by extension, Moi endeared his government to the Kisii through the release of Anyona and the Kikuyu through the release of Koigi

and Ngugi but most importantly solidified the Tugen and the Nandi under Kalenjin unity through the release of Jean Marie Seroney. Later, however, Moi adopted more severe detention without trial to break down the opposition from his government (The Final Report of Constitution of Kenya Review Commission, 2005). Consequently, unlike the 1963 constitution which provided for detention without trial, the 2010 constitution revised detention laws and restricted them to, when there was a state of emergency and which was to be declared only when the country was under threat of war or invasion or in a state of lawlessness (The Constitution of The Republic of Kenya, 1963, Article 83 Sec 2 (a), Constitution of Kenya, 2010, Article 29, 58 Sec (1)(a)(b), 132 (4)(d). The constitution raised the threshold of applying detention laws to limit its misuse as it had been before and during Moi's presidency but most importantly how the detention laws were used against political dissent which happened to take ethnic lines.

Moi's government also made a short-lived move to strengthen the pillars of public confidence in the government which had been shaky under Jomo Kenyatta by taking action against senior government officials who had been accused of corruption (Respondent 8:2018). As noted earlier, this was also a vice that had entrenched negative ethnic division among communities in Bungoma particularly between the Bukusu and Sabaot during Kenyatta's presidency. More often corruption took ethnic lines and had weakened nationhood into ethnic divisions as was witnessed between the Bukusu and Sabaot.

The liberal steps that Moi's government undertook neither lasted long nor did they quell ethnic division or make him popular, specifically among the Bukusu in Bungoma (Respondent 4:2018). This was corroborated by the TJRC report, whereby four years

after taking power, Moi was under the threat of being toppled through a coup d'état in 1982 (TJRC, Vol. 2A 2013).

As a result, Moi came up with drastic changes ranging from institutionalizing one-party state than multiparty, arbitrary constitutional amendments, ethnic skewed administrative measures, and policy reforms to consolidate as well as expand his political base (Respondent 29:2018). This process antagonized communities and peacebuilding thereof, particularly, as regards the inter-ethnic harmony in Bungoma first between Sabaot and Bukusu but later affected all communities in Bungoma (Respondent 2:2018). First, Moi reverted to political patronage, restricted freedoms of speech and press. He ran the government by instilling fear through assassinations like his predecessor (Respondent 10:2018, NSC, 2011, Africa Watch, 1993 TJRC Vol. 2A, 2013).

Next, to expand his power base, Moi's administration enhanced Kalenjin ethnic identity by mobilizing the Sabaot, Kipsigis, Nandi, Keiyo, Marakwet, Pokot, Tugen, Terik, and Ogiek to rally behind the government (Respondent 64:2019). This led to a build-up of tension mixed with insecurity and isolation between the Kalenjin as the ruling family on one hand and other communities on the other by exacerbating ethnic Sub-states within the nation-state (Respondent 66:2019). Corroborated with the TJRC report, from the start of his political career, Moi used and championed ethnic hegemony (TJRC Summary, 2013).

Aware that he came from a comparatively small Kalenjin family of the Tugen, he had from the very beginning struggled to widen his political base among the Kalenjin by rallying political support and uniting the Kalenjin families' (Respondent 8:2018).

In this endeavor which he had started earlier even before he became president, Moi had received competition and resistance over Kalenjin unity and leadership from other Kalenjin leaders including Marie Seroney who was close to Masinde Muliro and Martin Shikuku (Respondent 7:2019). Seroney had challenged Moi as an ardent supporter of the Kalenjin course during Kenyatta's presidency. Partly, therefore, the failed coup of 1982 prompted Moi to fall back to his long-time wish of achieving not only Kalenjin unity but enhanced Kalenjin unity which placated other pastoralist cousins and neighbours the Turkana, Maasai including the Samburu and the North Eastern communities of Kenya (Respondent 47:2019).

Corroborated with Akiwumi report, it was observed that a section of the Kalenjin, the Sabaot of Mount Elgon were more vulnerable, they had felt isolated linguistically, administratively and wished to move out of Bungoma district, Western Province and join Trans-Nzoia in the Rift Valley Province and subsequently be administered amongst their fellow Kalenjin the Nandi, Marakwet, Keiyo, Tugen, Kipsigis and their pastoral cousins the Maasai and Turkana. Moi's intention was thus a blessing in disguise for the Sabaot (Akiwumi Report of Judicial Commission, 1999). The Sabaot disliked the idea that they lived among the Bukusu in Bungoma District while their Kalenjin brothers lived in Trans Nzoia. They supported their claim by arguing that their move to join their kin in the rift valley would allow them be part of the larger family of the Kalenjin whom they had a shared culture, customs including language, unlike the Bukusu whom they accused of discriminating them (Akiwumi Report of Judicial Commission, 1999). In essence, this explains why the Kalenjin family that was created came to firmly include the Sabaot at the expense of inter-communal coexistence between the Bukusu and Sabaot in Bungoma.

Meanwhile, though the 1963 constitution provided a leeway for the Sabaot like any other Kenyan to stay anywhere there were constitutional fissures which were not fully regulated. Therefore, 2010 constitution outlaws advocacy of hate, ethnic incitement, or vilification over and above allowing people to stay anywhere in Kenya (The Constitution of Kenya, 2010, Article 33 (2) (c) (d) (1). Unlike 1963, the 2010 constitution sets national values which bind everybody in Kenya by underscoring national unity to include human dignity, sharing, inter-ethnic inclusivity, and good governance as pillars of nationhood, (The Constitution Of Kenya, 2010, Article 10(1)). The 2010 constitution guards communities against inter-ethnic hatred, value differences, and cultural dissimilarity. The National Cohesion and Integration Act No. 12 of 2008 outlaw verbal or written material that may generate inter-communal hatred.

5.1.7.1 Transformation from One Party State to Multiparty Democracy in Inter-ethnic Conflict and Peacebuilding in Bungoma County

Moi's transformation from one-party state *de facto* to one-party state *de jure* then to multiparty democracy influenced inter-ethnic peacebuilding and conflict management in Bungoma County.

The amendment of the constitution by Moi's led government which made KANU sole political party by law in 1982, though on the outside it appeared as part of his wider scheme of integrating various ethnic groups into one political party as a basis of consolidating power and preventing Kenya from disintegrating into ethnic oriented political parties however the opposite came to be the case with regard to Bukusu and Sabaot and other minority groups in Bungoma', (Respondent 21:2018).

The Amendment Act Number 7 of 1982 transformed Kenya into a *de jure* one-party state which significantly hastened the process of national disintegration into ethnicities,

particularly between the Bukusu and Sabaot in Bungoma (Respondent 21:2018). One-party rule was followed by unexpected closing out of the opposition parties and groups which included closing out the Bukusu from the government while closing in the Sabaot (Respondent 7:2018). This largely led to the rechanneling of Bukusu loyalty from the government towards ethnic loyalties by extension it led to the disintegration of Bukusu-Sabaot unity (Respondent 19:2018, Omolo, 2010, TJRC Vol 2A, 2013).

The 1982 constitutional amendment thus led to various repercussions, firstly, it did not only freeze the vent through which opposition political parties and groups released their tension and frustrations but also closed out any contribution from such groups and thus constantly put them at loggerhead with the government (Respondent 43:2018). Secondly, it forced Kenyans to work within one political party KANU which was at that time largely associated with Kalenjin ethnic leadership by extension associated more with the Sabaot than the Bukusu (Respondent 64:2019, TJRC VOL 2A, 2013). One-party state turned out to be a toll order against both peacebuilding and Moi's administration because the pre-colonial society, as well as the colonial Kenya, had divided the country into ethnicities. Similarly, since the chairman of the party, KANU was also the national head of state any unity with KANU meant national unity and any opposition to the government policies was equally opposition to KANU as well as opposition to the Kalenjin Sub-state by extension the Sabaot and the nation thereof, (Respondent 19:2018).

This arrangement became a key factor in creating Kalenjin unity under KANU as well as enhancing animosity between the Kalenjin and non-Kalenjin Sub-states as the case of Bukusu and Sabaot. Moi's use of single-party state to enhance inter-ethnic integration and peacebuilding thereof failed and instead heightened opposition among various

communities driving a wedge between those that were for or against the political establishment, which became an elevation of Bukusu-Sabaot contest, (Respondent 4:2018, TJRC Vol. 2A, 2013).

The anti-one party-state protests which emerged from the agitated general public against the government took on an ethnic dimension largely against the Kalenjin Sub-state that Moi's administration had given birth to, (Respondent 8:2018). Unlike the initial demand for multipartyism dominated by the Kikuyu, strangely not because they had fully integrated and internalized democratic ideals but because Moi had replaced the largely Kikuyu political elite of Kenyatta's administration by the Kalenjin (TJRC Vol.2A, 2013), the other leading multiparty crusaders were Luhya led by Masinde Muliro (a Bukusu) and Martin Shikuku, and Oginga Odinga for the Luo community (Respondent 54:2019, HRW, June 1997). Masinde Muliro drew much of his following from the Bukusu Sub-state of Bungoma while Martin Shikuku drew his support from the Luhya of Kakamega (Respondent 21:2018, HRW, June 1997). The single-party advocates on the other hand drew their support from the Sabaot in Mt Elgon as part of the larger Kalenjin family under Moi (Respondent 7:2018). In essence multiparty politics sharply put the Bukusu and Sabaot on a collision path. Ethnic inclined resentments to Moi's administration emanated from the domination of the government by the president's kin and their pastoralist cousins (HRW, June 1997).

Meanwhile, though the one-party state was repealed in 1991 ending one-party rule in Kenya and the establishment of multiparty (The Constitution of Kenya (Amendment) Act No. 12 1991), it did not provide an avenue for peace between the Bukusu and Sabaot but instead lapsed the two communities into unprecedented conflict fueled by the KANU

government, partly because it had been unwilling to accept multiparty and to a larger extent it had demonstrate that it was unworkable (TJRC Vol. 2A, 2013). Similarly, the end of one-party rule remained unguarded constitutionally until the promulgation of the 2010 constitution which established structures to tame political party activities (Respondent 8:2018).

Moi's unregulated legislature and executive administration of government from ethnic inclination instrumentalized the Kalenjin into a Sub-state against other communities and by extension enhanced negative ethnicities (Respondent 21:2018). KANU, for example, organized political rallies largely in the rift valley, which was the then home to the majority of the Kalenjin, to oppose multiparty advocates but in the same measure and beyond, solidified the Sabaot into explosive Kalenjin political fold against the Bukusu in Bungoma (Respondent 4: 2018, Akiwumi Report of Judicial Commission, 1999). An FGD respondent at Kimilili noted that the political rallies were largely unregulated attended by both the Kalenjin and their pastoralist cousins the Maasai and the Turkana (FGD 1:2018, Africa Watch, 1993). This was corroborated with the Kiliku report which showed that at various anti-multiparty KANU political rallies, which were popularly referred to as *Majimbo* or federal campaigns its leadership was largely drawn from the KANU led senior government officials and politicians dominantly the Kalenjin including the then vice president George Saitoti, Ministers William Ole Ntimama a Maasai, Timothy Mibei and legislators Nicholas Biwot, MP for Eldoret south Joseph Misoi, John Cheruiyot, Kipkalia Kones (Kipsigis), Francis Mutwol, Willie Kamuren, William Kikwai, John Terer, Lawi Kiplagat, Christopher Lamada, Peter Nang'ole (Pokot), Ayub Chepkwony, Robert Kipkorir and Samson Ole Taya (Kiliku Report, 1992).

Though, there was nothing wrong with federalism because it offered an intermediate means for sharing power amongst communities to minimize ethnic hostility as it later happened under devolved system of government but the opposite happened to be the case in Bungoma demonstrating both the depth of negative ethnicity between the Kalenjin and other communities and unregulated politics then (Sadra, 2003). The advocates of single-party rule negatively instrumentalized federalism into a tool for fighting against multiparty crusaders (Respondent 29:2018). Unlike the dominant Kalenjin in the rift valley, the other minority communities in the region were threatened with eviction to go back to their perceived original homes in Nyansa for the Luo and Kisii, Central Kenya for the Kikuyu, or Western for the Luhya (Respondent 24:2018). Unfortunately, the evictees kin in-home provinces and districts from where the perceived ‘immigrants’ in the Rift Valley had come from including the Sabaot and Bukusu took sides and were equally threatened by what was happening to their kith and kin in the then Rift Valley Province and therefore rallied their support to their kin further spreading animosity particularly between the Bukusu and Sabaot and other minority groups in Bungoma, such that as the Bukusu supported multipartyism and the non Kalenjin in the Rift Valley the Sabaot like their Kalenjin cousins in the Rift Valley were united against other communities, (Respondent 10:2018).

The fact that though the Sabaot were not directly represented at some of the Majimbo rallies, however the sentiments echoed at the meetings elicited the Sabaot directly as a Kalenjin family and threatened the non-Kalenjin directly including the Bukusu, (Respondent 10:2018). The Sabaot felt that they were part of the ruling Kalenjin family and the introduction of multi-party politics was a threat to their presidency and had to be

resisted (Respondent 8:2018, Akiwumi Report of Judicial Commission, 1999). At a meeting held on September 21, 1991, in Kericho the Kalenjin, by extension the Sabaot were called upon to arm themselves with bows and arrows and protect their government yet a Bukusu leader Masinde Muliro, then a key founder member of multiparty crusades was vilified (Respondent 52:2019, Africa Watch, 1993, Republic of Kenya, Report of Parliamentary Select Committee to investigate Ethnic Clashes in Western and other parts of Kenya, Sept. 1992). In essence, Kenya's nationhood had been replaced by the Kalenjin Sub-state. Key with regard to the present study, a Bukusu leader, proponent of multiparty and the founder member of opposition political outfit FORD, Masinde Muliro was asked to leave Rift Valley yet it was not only his home province but also his residence in Trans-Nzoia though a district in Rift Valley Province but the Bukusu were a dominant group (Respondent 10:2018). This squarely exacerbated the Bukusu against the Kalenjin and the Sabaot in particular in Bungoma. Rift Valley had been demarcated and baptized into a Kalenjin Sub-state, (Africa Watch, 1993. Kiliku Report, 1992).

It was therefore not surprising that unlike in the 1960s, from 1978 and beyond the Sabaot did not support the Luo and Kikuyu as they had done at independence since they had joined their Kalenjin family and their leader Moi and KANU government which they felt firmly and rightly part of yet up to that time they remained unreconciled with the Bukusu (Respondent 36:2018, Akiwumi Report of Judicial Commission, 1999). The Sabaot feared that they would be marginalized and forgotten with the introduction of multi-party. The Akiwumi led Judicial Commission of Inquiry into Tribal clashes including that of Bukusu and Sabaot in Bungoma observed that the Sabaot politicians exploited multi-party politics to start tribal clashes in Bungoma, hence the Commission had no doubt that

clashes were politically instigated to drive away the non-Sabaot perceived as supporters of opposition parties (Akiwumi Report of Judicial Commission, 1999).

In essence, thus unregulated separation of powers between the executive and legislative organs of government enhanced Moi's instrumentalization of Kalenjin into a volatile political force after the 1980s. The anti- multi-party rallies organized in the Rift Valley consisted of Ministers and Members of Parliament including the Vice President by extension it involved the presidency. In essence, thus the instrumentalization of the Sabaot against the Bukusu had the blessing of the parliament and the executive as was demonstrated by the composition of the attendees of the political rallies and the hostile sentiments unleashed thereof in the Rift Valley political rallies.

It was not surprising that though the 1963 constitution initially defined a political party but it remained unregulated especially at the level of inter-communal politics. At one stage the definition of a political party had been deleted from the 1963 constitution, this demonstrated the extent to which politics and political parties were unregulated thus left at the whims of the executive (Constitution of Kenya (Amendment) Act No. 7 of 1982). By 1988, the separation of powers and checks and balances had been disabled and replaced by the powerful presidency, hence there was a need to deconcentrate powers from the executive (The Final Report of the Constitution of Kenya Review Commission, 2005).

The 2010 constitution detaches the executive and the legislature so as to provide checks and balance as well as avoid politicizing the executive (The Constitution of Kenya Review Act, No.9 of 2008 (c). To control extreme ethnic oriented political outbursts the constitution demands that a political party should be inter-ethnic and inclusive thus

reflect national character, respect minorities and marginalized and subscribes to the conduct of political parties, additionally, the party should not be founded on ethnic, regional nor should it encourage violence or intimidation (The Constitution of Kenya, 2010 Article 91(a)(b)(e)(h) (2) (a)(b), The Final Report of the Constitution of Kenya Review Commission, 2005).

5.1.8 Transformation of Arbitrary Constitutional Amendments and Inter-ethnic Peace building and Conflict Management in Bungoma County

Tightening of constitutional amendment from 2010 countered the administrative avenues that the government had used to change the constitution in its favour which in turn jeopardized inter-ethnic coexistence including the Bukusu-Sabaot peacebuilding (Respondent 21:2018). To start with was the unregulated personalizing political power and dictatorial tendencies demonstrated in constriction of politics and democratic space (Respondent 21:2018, NSC, 2011, TJRC Vol. 2A, 2013). Moi used the constitution to strengthen his political base by increasing political hold, first over the Kalenjin and then to the entire country, (Respondent 7:2018, Korwa & Munyae, 2001, Omollo, 2010). Like his predecessor's administration of Kenyatta, Moi's government tried to achieve this through coercion, intimidation and threats (Respondent 21:2018, TJRC Vol. 2A, 2013, Omollo, 2010). As a result, Moi's administration reinforced the Colonial Chief's Act including the Preservation of Public Security Act and the Public Order Act (Respondent 7:2018, Omollo, 2010). These acts had been introduced by the colonial government and used under colonial racist *ad hoc* justice administration against the Africans (Ghai & McAuslam, 1970). Their resumption by Moi's administration reflected not only the

decadence of rule of law by the then administration but also the shaky foundation upon which peacebuilding was founded (Respondent 4:2018).

After the coup of 1982, Moi and his government using discretionary power anchored in the 1963 Constitution, sponsored motions in the parliament that amended the constitution several times amassing power to the presidency by emasculating Attorney General, arbitrary application of detention laws, and non-bailable capital offenses (The Constitution of Kenya (Amendment) Act No. 14 of 1986, Constitution of Kenya (Amendment) Act No.20 of 1987, Constitution of Kenya (Amendment) Act No. 8 of 1988). This resulted in another African imperial presidency with immense powers that compromised peacebuilding structures particularly between the Bukusu and Sabaot in Bungoma because it became aligned to ethnic communities right from the grassroots, the area Chiefs were given excess executive presidential delegated powers by virtue of their offices (Respondent 14:2018, The Constitution of the Republic of Kenya 1963 Article 23 (1), Omolo, 2010).

Strangely, as the power of the presidency increased so was the community he came from and in the same measure or more was the ethnic tension demonstrated between opposing communities of the ruling family in this case the Sabaot against the Bukusu in Bungoma (Respondent 4:2018). Competitive politics as an important component of governance in democratic systems was weakened from grassroots through an executive-controlled administrative structure such that any criticism of the ruling party KANU and its leadership was criminalized (Omolo, 2010). Though president Moi had used this administrative machinery to reach the grassroots it also worked against the administrative system in that the ethnic inclined national political leadership outlook at the national level

was forced down to the grassroots dividing the public along ethnic lines thus disintegrating nationhood exemplified between the Bukusu and Sabaot and other minority groups in Bungoma as they fell into two blocks that were socio-economic and politically different yet neighbours but antagonistic (Respondent 62:2019).

Preservation of the public security act empowered the president and the minister for Internal Security to order arrest and detention of an individual without trial. The government applied the act on the multiparty activists who later found themselves in detention which increased dissent not only from the opposition leaders but from their followers as well (Korwa & Munyae 2001, Omolo, 2010). However, since the country had degenerated into ethnic Sub-states the application of the act saw many non-Kalenjin in detention in essence it took an ethnic dimension as well (Respondent 34:2018). Repression as a means to achieve inter-ethnic integration and compliance by Moi's administration failed and instead prompted the emergence of unprecedented extreme ethnic dissent that culminated largely into conflict as was experienced between the Bukusu and Sabaot in Bungoma (Respondent 10:2018). Similarly, repression as a means for enhancing inter-ethnic tolerance demanded that the government adopts extreme forceful means to eliminate ethnic dissent which further shattered nationhood but largely solidified opposition and ethnic consciousness which was anathema to peacebuilding among competing communities like Bukusu and Sabaot (Respondent 10:2018). It was from this background that, though electoral changes were significant in easing inter-ethnic conflict and were an anchor upon which peacebuilding could be founded this did not work with regard to the Bukusu and Sabaot, instead culminated into breakdown of peacebuilding and conflict management in Bungoma (Respondent 16:2018).

Key to the collapse of peaceful coexistence between the Bukusu and Sabaot in the 1980s and early 1990s, related to the fact that alongside the creation of the Kalenjin family and dictatorial policies which created fear, amongst those who opposed and resisted Moi's excessive powers was a Bukusu leader Masinde Muliro (Respondent 46: 2019, TJRC Vol. 2A, 2013). He was among the founder members of the opposition outfit Forum for the Restoration of Democracy in 1991 (FORD) (Respondent 10:2018). The other members were Martin Shikuku (Luhya) Jaramogi Oginga Odinga, Ahmed Bahmaris, Philip Gachoka, and George Nthenge. FORD was founded on the backdrop of Moi's disintegration of nationhood into ethnicities built on explosive Kalenjin Sub-state which was characterized by the violation of human rights, ethnic inclined rampant official corruption and torture of largely non-Kalenjin government critics under the Preservation of public security Act and politically motivated charges brought against real or perceived non-Kalenjin government critics (Respondent 29: 2018, Africa Watch, 1991, Africa Watch, 2010).

Important to the Bukusu-Sabaot peace disintegration was underscored in the fact that since Masinde Muliro was among those who championed opposition to the government by extension his tribesmen the Bukusu supported him. This created an increased tension between the Bukusu in FORD and Sabaot in KANU particularly in Bungoma (Respondent 10:2018).

As a result of the disagreements between Moi and the opposition including Masinde Muliro, all the anti-government critics were blamed on the opposition further fueling Bukusu-Sabaot animosity since the Sabaot stood with the government, unlike the Bukusu who largely sided with Muliro in the opposition (Respondent 8:2018). Even the

withdrawal of foreign aid to Kenya by the donor countries by extension fuelled animosity among the Bukusu and Sabaot because of Muliro's presence in multi-party advocates (Respondent 52:2019). This was further justified in the context that most of the demands of multiparty advocates to the government resembled the demands made by donor countries for example, the opposition politicians supported the suspension of aid to Kenya in order to force political changes (Respondent 8:2018, Omolo, 2010). After November 1991, US, German and Scandinavian countries largely driven by the opposition calls for multi-party threatened to withdraw aid which further increased tension between the proponents and protagonists of the government in Bungoma between the Bukusu and Sabaot (Respondent 4:2018, Omolo, 2010), (Africa Watch, 1993). The peak was experienced when countries and organizations under Consultative Group for Kenya comprising World Bank, US, all European Union Community (EU), Sweden, Switzerland, Canada, and Japan met the Kenyan government in Paris to discuss developmental funding. The donor countries unanimously postponed further aid pledge to Kenya until the government improved its social and economic records which was in line with the opposition party leaders (World Bank, 1991). The government was thus forced within ten days of withdrawal to amend the constitution to allow the formation of opposition parties which it had sworn never to legalize but largely left it unregulated, (Respondent 6: 2018). The repeal of section 2(a) allowed multi-party and subsequent resumption of aid to Kenya though it did not improve ethnic integration because the government was opposed to it and therefore it never took deliberate steps to initiate and regulate multiparty (Respondent 67:2019). Multiparty advocates played into the fears that Moi and KANU leadership had predicted that it would increase negative ethnicity and

lapse into ethnic conflict exemplified in the Bukusu-Sabaot conflict of 1991/1992, (Respondent 8:2019).

As the campaign for multiparty intensified so was the widening of inter-ethnic fissures which eventually led to violence largely between the Kalenjin Sub-state against other Sub-states coalesced under Luhya, Luo, Kikuyu, and Kisii in Western, Nyanza, and Rift Valley respectively but most importantly in Bungoma, (Respondent 57:2019, HRW, June 1997).

The conflict in Bungoma started on December 27, 1991, and it took the same ethnic-national trend pitting the Sabaot against non-Kalenjin in Bungoma, (Respondent 46:2019, Akiwumi Report of the Judicial Commission Appointed to Inquire Into Tribal Clashes in Kenya, August 1999). Even the internally displaced Persons were clearly divided between the Sabaot and non-Kalenjin camps in Bungoma (Respondent 18:2018, Africa Watch, 1993). By 1991 the Sabaot in Bungoma like Kalenjin in the Rift Valley were referring to non Sabaot in Mt Elgon as *Madoadoa* spots that did not belong to their Kalenjin Sub-state (Akiwumi Report of Judicial Commission 1999). Reports from various ethnic battlefronts showed that incursions were between the Kalenjin warriors armed with traditional bows and arrows including machetes against the non-Kalenjin. This was the same case between the Sabaot and non-Kalenjin in Bungoma (Respondent 6:2018, HRW, June 1997). The damage caused on property in what became Bungoma County also fell into two categories Sabaot and non-Kalenjin (Respondent 6:2018). This was corroborated with Akiwumi report which showed that at Kapsokwony, Kaptama up to Cheptais it was the majority Sabaot who attacked the non-Sabaot, the Bukusu, Teso including Kikuyu and burnt their houses and stole cattle (Akiwumi Report of Judicial

Commission, 1999). In essence, therefore, the executive and political leadership had a bearing on the Bukusu-Sabaot conflict and largely put peacebuilding into limbo because of the unregulated constitutional amendments and by extension unregulated administrative styles that enhanced unregulated inter-communal unity hence disintegration of nationhood.

The legal strengthening of the executive over other organs of government by Moi was caused by the weakness in the threshold set to amend the 1963 Constitution which the government negatively took advantage of (Respondent 8:2018). The 1963 Constitution provided that the threshold to amend the constitution required sixty-five percent of the National Assembly members at second and third reading in parliament but subject to presidential assent before any alteration (The Constitution of The Republic of Kenya, 1963, Article 47(2)(3). In essence, the constitution was left in the hands of the executive and National Assembly (Respondent 8:2018). It was thus, within this unregulated legal framework that both Kenyatta and Moi amended the constitution at will after marshaling the required numbers in the parliament. For example, between 1963 and 1969 Kenyatta's government had mutilated the constitution beyond redemption necessitating consolidation and authentication into a revised constitution for the country (The Constitution of Kenya (Amendment) Act No. 5 of 1969). The amendments weakened the judiciary, derogated civil liberties as the president became unregulated head of state and government thus compromising the then structures of peacebuilding, particularly when communities supported different ethnic political leaders as it happened in Bungoma (Respondent 65: 2019).

From the study, it came out clearly that two or more processes happened during the easily maneuverable yet regulated amendment of the 1963 Constitution that is, as the presidency became strong, it easily manipulated the vulnerable legislature and judiciary (Respondent 8:2018). The unregulated amendment increased sycophancy to the presidency instead of rule of law, it broke down human rights and paved the way for political resistance as was demonstrated between Moi and multiparty activists including Masinde Muliro and by extension led to Bukusu and Sabaot conflict and disabling of peacebuilding structures in Bungoma (Respondent 10:2018).

This largely explains why the 2010 constitution, on the other hand, tightened the constitutional amendment and restricted it either parliamentary initiated or popular initiative, but with ethnic inclusivity at the core (Constitution of Kenya, 2010, Articles 255, 256, 257). Any constitutional amendments touching on national values and principles of governance for example inter-ethnic inclusivity, equity, sharing, national unity, patriotism, devolution of power, democracy, rule of law, participation of people, human dignity, social justice, integrity, equality, good governance, transparency in the execution of roles including accountability and sustainable development can only be altered through a referendum (Constitution of Kenya, 2010, Article 10(2) (a)(b)(c)(d). Others included the bill of Rights, independence of the Judiciary and Independent Commissions, the functions of parliament and principles and structure of devolved government (Constitution of Kenya, 2010, Article (1). Even the amendments through the referendum must be representative of the wishes of the country measured by 20% of votes from the registered voters in at least a half of Counties nationally by extension inter-communal inclusivity.

Amending the constitution by parliamentary initiative must not only involve the two Houses of Parliament, the Senate and National Assembly but passed by two-thirds majority, similarly underscoring inclusivity (Constitution of Kenya, 2010, 256(d)(2)(3). While on the Popular Initiative the constitution provides that it requires one million signatures of registered voters approved by the Independent Electoral and Boundaries Commission (IEBC), passed by the parliament then approved by the majority of County Assemblies, then the two houses of Parliament before it is assented to by the president. However, in the event each of the two Houses of Parliament fails, then it was to be subjected to a referendum (Constitution of Kenya, 2010, Article 257(1) to (11). The independence of the judiciary and legislature is underscored to avoid selective amendments that had characterized Kenya's ethnic rivalry starting at independence, acquiring momentum in the 1980s and 1990s and conflict thereof.

The government also regulates the conduct of political parties ensuring inclusivity and rule of law from the time of registration of the party including showing its national representativeness in terms of membership and ethnic diversity (Respondent 24:2018). Most importantly parties must have an office in at least 24 Counties (Political Parties Manual). Membership of a political party must reflect regional and ethnic diversity, its governing body must consist of people of integrity as demanded for by chapter six of the constitution of 2010 constitution (Constitution of Kenya, 2010, Chapter Six, Election Act 2011, Political Parties Act 2011).

5.1.8.1 Transformation of Bukusu-Sabaot Conflict and Peace building in 1992

As a result of ethnic tilted government, it did not only divide Kenya's nationhood but also weakened and challenged the means by which the government was to handle the conflict

between the Bukusu and Sabaot in 1992 (Respondent 21:2018). This was underscored when, by design, the government failed to identify the causes of the conflict in 1992, by engaging into blame game with opposition leaders, yet it was a prerequisite to peacebuilding and conflict management (Respondent 8:2018). This was demonstrated by the fact that the government's response to the 1992 conflict became divided into safeguarding the expanded Kalenjin family and Sub-state which at that time had grown to include her allies the Maasai and to some extent the Turkana on one side, and other ethnic communities on the other side, (Respondent 7:2018).

By 1992 the Kalenjin Sub-state and her allies were largely in control of the state machinery including the organ mandated with dealing with public disorder which included ethnic clashes (Respondent 7:2018). By 1990 Moi's government ensured the unity of the Kalenjin family and Sub-state thereof by placing them and their allies in key government positions as senior government officials, senior military officers, and chief executive officers in state corporations, for example in Kenya Commercial Bank (KCB), Agricultural Development Corporation (ADC), Kenya Posts and Telecommunication (KPTC), Central Bank of Kenya (CBK), Kenya Industrial Estate (KIE) (Respondent 4:2018, Africa Watch, 1993, TJRC Vol.2A (2013:25). As a result of this skewed government alignment, it compromised the government's effort in dealing with the clashes such that instead of firmly dealing with the conflict it failed in identifying the key culprits and hence resorted to blame game with the press and multiparty advocates, each side pointing an accusing finger to the other as having been behind the cause of conflict in 1992 (Respondent 8:2018).

Lack of legal framework of engagement between the government and the young yet unregulated multiparty Kenya of the early 1990s skewed the government's response to the 1992 conflict (Respondent 26:2018). The 1963 Constitution as amended to 1997 did not provide a mechanism of handling multiparty in a multi-ethnic Kenya as was later enshrined in the 2010 Constitution (Respondent 8:2018). The latter constitution declared Kenya as a multiparty state which had been founded on the national values and principles underscoring the rule of law, human dignity, democracy, equity, inclusivity, non-discriminatory and good governance characterized with integrity including transparent and accountability (Constitution of Kenya 2010 Article 4 (2), 10 (2)(a)(b)(c). The 2010 Constitution does not only make it clear that the state shall not discriminate her citizens in any manner but ensures inter-ethnic inclusivity at both the national executive and at county government including the judiciary, in public service, Independent Commissions as well as in political parties thus tilting the state towards inter-ethnic integration (Respondent 8:2018).

It was similarly evident that by 1992 negative ethnicity had grown unabated and infiltrated the media such that, it had divided the press and its reports along ethnicity as well as political bearing either to the Kalenjin which represented the government or other communities generally referred to as the opposition strangely depending on the ethnic background of the journalist or reporter (Respondent 8:2018). This to a greater extent challenged peacebuilding process since the media was the primary means of communication to the public for both the government and the opposition (Respondent 17:2018).

Similarly, as a result of the ethnic tilted government, when it decided to deal with the conflict in Bungoma it appeared not only to tilt and transfer the blame of the clashes on the multiparty advocates largely the Bukusu in Bungoma but by extension to non-Kalenjin for organizing the violence further drawing a wedge of ethnicity than peacebuilding (Respondent 21:2018, Africa Watch, 1993). It, therefore, increased suspicion and hatred between the Sabaot and Bukusu than reconciliation. This was because the Bukusu appeared not to support the government, which the Sabaot felt were part and parcel of (Respondent 19:2018).

The ex-Senior Chief observed that, when the government made an effort to stop political rallies as a way of containing public incitement by politicians, it largely appeared ‘like burning non-Kalenjin political rallies by extension Bukusu political rallies in Bungoma’ than the Sabaot (Respondent 21:2018). In essence, the government’s effort to stop clashes further elicited ethnic alignment in Bungoma which jeopardized peacebuilding (Respondent 24:2018). Though this background tended to conform to the initial prediction by the then president Moi, that multiparty would disintegrate Kenya’s nationhood into ethnicities but it largely demonstrated the extent by which the government had played into ethnicity and failed to curb negative ethnicity and enhanced the creation of ethnic Sub-states (Respondent 24:2018). To this end, the government did not unite the warring Bukusu and Sabaot but instead drove a wedge of division thus compromising peace building.

5.1.8.2 Transformation of the Police Force and Inter-ethnic Conflict in Bungoma County

An elder respondent, who was a former National Intelligence Service (NIS) officer recalled that the 1991/92 conflict in Bungoma was fought between the Sabaot and other communities including the Bukusu, Teso, and Gikuyu who were staying in Mt. Elgon (Respondent 69:2019). The police were called in after the Sabaot started to burn down houses and other property including crops like rice on the farms of the non-Sabaot. Police officers from various stations, Bungoma, Webuye, Kimilili including General Service Unit (GSU) were sent to Mt. Elgon to combat crime and maintain law and order, (Respondent 69:2019). The GSU were stationed in Mt Elgon at Loromweti, Kanganga, Huruma, Gitwamba, Kipsikoroko, Chesikaki, Chesito, Chebweke and Kapretwa, in essence the conflict was largely within Mt. Elgon region, where the Sabaot, who claimed that they were the original owners of Mt. Elgon were flushing out other non-Sabaot communities. Regular Police and Administration Police made some arrests and Killed the main criminal Major Kurong' while the members of public killed Major Kunia, (Respondent 69:2019)

Peace Keeping, a prelude to peacebuilding in 1991/92 was however not a smooth path as was reported by another elder respondent, a former regular Police Officer, who also took part in quelling conflict in Mt Elgon in 1992. The officer was shocked,

that though armed, we were under strict instructions not to use fire arms but keep peace and apprehend offenders yet arsonists from Mt Elgon assisted by the Sebei from Uganda were not only armed but demonstrated experience in the way they used the guns against the non-Sabaot', (Respondent 68:2019).

As a result the villages, farms, animals, homes, vehicles of non-Sabaot were burnt in the presence of police officers at Gitwamba, (Respondent 68:2019). The former officer remembered how they escorted an organized ring of arsonists burning property belonging to non-Sabaot into the forest only for the arsonists to open fire against them after entering into the forest, this forced the officers to retaliate by shelling bullets into the forest killing several arsonists, (Respondent 68:2019). After the incident was reported, the respondent remembered that, it did not only result to massive transfer of the officers who were involved in the fire exchange including two inspectors but up to the time of his retirement the respondent never met his colleagues in any other station, meaning they were totally kept apart, (Respondent 68:2019). Within two months in January and February 1992, for example, the respondent was transferred to four stations, between January 13th to 24, 1992 he was transferred to West Pokot, Kitale and Kericho then in February 1992 to Londian, (Respondent 68:2019). It was similarly a shocking coincidence that the Sabaot Police Officers and Administration Police from Mt. Elgon were on leave at the time of the conflict December 1991 and January 1992, (Respondent, 68:2019). The conflict in Mt Elgon only subsided when they engaged Home Guards, identified by police officers and trained on how to use the guns, (Respondent 69:2019). Home guards assisted in laying ambush along the routes that the arsonists used and distinguished Sabaot of Kenya from the Sebei of Uganda, (Respondent 69:2019).

Equally significant in beefing up security in conflict prone Mt. Elgon was the elevation of Patrol Base to Police Post and then to Police Stations and, setting up of new Police Posts starting in 1993. Kipsigon and Kopsiro were elevated from Patrol Base to Police Post

then Police Station, while at Gitwamba and Kaptama Police Posts were set up , (Respondent 69:2019).

Meanwhile, there was evidence to the effect that transformation of the police force was influenced by inter-ethnic conflicts. At independence, the government was guided by the principle of police independence from undue influence, integrity, and neutrality but the situation systematically changed from 1966 (Respondent 13:2018). The Inspector-General of Police for example lost the security of tenure of office (The Final Report of Constitution of Kenya Review Commission 2005). Subsequently, therefore, the police were politicized and skewed largely to serve the government in place, yet the government was ethnic inclined (Respondent 25:2018).

It was therefore not surprising that though, the government deployed security personnel as a measure to deal with conflict in 1992 it elicited negative ethnicity that did not enhance neutrality or nationhood (Respondent 24:2018). This was demonstrated from the complaints received from the non-Kalenjin clash victims who complained that security officers took ethnic inclined sides and stood by and watched while Kalenjin warriors attacked them (Respondent 46:2019, Africa Watch, Nov. 1993). This was equally the basis of the sentiments expressed by the IDP's, that though the government made some arrests of conflict perpetrators there were reports that Kalenjin attackers were favoured and released without charges being preferred against them and that the police were either reluctant or deliberately did not take statements from the clash victims (Africa Watch, Nov 1993).

This was corroborated with Akiwumi led Judicial commission findings over the Bukusu-Sabaot conflict in Bungoma which established that by the end of December 1991 the Officer Commanding Kimilili Police Chief Inspector David Rono and his team, though they made 88 arrests at Kapsokwony, 72 of them Sabaot, they were later released without charges being preferred against them because there were no statements recorded either from those arrested or the police officers who had made the arrests (FGD 2:2018, Akiwumi Report of Judicial Commission, 1999). This forced the Judicial Commission to conclude that the omission was deliberate because Rono a Kalenjin OCS, had taken sides. It was under the same mistrust that regardless of government reassurance of security not all the IDPs in Bungoma County returned on their land seventeen years later (Respondent 57:2019, Africa Watch, Nov. 1993, TJRC Vol.2A, 2013, Kenya Human Rights, 2011)). Compared nationally, though in March 1992 the government had arrested 700 people in connection with violence of 1991/1992 this did not convince the internally displaced of the government's seriousness or commitment in dealing with conflict in Bungoma (Respondent 7:2018).

The findings of the Akiwumi led Commission did concur with the Parliamentary Select Committee set up in May 1992 to look into the clashes by the National Assembly which amongst other findings, strengthened the theory of ethnic Sub-state versus Nation-State (Respondent 34:2018). The committee was chaired by J. Kennedy Kiliku with members, Bahati M Semo, P.P.P L. Angelei, Mwacharo Kubo, J.Muruthi Mureithi, F.T Lagat, Agnes M. Ndeti, Bob F.Jalang'o, G.O.K. Parsaoti, J.J. Falana, Zedekiah M. Magara, Wasike Ndombi, and Mohammed Sheikh Aden. It was largely representative of the diverse Kenyan communities, (Kiliku Report, 1992). The report demonstrated that the

clashes were not only politically motivated but were carried out by a parallel organization led by the Kalenjin and Maasai leaders in the government and by extension close to the president but with a cardinal aim of safeguarding Kalenjin Sub-state within the nation-state (Respondent 14:2018). The National Assembly report which concurred with reports of the respondent in Mt Elgon showed that the machinery which operationalized the conflict was that of Kalenjin Sub-state and her allies parallel from the official state security (Respondent 24:2018, Africa Watch, Nov 1993, NCKK, The Cursed Arrow, Inter-Parties Symposium Tusk Force Report, June 11, 1992). They were privately hired and paid different rates depending on the damage they caused on the non-Kalenjin nation-state by extension those who opposed them, for example, Ksh. 500 was paid for safe return from an operation, Ksh. 1000 for killing one person or burning a grass thatched house and Ksh.10,000 for burning a permanent house, (Respondent 21:2019). Corroborated with Akiwumi report and eye witness accounts, in Mt Elgon for example, observed that burning of houses went on for a week despite the fact that there were police from Kimilili, Bungoma, and Kopsiro (Respondent 57:2019, Akiwumi Report of Judicial Commission, 1999). Largely thus by 1992 ethnic zeal had grown and it was the driving force that not only carried the fighters to the battle front but also inspired them (Respondent 57:2019, Kiliku Report 1992, Africa Watch, Nov. 1993). The fact that many of the Kalenjin fighters were associated with the government and that they were transported to and from clashes in government vehicles and cars was a justification of the full-blown conversion of the then Kenyan nation-state into Kalenjin Sub-state with dedicated generals to defend it other than the official security forces (Respondent 23:2018). This was a reflection of national decadence in peacebuilding. It was as a result

of the divided loyalty that the provincial administration, as well as the security organ's response, was slow in reacting to the conflict in Bungoma County. As earlier established, the provincial administration served the appointing authority and since it was dominated by one ethnic community it was perceived to be biased (Respondent 54:2019).

Meanwhile, though the Kiliku committee report estimated that by September 1992, 779 had died from the violence, 600 were injured, 56000 families had been rendered homeless and damages were estimated at Ksh. 210 million, while Nicholas Biwott and Ezekiel Bargetuny were identified as those who had fanned the conflict and were to face appropriate action because of their direct or indirect participation in the clashes yet the two were not only Kalenjin but were close associates of the then-president Moi and the government thereof (Respondent 16:2018, Africa Watch, Nov. 1993). The report also established that ethnicity affected the government response hence recommended ethnic balancing in the appointment of administrative and security personnel because the composition of the military and the administrative organ was largely Kalenjin (Respondent 24:2018). It further recommended the creation of a special trust fund to assist clash victims (Kiliku Report, 1992). However, as a result of ethnic inclined legislature, the report was dealt a blow when it was rejected by the parliament on October 14, 1992 (Hornsby, 2011, HRW, 1993, NEMU, April 29, 1993). This was corroborated with oral interview and Akiwumi led commission report which established reluctance, bias, and lack of commitment on the part of the police under the command of Chief Inspector David Rono who dealt with conflict at Kapsokwony and Kaptama in Kapsokwony Division (Akiwumi Report of Judicial Commission, 1999).

From the Kiliku and Akiwumi led judicial commission it was evident that the politicians and government officials also took sides in handling clash victims (Respondent 7:2018). For example, the speaker of the National Assembly, Jonathan N'geno a Kalenjin on four occasions blocked discussions of the conflict report and only succumbed when members of parliament threatened with mass walkout (Kiliku Report, 1992). The Kiliku Select Committee Report was shot down in parliament because of ethnic inclined politicians (Respondent 48:2019). This was explicit when the Kalenjin Kiliku Committee Members who had taken part in the whole process of investigation, preparation, and endorsement of the report withdrew and voted against the report in parliament (NEMU, April 29, 1993). Though the parliament had initially positively resolved to deal with conflict but Shooting down the report meant that legislative effort to solve 1992 clashes failed as the taxpayer's money went to waste and the nation polarized, particularly between in Bungoma. Additionally, the trust fund to assist the victims never materialized and the suspected instigators went scot-free. By extension thus the state of affairs remained as though nothing had happened yet ethnic fissure had widened than before particularly among the Sabaot and Bukusu in Mt Elgon (Respondent 18:2018).

On the other hand, when the Akiwumi led Judicial Commission of inquiry in the tribal clashes interrogated the officer commanding the Kimilili Police Station David Rono; he admitted for having delayed for more than two hours from Kimilili before reaching the scene of conflict in Mt Elgon at Kapsokwony, which was ten Kilometres away (Akiwumi Report of Judicial Commission, 1999). Though Rono blamed the bad road the Judicial Commissioners were not convinced and they were persuaded to believe that Kimilili Police Station was either not prepared to respond to emergency or since Rono was a

Kalenjin like the Sabaot he did not care about what happened to the non- Sabaot, (Akiwumi Report of Judicial Commission, 1999).

Rono, when interrogated by Judicial Commission whether it was the Bukusu, Teso, or Sabaot's houses that had been burnt at Kapsokwony he refused to pinpoint at any community instead insisted that the houses burnt belonged to the two communities the Bukusu and Sabaot. The commission was persuaded to believe as well that since Rono was a Kalenjin, he took sides and did not bother what happened to non-Sabaot. He did not care to find out from the village elders, Assistant Chief, or Chief on what had happened or find out the ownership of the houses that had been burnt down (Akiwumi Report of Judicial Commission, 1999). Rono consistently gave false information regarding the ownership of houses that had burnt down even at the Kaptama location yet it was dominantly among the Sabaot. He instead went for a middle-level answer that the burnt houses belonged to both the Bukusu and Sabaot (Akiwumi Report of Judicial Commission, 1999).

The commission was forced to conclude that Rono lied to them because his answers were not supported by evidence and he had struggled to even deny the evidence that could have helped him give or make an informed answer meaning he knowingly made an effort to defeat justice (Akiwumi Report of Judicial Commission, 1999). Under the circumstances, the Judicial Commission of inquiry observed that Rono had taken sides to protect the Sabaot his tribesmen the Kalenjin both at the judicial commission and during the clashes, hence the commission recommended that he be investigated, which was not done (Akiwumi Report of Judicial Commission, 1999). The commission further received and reported that despite the presence of security officers from Kimilili and Bungoma,

houses belonging to the Bukusu continued to burn for a week (Akiwumi Report of Judicial Commission,1999). Near Chesikaki Police Post the houses belonging to the Bukusu were burnt yet no arrests were made, (Akiwumi Report of Judicial Commission, 1999). The commission reported that the Regular Police, GSU, and the Administration Police failed to make effort and recover guns including stolen cattle until when the army joined, went up the mountain, and recovered guns from the Sabaot. It was at this time that the clashes stopped in the Kapkateny area of Kopsiro (Akiwumi Report of Judicial Commission, 1999).

Meanwhile, sidelining of the mainstream security in 1992 conflict and enhancing ethnic gangs jeopardized the role that security played as anti-stock theft unit and the General Service Unit including mediation, mitigation, detection, investigation collection of evidence, arrest, and determination of the judicial course of criminal matters was put in disarray as well as slowed down the police response to distress calls (NSC, 2011, Respondent 8:2018). This in part explained why the public lost confidence in the security apparatus. It is important to note however that though the executive interfered with the role of security agency yet in terms of response, the police were rated high compared to religious leaders, community leaders, and even CSOs thus demonstrating the amount of safety that was compromised by sidelining or reluctance from the official security officers. In essence, the executive arm interfered with the proper functioning of the security organs in enhancing inter-communal co-existence (Respondent 33:2018).

As noted earlier, the omissions displayed in the way the security apparatus dealt with the Bukusu-Sabaot conflict, had some bearing on the constitutional structure that was in place at that time and what had to change subsequently to reconcile communities

(Respondent 8:2018). The Constitution of 1963 as amended to 1997 had indirectly placed the police force under the presidency as the appointing authority, the minister of Internal Security, the Attorney General, and the delegated presidential executive authority through the Provincial Administration (The Constitution of the Republic Kenya, 1963, 108).

The Police Force had to act alongside the executive organ of the government (Respondent 50:2019). As was designed the presidency influenced appointments of the Police Commissioner (Respondent 29:2018). This largely explains why by 1990 the police took sides in support of the government. The Constitution lacked a systematic set of provisions on defense, national security hence it was regulated by ordinary legislation (Respondent 7:2018). For a long time, there was no legislation for the National Security Intelligence service yet it was a necessary investigative organ of the police force (Respondent 7:2018, The Final Report of Constitution of Kenya Review Commission, 2005). The 2010 Constitution is a departure and frees the office of Inspector General (IG) from the control of the executive, first by ensuring that though appointed by the president but has to be approved by the parliament (Respondent 21:2018). Similarly the IG has to exercise independent not delegated, command over the National Police Service, IG does not receive direction with regard to investigation of any particular person or persons, does not receive direction to enforce the law against any particular person or persons or employment, assignment, promotion, suspension, dismiss any member of police service (Constitution of Kenya, 2010, Articles 245(2) (b) (4) (a) (b). This largely guarantees the independence of the police service and the operations of IG's office. The Constitution provides for high standards of professionalism and transparent police service which complies with necessary standards of human rights and fundamental freedoms

(Constitution of Kenya, 2010, Article 244 (a)-(e). The standards of police professionalism, it was expected would curb laxity and favouritism which had characterized Jomo Kenyatta and Moi's government (Respondent 24:2018). To curtail ethnicity within the Police Force the Constitution demands that the composition of the National Police Service reflects the regional and ethnic diversity of the people of Kenya (Constitution of Kenya, 2010, Article 246 (4).

As evident, the Bukusu – Sabaot conflict of 1991/1992 was rooted in unhealed historical problems but triggered by multiparty politics. Ethnic tension and conflict between the two were pegged on the election cycle of five years. The fact that the 1991/1992 conflict did not only occur in Mount Elgon nor had it started there was a pointer that other factors had come into play and it was a wider national problem (Respondent 29:2018). 1991/1992 conflict was experienced among the Kisii and Maasai, Luhya of Kakamega and Nandi, Luo and Kipsigis, and in Trans-Nzoia before it spilled over to the Bukusu and Sabaot in Bungoma (Akiwumi Report of Judicial Commission, 1999). This was corroborated by Akiwumi Commission findings that the Sabaot's complaint was to the effect that they were the first to occupy Mt Elgon and they did not want other strangers whom they accused of taking their prime land, in particular the Bukusu, to settle in Mt Elgon, (Respondent 46:2019, Akiwumi Report of Judicial Commission, 1999). The Sabaot were aware that the government had earlier ignored and marginalized them therefore by 1991/92 they feared that multi-party politics would further sink them deeper into marginalization than before (Akiwumi Report of Judicial Commission, 1999). Accordingly, multi-party politics was exploited by the politicians largely from the Rift Valley to start clashes in Bungoma.

As the conflict subsided the then Western Provincial Commissioner Francis Lekoolool and the District Commissioner Rintari went out to reconcile communities through peace messages at public gatherings by pointing out the dangers that were inherent in arson activities (Respondent 2:2018). Lacking a clear cut resettlement plan from the government, the displaced people initially moved to the churches, some joined their relatives while others moved to abandoned incomplete buildings, (Respondent 2:2018).

5.1.8.3 Government Relief Supply and Inter-ethnic Peace building and Conflict Management

The relief supplies given to people in Bungoma were not only for short-term needs but also temporal (Respondent 24:2018, Africa Watch, 1993). This was reflected in the supplies which reached the IDP's for example blankets, food, money, roofing iron sheets, nails, and maize was distributed across Bungoma at trading centres on the borderline dividing the Sabaot and the Bukusu, at Namwela, Kabuchai, Kapkateny, and Cheptais (Respondent 24:2018, Africa Watch, Nov. 1993).

Though the government supplied relief to the 1992 IDPs but the process brought to the fore how unregulated the government was, how dissatisfactory and ethnic skewed it had become (Respondent 18:2018). Though, in March 1992, the then Vice President George Saitoti announced in parliament that the government was to provide food and other relief supplies worth 10 million but not all the money reached the affected people particularly in Bungoma (Respondent 18:2018, Africa Watch, Nov. 1993). The District Commissioner of Bungoma, Rintari Kibiti confessed that the Ksh 400,000 assigned for relief supply for the district was insufficient compared to the displaced clash victims (Africa Watch, Nov 1993).

The former chief of Kaptama lamented during the oral interview, that apart from inadequate supplies to the IDPs, the other hindrance was the formal yet informally operationalized system of distribution of relief supplies which heavily depended on honesty and efficiency of local government officials yet their ethnic neutrality was in doubt largely because of the ethnic skewed government and ethnic inclined conflict (Respondent 7:2018, Africa Watch, Nov. 1993). This was jeopardized more by the fact that relief supply lacked sound structures to monitor and evaluate the efficacy of distribution (Respondent 7:2018). At the same time, the IDPs were ethnically polarized such that they distrusted the relief supply officials particularly if they came from a different ethnic community from their own. Non-Sabaot victims including the Bukusu felt that the clashes had been instigated by the government and therefore they were suspicious of government assistance (Respondent 21:2018, Africa Watch, 1993).

As was legally constituted, the neutrality of Kenya's civil service was undoubtedly inclined to the executive and ethnic because the president had express powers of constituting and abolishing Public Service offices and the tenure of public officers was at the pleasure of the president, unfortunately, this development had started as early as 1963 (The Constitution of The Republic of Kenya, 1963, as amended to 1997 Article 24, 25 (1). The president had powers to appoint Public Service Commissioners and through a tribunal appointed by the president could fire the Commissioners yet the commissioners were responsible for appointing, confirming, and disciplining the public civil servant (The Constitution of The Republic of Kenya, 1963, as Amended to 1997 Article 107(1). In essence, the process of appointing Public Civil Servant was skewed towards the employer than the people they served hence perpetuated ethnically inclined service

delivery aimed at pleasing the appointing authority as was demonstrated by the report from clash victims on officers who dealt with distribution of relief to the ethnic clash victims of 1992 (Respondent 18:2018, Akiwumi Report of Judicial Commission, 1999). Ethnicity had been used as a tool for accessing power and state resources as well as fueling the Bukusu-Sabaot conflict and was anathema to enhancing unity (Respondent 21:2018).

Unlike the 1963 Constitution, the 2010 constitution frees the Public Civil Service from the snares of the executive control. The Constitution makes provision for high standards of professionalism underscoring transparency, administrative accountability, and timely provision of accurate information to the public, as well as objectivity and impartiality characterize the delivery of service obliterating nepotism, favouritism or corruption earlier witnessed in Kenya and Bungoma by extension (The Constitution of Kenya, 2010, Article, 73(1) (a) (ii). The presidential and gubernatorial powers of appointing the Public Service Commissioners was checked by the National Assembly and County Assembly respectively through approval of appointment or vetting by the National Assembly or County Assembly (The Constitution of Kenya, 2010, Article 232). Unlike the 1963 Constitution, the 2010 constitution gives the Public Service Commission power to establish and abolish offices in the Public Service over and above of their representing the face of Kenya at the Nation and the County at the county, (The Constitution of Kenya, 2010, Article 234(2) (a)(1). The public officers have to promote public confidence into the government by demonstrating honour, dignity and respect to the people they serve (The Constitution of Kenya, 2010, Article 73(1) (a) (ii). In essence,

thus the 2010 Constitution regulates the public officer's conduct unlike the previous therefore acting as an anchorage for peacebuilding and conflict management.

5.1.8.4 Government Resettlement of IDP's and Inter-ethnic Conflict and Peace building in Bungoma County

The former Senior Chief, observed that in 1992 the government did not have a clear and secure procedure of getting the Sabaot, Teso and Bukusu clash victims back to their farms (Respondent 21:2018). This was evidenced in insecurity, lack of money, and fear which made many clash victims particularly the Bukusu and Teso not go back to their farms, (Respondent 21:2018). Ex Senior Chief observed that despite the assurance from the provincial administration of the safety of the clash victims there was very little effort made to provide necessary security for the returnees (Respondent 21:2018). The Akiwumi report showed that some of the clash victims who tried to go back to their farms immediately after the conflict subsided were attacked (Akiwumi Report of Judicial Commission, 1999). And those who had bought land, the sellers took advantage of the conflict and forcefully repossessed the land and threatened to kill the buyers if they returned (Akiwumi Report of Judicial Commission, 1999). Susan Nakhumicha Wamalabe a Bukusu, for example, was forced out of her land which she had bought from a Sabaot Clay Masai, who stopped her from going back after the son of the seller Mulwa Benjamin Masai Clay illegally trespassed onto her land (Akiwumi Report of Judicial Commission, 1999).

Besides most farms after the clashes remained fallow because the clash victims lacked what to restart life within Mt Elgon (Respondent 7:2018). This was corroborated with the Akiwumi commission finding where the commissioners took note of the needy state of

the IDP's and made a passionate appeal to the government to assist the victims financially (Akiwumi Report of Judicial Commission, 1999). Unregulated as well as ethnically inclined security personnel harassed and misappropriated food supplies of the displaced persons, (The Final Report of Constitution of Kenya Review Commission, 2005). Partly as a result of lack of ethnic inclined conflict-related disaster preparedness, the government failed to promptly counter Bukusu- Sabaot conflict and dragged her feet in taking action to bring an end to Bukusu expulsion from Mt Elgon, (Respondent 21:2018, Norwegian Refugee Council/Global IDP Project, 2004). The resettlement of IDPs in Bungoma was hampered by a lack of trust in the government particularly among the Bukusu because government officers including security agents, as earlier noted had taken sides in the conflict, (Respondent 21:2018, Report of Judicial Commission Appointed to inquire into Tribal Clashes in Kenya, August 1999). The government failed to arrest and stop the spread of leaflets that threatened the Bukusu IDPs who attempted to return to their farms in Mt Elgon (Respondent 21:2018).

The trauma that the IDP's had gone through, fear, uncertainty, anxiety, and mistrust in addition to sour relations among the Bukusu and Sabaot could not allow the IDPs readily go back to their farms yet this was a prerequisite to peacebuilding (Respondent 18:2018, Akiwumi Report of Judicial Commission, 1999). Similarly, since the IDPs had lost almost everything in the conflict including destroyed homes, property, relatives, while others were too old to set up new homes yet the government did not provide resources, it slowed down resettlement in Bungoma (Respondent 24:2018, Norwegian Refugee Council/Global IDP Project, 2004, Akiwumi Report of Judicial Commission, 1999). Politicians, as well as senior government officials, worked against peacebuilding after

1992. KANU MP's voted against a proposal to support the resettlement of ethnic clash victims (Respondent 8:2018). In essence, the political will to resettle IDPs was lacking on the part of the government. For example, it was after a year that the government took a meaningful step to stop the 1992 clashes in mid-1993, (Norwegian Refugee Council/Global IDP Project, 2004). President Moi for example visited areas ravaged by violence and appealed for calm in 1993 yet the conflict between the Bukusu and Sabaot had started to subside as early as 1992 (Respondent 8:2018). This was despite the fact that the president had powers including invoking the Preservation of Public Security Act, which he eventually used to outlaw possession of firearms and institute curfew (Norwegian Refugee Council/Global IDP Project, 2004).

Neither the Constitution of 1963 as amended to 1997 nor 2010 constitution was and is explicit on conflict-related disasters except that the 2010 constitution provides that the Kenya Army, Air force and Navy shall cooperate with other organs including Kenya Police Service in situations of disaster and in the restoration of peace in any part of the country but in the two circumstances it shall be checked by the National Assembly (The Constitution of Kenya, 2010, 241(3) (b) (c). While the Police Service is mandated to preserve peace, protect life, investigate crime, maintenance of law and order, protect property, and provision of assistance to the public, (National Police Service Act No.25 of 2015)

5.1.9 The Role of Elders in the Transformation of Bukusu-Sabaot Conflict, Peacebuilding and Conflict Management From 1992

After the 1992 clashes the churches and elders played role in reconciling the Bukusu and Sabaot communities alongside Chiefs and their assistants. During an in-depth interview a

Sabaot ex magistrate who later became Senior Chief observed that the Council of Elders of both the Sabaot were established and re-established starting from the grassroots, in ‘some areas it consisted of each clan particularly in Mt Elgon’ (Respondent 8:2018). Membership consisted of recognized and respected members of the community. Later, Peace Committees of 15 community elected members from each location were established consisting of a cross-section of ethnic communities represented in the area or location most importantly the Sabaot, Bukusu, and Teso including the youth and women (Respondent 50:2019).

The fifteen-member committee elected the Chairman, Secretary, and Treasurer (Respondent 28:2018). Various Locational Peace Committees joined together at the Division to elect Divisional Peace Committee of fifteen members with Chairman, Secretary, and Treasurer and representative of all interest groups the youths, women and various ethnic communities (Respondent 28:2018). Then various Divisional Peace Committees came together and formed the Sub-County Peace Committee. They elected Sub-County Chairperson, Secretary, and Treasurer and various interest groups the youths, women, and ethnic groups in the Sub- County. The Sub-County Commissioner was co-opted and a Peace Monitor was added (Respondent 24:2018). The Sub-County Committees converged at the County to form the County Peace Forum. This was then linked to the central government through the National Steering Committee on Peacebuilding and Conflict Management (NSC, 2011). The NSC, nationally coordinates peacebuilding and conflict management by networking the government with CSOs and other development partners within the country.

The FGD at Kapsokwony established that the Peace Committees though ad hoc, were responsible for early identification and reporting of early signs of inter-ethnic instability and the people involved (Kapsokwony 2:2018). Peace Committee members were allowed to directly report any threat to inter-ethnic coexistence at any time to the relevant authority including to the County Commissioner (Respondent 18:2018). They were also involved in the rehabilitation of former rebels (Respondent 50:2019).

Peace Committees brought together ‘traditional leaders and their skills, the youth, women, a cross-section of ethnic communities and the formal conflict resolution mechanism involving the Sub-County and County Commissioners and peace monitors and they were to remain apolitical’ (Respondent 28:2018). They ‘facilitate inter and intra-community peace at the village, Sub-location, location, Division, Sub-County, County and the nation’. They promptly respond to varying causes of conflict including resource-related or election (Respondent 28:2018). At times they repossess weapons from rehabilitated rebels (Respondent 28:2018).

5.1.9.1 District Peace Committee (DPC)

Appointment to the position of elder, though flexible, but the candidate had to meet basic qualifications set by individual communities. An in-depth interview established that various Sabaot “houses” sub-clans appointed Peace Committee leaders who had a history of Oloibon that is royalist, ‘they followed hereditary traits’ (Respondent 15:2018). Other qualities for selection included one’s character which was measured in terms of law-abiding. People selected were those without crime record like murder, theft, or wizards, (Respondent 7:2018). People or families with a history of strange ailments were avoided (Respondent 8:2018). Over time, education came to play part as well, such that a person’s

ability in understanding current affairs became important in understanding current trends and issues that were of consequence to the community (Respondent 28:2018). The changing eldership role among the Bukusu and Sabaot came to acquire greater similarity. Key to note in the appointment of eldership was ‘morality and rejection of delinquency initially associated with bad omen like curses (Respondent 19:2018).

The Sabaot’s way of appointment of eldership based on royal ancestry for a long time sustained the Oloibon institution that to a larger extent sustained the unity and identity of the Sabaot as distinct from other communities including the Bukusu (Respondent 46:2019). Similarly, though traditional leaders were instrumental in reconciling communities they also enhanced conflict when they took sides where they acted as perpetrators of conflict (Respondent 7:2018). The fact that Oloibon’s interpretation of events was based on explaining or accounting for physical occurrences in spiritual terms, limited the possibility for concurrence or clear-cut measure to attain or verify objectivity (Respondent 29:2018)). Oloibon, though it had sustained the identity and unity of the Sabaot for long in retrospect it was a major dividing line between the Bukusu and Sabaot.

The FGD established that the Sabaot’s eldership to date is divided into six “houses” or sub-clans of Kony, Bok, Somek, Sabiny/ Sebei, Mosop, and Bungomek (FGD 2:2018). Except for the Kony and Sebei who had one chairman each ‘Sabaot house or Sub-clan had a chairman who come together to constitute Sabaot Supreme Council of Elders’ in Mt. Elgon under Ptaki Reuben (Respondent 19:2018). The council was affiliated to the larger national Kalenjin elder’s Council. The Bukusu together with the other 17 Luhya ethnic communities in western Kenya constitutes the national Luhya council headed by Burundi Nabwera, (Respondent 4:2018).

Meanwhile, it is important to note that tribal grouping has largely enhanced the Bukusu, Sabaot, Teso including Tachoni identity besides the reconciliation role, (Respondent 21:2018). The Sabaot, as well as the Bukusu, linked their allegiance to their fellow Kalenjin or Luhya respectively thus socio-cultural and linguistic division of communities (Respondent 10:2019). It is within the same division that the socio-political and economic competitions tended to follow thus widening inter-communal harmony than reconciliation. Politicians at local and national levels used the same structure to swing left and right communities particularly the Bukusu-Sabaot relationship for their political, economic, and social survival particularly at the time of national political campaigns, (Respondent 19:2018).

5.1.9.2 Church and Bukusu-Sabaot Peace building

The study found that religious leaders, through church sermons and rehabilitation centers were instrumental in inculcating morals of good neighborliness amongst communities (Respondent 2:2018). Catholic, Anglican, Salvation Army (SA) were instrumental in the reconciliation and rehabilitation of IDPs (Respondent 21:2018). In Mt Elgon for example church compounds were the first neutral refuge centres that hosted both Bukusu, Sabaot including the Teso and Tachoni IDPs (Respondent 7:2018). Many of the IDPs were vulnerable mothers and children. Churches provided shelter and food in their first line of assistance (Respondent 7:2018). The Catholic church working under Catholic Justice Peace Commission (CJPC) has established structures and membership to preach peace from the grassroots in Bungoma County to Rome, (Respondent 70:2019). At the village level they have Small Christian Community (SCC), where each elect one member for CJPC, who then meet at the Sub-Parish level to elect the Chair and Vice, Secretary and

Treasurer for the Sub- Parish leaders of CJPC. At the Parish level, office replica to the Sub- Parish are elected. Parish are clustered into Dinaries, which meet to elect officials in the same order like at Sub-Parish who then meet at the Diocese to elect Diocesan CJPC officials covering the entire diocese, (Respondent 71:2019). The CJPC work in liaison with Vatican Council. In Bungoma County the CJPC ensure that people live in peace *Haki na amani*, they identify areas of need among members for example hunger, diseases, shelter, dress, and resettlement including helping them through the church. A respondent who has been a catechist for the last 42 years, pointed out that the CJPC in Bungoma has assisted the displaced and landless by purchasing land for them at Sikhendu, setting up houses, buying blankets, paying fees, treatment including vocational trainings, (Respondent 71:2019). The respondent, also pointed out that the church occasionally intervene and force the government act in matters relating to peace in the County. The respondents also pointed out that the CJPC was not free from challenges which hampered their role as, limited finance compared to the needs which lead to failure in implementation of programmes, failure meetings by members because of lack of satisfaction of the self interest because most of the work is voluntary and different dinaries have different needs.

Occasionally the church often conflicted with the elders in their role because of differing faiths and practices as they carried out their functions, (Respondent 24:2019). The church was also susceptible to politicians' influence as most of their work was essentially voluntary hence susceptible to financial influence in the name of assistance (Respondent 8:2018). The churches were also accused of soliciting funds for their own use at the expense of the IDPs (Respondent 28:2018).

5.1. 10 Substance Abuse in Bukusu - Sabaot Conflict and Peace building:-

During the FGD at Cheptais, the respondents concurred that traditionally beer amongst the Bukusu and Sabaot was used for a libation that is during ceremonies including the offering of sacrifices or while praying (FGD 3:2018). Beer was also used for pass time among communities including the Bukusu and Sabaot but within the ‘context of basic traditional behavioural pattern which started at preparation up to the time of drinking’ (Respondent 19:2018). Over time, however, as traditional bonds that guided beer preparation broke so did the regulation of beer drinking to the extent that it became a tool misused by politicians from both the Bukusu and Sabaot against each other for political expediency through intoxication of the youths (Respondent 66:2019).

Besides the traditional beer, bhang, wine, and spirits including drugs were added to the list of intoxicants (Respondent 28:2018). The government came up with laws and regulations to guide beer drinking as well as anti-drug trafficking laws to curtail the spread of drugs (Respondent 8:2018). President Moi’s administration took cognizance of the abuse of traditional beer and limited its use, through licensing, to libation, traditional ceremonies like circumcision but not for pass time (Respondent 8:2018).

The ex-Senior Chief noted various challenges experienced by the law enforcement agents with regard to controlling abuse of beer and drugs. He argued that sometimes it was difficult to determine and distinguish beer meant for libation and cultural ceremonies from one that was illegal since licenses were sometimes corruptly acquired (Respondent 7:2018). The law enforcers were also part of the cartels that enhance beer drinking (Respondent 7:2018). Drug trafficking was a global problem, whereby laws and regulations within a nation-state like Kenya required international linkages which were

sometimes slow or lacking (Respondent 28:2018). ‘During electioneering in Kenya, beer drinking and drug abuse tended to attract crowds amongst communities making it difficult for the law enforcers to control’ (Respondent 21:2018).

At the FGD sitting at Kapsokwony, a former teacher reported that Peer counseling and Community Policing have helped to address youth issues however the fact that the counselors and those involved in community policing offer their services voluntarily, it limited their efficacy in view of harsh economic times. This was further enhanced by ‘unemployment which made the youths and general public vulnerable to gifts and handouts from politicians who use it as a bait to influence them into crime’ for political expediency (FGD 2:2018, Respondent 15:2018).

5.2 Role of Non-state Actors in Peacebuilding and Management of Inter-ethnic

Conflicts in Bungoma County

The section addresses reconciliation, inter-communal projects, schools, and media as means of cultivating Bukusu-Sabaot co-existence. Youths and women issues in Bukusu-Sabaot conflict and peacebuilding are addressed.

5.2.1 Reconciliation Meetings and Workshops

Two former Senior Chief and one former Assistant Chief observed that though several reconciliation meetings were organized and held before and after the conflict between the Bukusu and Sabaot they largely took public gathering dimension (Respondent 7:2018, Respondent 21:2018). They noted that when early signs of conflict were noticed the government through the Provincial Administration tried to sensitize the public on the

effect of conflict. The former Assistant Chief of Kaptama in Mt Elgon noted that this was initially done by ‘mobilizing people through public gatherings’. However when the conflict started the government still used the provincial administration to mediate by meeting the leaders including elders of the two communities separately (Respondent 7:2018). Selected leaders from the Bukusu, Sabaot, Teso and Tachoni communities met to lay down the process of reconciliation. Several meetings were held involving traditionally recognized leaders, village elders, Assistant Chiefs, Chiefs, and District Officers. Meetings were held at various levels from the location, division, and eventually at the district under the District Commissioner sometimes the entire province was involved under the Provincial Commissioner. The Faith-Based Organization, for example the Catholic Justice and Peace Commission was involved (Respondent 7:2018, Respondent 21:2018). Meetings were held at trading centres along the borderline dividing the Bukusu and Sabaot for example at Kimilili, Kipchiria, Chesamisi, Kaboroam, Kapkateny, Chwele, Namwela, and Cheptais (Respondent 19:2018).

Besides the Provincial Administration, the non-governmental organizations were also involved in the reconciliation of communities in Bungoma. During the interview, two former officials of a non-governmental organization, who worked in the Mt. Elgon region recalled that several voluntary reconciliation meetings were organized and held after 1992 (Respondent 18:2018, Respondent 24:2018). Besides the NGO officials, the reconciliation process involved ‘Bukusu, Sabaot, Tachoni and Teso elders, elected leaders and opinion leaders’ including church leaders (Respondent 17:2018). A former Senior Chief, however, pointed out that some interested politicians handpicked and imposed leaders on reconciliation panels with the intention to cover up some activities

committed by politicians or individuals who had taken part in the conflict. Others 'wanted to impose people of their choice to lead reconciliation teams so as to be privy to the deliberations just in case it adversely touched on their proxies or themselves with the intention to manipulate the outcome'(Respondent 21:2018). The non-governmental organizations which were involved in reconciliation in the Mt Elgon region included Action Aid, World Vision, and Red Cross (Respondent 50:2018). Action Aid for example started to resettle clash victims in Mt. Elgon at a time when the government was still dragging its feet and by 1997, it had widened its web of resettlement to reach approximately 1800 displaced families, (Respondent 50: 2018).

5.2.2 Experience Sharing

During the reconciliation 'experiences between the disputants were shared' including those from the youth and women (Respondent 17:2018). The study discovered from oral interviews that issues affecting women, children, and the youths were integrated without having special forums for the women and youths (Respondent 24:2018). Largely the reconciliation dialogues 'consisted of elders aged from 48 years and above with a few representatives of women and youths'. From the interviews, the study found that most men ran away and left children under the care of their mothers. Under the circumstances women became the main breadwinners in feeding their families. The study found that women were raped, some contracted diseases while others conceived and got babies from the sexual abuse. Most of the children displaced together with their mothers suffered from the lack of food, shelter, and clothing, while others were 'killed or died from diseases contracted while displaced'(Respondent 17:2018). A respondent who was a former NGO official observed that some Bukusu women in the Mt. Elgon region were

‘forcefully circumcised during the clashes’ (Respondent 45:2019). Children displaced were forced under the circumstances ‘to take up jobs like looking after cattle as herds’ boy or house-help or both and the little payment that they earned was used to supplement their family income’(Respondent 50:2019).

Experiences on the part of the youths showed that some of the youths joined the militia group while others dropped out of school leading to both ‘early pregnancies and marriage’(Respondent 17: 2018). Others separated from their families and lived away in ‘solitude where their behavior degenerated to the extent that they could not fit or adjust back into their community either as youths or adults’ while others got traumatized (Respondent 45:2018).

The responses touching on sharing of experiences demonstrated that it made the Bukusu and Sabaot in particular reflect on their role in the conflict and somehow they learned new perceptions and changed their attitude towards each other. Experience sharing made the disputants ‘come to know the difficulties which particularly the women, as well as the youths of the two communities, went through during the conflict’ (Respondent 45:2018, Respondent 45:2018, and Respondent 21:2018). Reconciliation brought out the legitimate grievances from the Bukusu and Sabaot which revolved around land and politics (Respondent 17:2018).

Though inter-communal experiences sharing particularly between the Bukusu and Sabaot tried to change perceptions between the two communities it was not translated to massive relocation of displaced women and youths back to their homes. At the Inter-Community Peace Conference held at Mabanga in Bungoma and the resolution adopted thereof

showed that some youths, as well as their parents, remained internally displaced persons since 1963 and in subsequent years.

Similarly, the in-depth interview established from the respondents that though reflection on conflicts by the disputants provoked remorse but it failed to elicit apology among disputants for fear of being victimized or arrested (Respondent 7:2018). Meanwhile, verbal promises of peaceful coexistence were made though they ‘lacked concrete commitment’ (Respondent 17:2018 & Respondent 21:2018). Two decades later, the Truth Justice and Reconciliation Commission (TJRC), was set up, it initiated country-wide reconciliation forums, workshops on trauma healing, and truth-telling which was equally a strategy adopted to reconcile communities (TJRC Summary Report 2013).

5.2.3 Workshops

Though the respondents could not remember the number of times the workshops and the number of people who attended there was consensus and concurrence with TJRC that they were held several times with a view to helping communities establish lasting peace(Respondent 45:2019, Respondent 17:2018 & Respondent 27:2018). In Mt. Elgon, workshops were held at the location level headed by the Chief. Other leaders included non-governmental officials and Faith-Based Organisations. At Kapsokwony there was the Action Aid Team and Church of Christ, the NCKK team at Moi Kaptama High school, and the World Vision team then based at Cheptais high school. Other meetings were held at the district headquarter in Bungoma town led by the Catholic Church (Respondent 7:2018).

The respondents noted that communication among the disputants reflected different levels. ‘Most respondents reported that it was friendly, others recorded unconcerned

while a few observed that communication started with hostility but ended up friendly as the workshop progressed particularly after setting the ground rules to guide the process’(Respondent 17:2018, Respondent 27: 2018 and Respondent 18:2018). The lead person helped the affected communities share their experiences (Respondent 27:2018).

The measure to determine the commitments of the conflicting parties based on low or high punctuality to the meeting, high or low participation, and absenteeism gave a fifty-fifty response meaning there was average commitment. The study also established that ‘proximity or distance of the meeting venue either to the Bukusu or Sabaot dictated the attendance rate from either community such that if the meeting was held in Mt. Elgon region then most Sabaot tended to attend more than the Bukusu and vice versa’ (Respondent 7:2018 & Respondent 24: 2018).

Communities, according to the respondents registered a common vision of attaining sustainable peace and the fact that they had lived together for long and intermarried was a strong bond that they pointed to as a factor that would make them reconcile and work together. They ‘acknowledged that Bungoma was their home’ (Respondent 27:2018, Respondent 17 & Respondent 24:2018).

The point of contention as was established from the respondents particularly between the Bukusu and Sabaot was over land. The ‘Bukusu argued that they deserved to occupy the land that they resided on, while the Sabaot believed that the land owned by the Bukusu was their ancestral land’ (Respondent 8:2018, Respondent 7: 2018, Respondent 27:2018). The two communities, ‘Bukusu and Sabaot had varying and even sometimes contradictory histories on their migration and settlement in Bungoma including historical

injustice unleashed to each other which tended to heighten tension’ (Respondent 24:2018).

Women’s interests that came out of the workshop deliberations included ‘the call to stop female genital mutilation, so that both Sabaot and Bukusu women remain’ the same, resettlement of women and children by constructing houses, provisions of immediate needs like blankets and food. Empowering women in leadership and protecting them from abuse. Women, as was established by the study, were victims of violence and they deserved space to launch their complaints (Respondent 34:2018, Respondent 45:2019, Respondent 24:2018). At the same time, the youth interests were addressed at the workshops, which largely underscored getting back to school and stop engaging in rebel activities (Respondent 21: 2018).

The workshops helped the Bukusu and Sabaot to jointly revisit the fundamental sources of conflict and refocus on needs that had not been met such as resettlement, poverty, and security (Respondent 27:2018).

5.2.4 CSO’s Projects in Inter-ethnic Conflict and Peace building in Bungoma County

Projects undertaken by the CSOs after 1992 in Mt Elgon addressed the needs of the orphans and vulnerable children most of whom had been left under the care of their mothers as their fathers had been displaced and ran away, others had gone to look for petty employment in towns while others had been orphaned (Respondent 64:2019). The study found that the main problem among the women, children, and the OVCs in Mt Elgon from the chairperson of KAMSACHA CBO included HIV/Aids infection, some of which resulted from the effects of inter-ethnic conflict (Respondent 50:2019). Action Aid

Kenya Mt Elgon working through Community-Based Organisations (CBO) for example KAMSACHA (CBO) sought to transform the condition of women, children, and the OVC's. Among the issues addressed was awareness of the HIV/AIDS pandemic, encouraging behavior change by discarding cultural practices which increased the chances of transmission of HIV/AIDS, and encouraging people to be tested (Respondent 50:2019).

Among the activities undertaken by the NGOs was empowering women, youths, and the general community through training. In cases of HIV/Aids, the training entailed inculcation of Home-Based Care skills, guiding and counseling techniques (Respondent 36:2018).

A respondent, who was a former education officer, observed that orphans were supported with school fees, uniforms, boxes, mattresses, food, and medication including sensitization against HIV/Aids, (Respondent 17:2018). The NGO's intervention went a long way to ensure that children remained in school instead of dropping out of school and become vulnerable recruits for fueling ethnic violence or victims of early pregnancy or early marriage. This was enhanced more by the NGO's organizing trips for school pupils aimed at exposing children from Mt Elgon to experience life outside the war-torn environment, rewarding children who did well in school, supporting infrastructural development in schools, working with the Provincial Administration to ensure that they encourage parents to ensure their children went to school, sensitize communities on children's right, organize meetings on children's sponsorship mechanisms and encouraging sponsors to keep a lively conversation with children under their care in order

to understand their needs and challenges for early intervention before they wore down the children (Respondent 17: 2018).

An elder and leader of a CBO in Mt Elgon noted that in order to engage Mt Elgon community in the management of the natural resources and by extension reduce idleness the Forest Action Network (FAN) in partnership with Action Aid Kenya sponsored a National Stakeholders Forum Towards Developing a Lobbying Strategy For Mt Elgon where an Action Plan for Mt Elgon was drawn. Some of the problems identified in Mt Elgon were high population, inadequate land, high illiteracy, and poverty. The suggested solutions included; as regards high population they proposed for increased education of family planning or introduction of policies to regulate family size. On land, it was suggested they resettle squatters and introduce Shamba System. As concerned high illiteracy, they suggested reintroduction of adult education, giving incentive to those who went back to school and encourage parents to enroll their children to school, while on poverty they suggested that the government creates jobs or people engage self-employment or the government looks for markets for their products and improve the infrastructure. With regard to the problem of insecurity, the forum recommended that the government, communities, Ethics and anti-corruption and NGO's undertake mitigation measures to harmonize the cross-border policies on security, share resources, strengthen security systems through community policing, and poverty reduction (Respondent 50: 2019).

Other capacity development efforts in Mt Elgon included Training Workshops on Entrepreneurial skills on Commercial Tree Growing where participants were introduced on agroforestry as a business, screening Business Ideas, characteristics of a good

Business Idea, Livelihood Systems Analysis and Planning, Record Keeping, Farmers Tree Planting Logbook, Basic Business Economics and Understanding Tree Nursery Markets (Respondent 50:2019).

By 2004 the Action Aid Kenya's effort on poverty reduction and food security in Mt Elgon had zoned Mt Elgon residents into Community-Based Organisations located in each location as an entry point to the entire district where they not only engaged communities in various economic activities but also established grass roots CBOs as agents of change shown in the tables

Table 5.1

Cheptais Division

Location (CBO)	SUB-Location	Activity
Chepkube Pamoja Tujenge CBO	Chepkube Chebwek	Tomatoes, Onions, Beans, G/nuts, Honey, Potatoes, P/Fruits
Cheptais,(Muungano CBO)	Cheptais, Ngachi	Tomatoes, Onions, Potatoes, Cabbage, Beans, P/Fruits
Sasuri(Toroso CBO)	Sasuri Toroso	Honey, P/Fruits, Onions, Beans, Tomatoes, Cabbages
Chesikaki (Chesikaki CBO)	Chesikaki Chemondi	Tomatoes, Onions, Beans, G/Nuts

Source-Compiled from CBO Follow-up Coordinator Reports of Action Aid Kenya Mt Elgon (2018)

Table 5.2*Kopsiro Division*

Location (CBO)	Sub-Location	Activity
Emia(Emia CBO)	Emia Korngotuny	Chepkurkur, Onions, Potatoes, Carrots, Cabbage
Chongeywo, (Amani CBO)	Chongeywo	Tomatoes, Onions, Potatoes, Cabbage, Beans and Carrots
Chepyuk, (Chepyuk CBO)	Kaimugul,, Chepyuk	Onions, Beans, Potatoes, Carrots, Tomatoes, Cabbage
Kapkateny, (Nomiet CBO)	Terem Cheptonon	Toiywandet, Tomatoes, Onions, Beans, Cabbages, Potatoes

**Source-Compiled from CBO Follow-up Coordinators Reports of Action Aid Kenya
Mt Elgon (2018)**

Table 5.3*Kapsokwony Division*

Location CBO	Sub-Location	Activity
Kamneru, (Sacho CBO)	Kamneru,Sacho	Tomatoes, Onions, Beans, Potatoes, Carrots
Namorio (Namorintetab CBO)	Namorio,Kipyeto,Koshok,Sambocho	Tomatoes, Onions, Potatoes, Cabbage, Beans, Carrots
Kapsokwony, (Soet,Cheptayet, Meefan,Kapsotama, Beekeeping CBO)	Kapsokwony, Bukaa, Chemweisus	Honey, Potatoes, Onions, Beans, Tomatoes, Cabbage
Elgon, (Kipnyokos CBO)	Kamtiong, Kibuk, Kimobo	Tomatoes, Onions, Beans, Potatoes, Cabbage

**Source-Compiled from CBO Follow-up Coordinators Reports of Action Aid Kenya
Mt Elgon (2018)**

Table 5.4:*Kaptama Division*

Location CBO	Sub-Location	Activity
Chemoge (Upendo CBO)	Chemoge, Chemses	Onions, Beans, Potatoes, Tomatoes, Carrots, Cabbage
Kongit ()Lamaywet CBO	Kaptolelio Kongit	Tomatoes, Onions, Potatoes, Cabbages, Carrots, Wheat
Kaptama (Kibagenge CBO)	Kaptama Kaborom	Onions, Beans, Potatoes, Cabbage Wheat, P/Fruits, Tomatoes,
Kaboywo (Chembombai CBO)	Kaboywo Chesito	Tomatoes, Onions, Beans, Cabbage, Carrots, Potatoes

Source-Compiled from CBO Follow-up Coordinators Reports of Action Aid Kenya Mt Elgon (2018)

Other than the projects covering the then entire Mt Elgon district, there was similarity in the products produced by different CBO, which limited internal exchange between the CBO's but promoted external trade that is, out of Mt Elgon to the entire Bungoma though it increased transport cost (Respondent 64:2019).

The weakness in the reconciliation included poor follow-up activities to evaluate the situation. For example, in Mt. Elgon reconciliation only involved areas along the common borderline which divided the Bukusu and Sabaot, where conflict was severe but did not involve the entire County (TJRC Summary Report, 2013). There was poor coordination between and among the CSOs which dealt with the clash victims and the government (TJRC Summary Report, 2013). This was reinforced by concurrence from the respondents and the TJRC Report that there was lack of political will, to put in place social processes and structures to oversee, promote and maintain the reconciliation process in order to, ensure impartiality (TJRC Summary Report, 2013).

5.2.4.1 Inter-communal Projects and Bukusu-Sabaot Conflict and Peace building

Besides reconciliation and workshops, the study discovered that non-governmental organizations set up inter-communal projects between and among communities in Bungoma County. ‘Water project, friendly youth matches, beekeeping, and tree nursery’ covered the entire Mt. Elgon (Respondent 50:2019). Other than keeping the youths busy as well as empowering them, ‘the inter-communal projects dissuaded the youths from joining criminal gangs’, (Respondent 21:2018). The oral interview established that leadership of some of the inter-communal projects was structured in a way that captured the ethnic diversity of communities living within the area or region. Kam Sacho Water Project was one such project where the ‘Executive positions of leadership were shared along ethnic lines, Teso, Bukusu and Sabaot’ (Respondent 50:2019). General membership as well reflected ethnic diversity because some members had joined because of the chairman, secretary, or treasurer while other members were persuaded to join because of the diverse ethnic composition of the executive. Similarly, the nature of the project also attracted diverse members because of its broad usage by the entire community like in this case, water.

Members were then empowered through seminars, trainings, workshops and conferences on how to manage their project’ (Respondent 50:2019). The oral interviews found that most of the projects undertaken were selected on the ‘basis of cost-effectiveness in relation with the input’. Beehives for example were stationed at each division and were managed by a divisional crew (Respondent 50:2019). Other projects in Mt. Elgon targeted poverty eradication. ‘The government and CSOs supplied farm inputs to the

farmers through the department of agriculture starting from the grass roots, village, location, and division up to the district.

5.2.5 Forests Management Inter-ethnic Conflict and Peace building in Bungoma County

The study discovered that groups in Mt Elgon were trained on how to look after forests and as a result, it encouraged those who had initially used the forests as hide-outs to come out and join groups or stop the behaviour altogether. Forest Action Network while working in conjunction with Action Aid Kenya Mt Elgon and Mt Elgon Forest Advocacy Network (MEFAN) made a successful effort in guarding the forest using community policing team (Action Aid Annual Report, 2003). The study found that ‘through the Forest Community Policing it drastically limited the hideouts of cattle rustlers since those people who went into the forest had to be known because the youths formed forest home guards which among other roles discovered hide-out for stolen cattle’ (Respondent 50:2019).

Though not all projects directly dealt with the issue of conflict but those that did for example water projects, made the disputants interact as they shared activities. This was achieved through the ‘involvement of both Bukusu and Sabaot in the joint project’ (Respondent 50:2019). By extension, most members of the two communities became concerned about the project and had to protect it. The joint project thus went a long way to unite the communities, reduce prejudice and stereotypes among communities. ‘The Bukusu belief against the Sabaot that they were violent and did not value life as well as the Sabaot’s belief against the Bukusu that they were intruders slowly waned and they ended up accepting each other as brothers and neighbours at least for some time’

(Respondent 24:2018). Wrong attitudes against each other for example looking down upon each other was lessened because 'inter-communal project promoted grassroots reconciliation and acted as a symbol of peace' (Respondent 24:2018). The Bukusu, Sabaot, and Teso worked together during the implementation of the inter-communal project. The projects also addressed the interests of women as well as those of the youths as membership comprised both women and youths as well as at the level of implementation (Respondent 50:2019).

The TJRC on the other hand established varying ways of dealing with trauma. Some victims because of their religious faith they were willing to forgive and move on; some sympathized with the perpetrators by pointing out that some were victims of a bad system (TJRC Summary Report, 2013). Most of the victims, however, demanded reparation including the demand that perpetrators confess their involvement and apologize. Others demanded that they face justice, compensation and possibly organize a meeting between the perpetrators of conflict and victims to make them understand what made them act the way they had done (TJRC Summary Report, 2013). Others demanded that the government apologize for failing to protect them from violence (TJRC Summary Report, 2013). Unfortunately to the victims those adversely mentioned perpetrators denied any involvement and, since there was no concrete evidence they were neither punished nor were they successfully prosecuted (TJRC Summary Report 2013)

In realizing that NGOs had a role to play in societal relational healing and development the government of Kenya regularized their role through the enactment of the Non-Governmental Organisations Coordination Act of 1990 revised in 2012 (Non-Governmental Organisations Act No 19 of 1990). The purposes of the act include

facilitating and coordinating the work of all national and international non-governmental organizations operating in Kenya. It has the power to register and deregister NGOs.

The Constitution of Kenya 2010 promotes alternative dispute resolution mechanisms which include reconciliation, mediation, dialogue, and arbitration as avenues through which the CSOs execute their work (The Constitution of Kenya, 2010, Article 159(2) (c).

Transforming conflicts through good governance includes civil society development which this act alludes to and provides a framework for its operation.

5.2.6 Schools and Bukusu-Sabaot Conflict Peace building in Bungoma County.

‘Schools played part as agent of peacebuilding’. The respondents including former teachers interrogated to establish whether schools had participated in peacebuilding responded in the affirmative (Respondent 46: 2019, Respondent 36:2018, Respondent 25:2018, Respondent 62:2019, Respondent 29:2018). ‘Drama was most used, followed by problem-solving workshops while Peace talk was least used’. ‘Games, sports, trade, common border projects such as water projects and coffee factories helped to unite children and parents within a school or amongst schools’ (Respondent 62:2019).

A respondent, formerly an Early Childhood District Education Coordinator observed that ‘since Bukusu and Sabaot children went to the same schools, they often developed a friendship which eventually positively influenced their parents to co-exist’(Respondent 17:2018).

Though 26% (73) of respondents observed that the government had put in place policies which in theory treated learners as equals exemplified inequitable resource allocation, common curriculum, nationally accepted standards of assessment and examinations and therefore enhanced inter-communal coexistence however there was disequilibrium at the

level of implementation. This was in terms of human and material resource allocation in terms of books and teachers which compromised education standards and the inter-communal integration thereof (Respondent 7:2018).

39% (110) of the elders who included former teachers observed that subjects like History and Religious studies taught in schools promoted coexistence. The topics covered in history like migration and settlement, socio-cultural aspects of communities including varied economic activities carried out by different communities provided as well as promoted the inter-communal understanding. They pointed to the fact that History provided the background to the understanding of ethnic communities and, that it promoted inter-communal socio-political and economic understanding including their organization. History enhanced the understanding of inter-ethnic beliefs and stereotypes. As regards Religious Studies the respondents observed that it exposed the learners to not only the understanding of various religious faiths like Islam, Christianity, Sikhism, Buddhism, and Hinduism but also to various sects including African Traditional Religion (ATR). By extension thus Religious Studies provided the prerequisite information for inter and intra- religious co-existence. Similarly, the government has set out constitutional plans to address the marginalized groups in terms of education such as the nomadic or those people in geographically isolated areas in order to uplift their lives.

29% (82) of the respondents observed that guiding and counseling carried out in schools by teachers helped in mentoring and molding of the learners by inculcating accepted societal morals and values that help the learners understand how to coexist with others in school and eventually in society. The respondents observed that if used correctly education inculcated tolerance, equity, understanding of the value for life, basic human

rights, and largely a knowledgeable society which positively change mindset and management of social systems. Education, is thus the glue that nurtures and binds varied cultures into a unit by appreciating varied or diverse cultural heritage. The study found that this was largely a precursor for the Peace Education policy of 2014 which underscores peace and national cohesion by preparing learners to become good citizens through the acquisition of skills, attitudes, and values which promote peace, respect for diversity, and human dignity.

Co-curricular activities were rated highly as core in enhancing inter-communal co-existence. Games, drama, music including clubs, and societies exposed and adopted the learners to varied cultures in the process helped to break down prejudice, stereotype, and inter-communal biases. As students interact and sung songs from different communities they got to know each other's culture and tradition leading to inter-communal understandings.

Free primary, subsidized secondary education, Quota Systems, and employment of teachers from different ethnic groups promoted intermingling of students, teachers and their cultures from diverse ethnic groups, and economic status (Respondent 54:2019). Quota Systems in high schools including student enrollment enhanced intermingling of religious diversity over and above ethnic harmonization (Respondent 29:2018).

A retired Chief, however, interjected that 'though schools acted as agents of peacebuilding but the fact that conflict interfered with the normal learning and the learners including the teachers who get displaced, it limited its efficacy, (Respondent 7:2018). The study further found out that schools in the County, particularly those in the

Mt. Elgon region and in the lower Sub-Counties in Bungoma were largely dominated by either the Sabaot or Bukusu and therefore did not give room for cohesion and integration of the learners (Respondent 7:2018). 'A few schools with national or regional outlook and composition of students like Friends School Kamusinga, Lugulu Girls' High School, Kibabii Boys High School they fall in lower Bungoma and though they admitted students from all over the County and the nation at large they had limited chance for the county students' because of the limited quota and higher cut off marks for form one entry (Respondent 29:2018).

5.2.7 Media

The respondents observed that the media played a part in the Bukusu-Sabaot conflict and peace building but 'it was at low key because, in a case of a radio station, it was basically government-owned broadcast Voice of Kenya (VOK) and thus news was censored to suit the ruling authority, (Respondent 21:2018). The government-owned broadcast created and reported 'stories which aimed at building trust by featuring common identities and concern'. Besides the state-owned media, the other sources of information were severely curtailed, through harassment and arrests (Respondent 8:2018). The second independent government blamed and branded the media particularly print media as operatives of those who opposed the government largely non-Kalenjin because of the ethnicized background upon which the conflict acquired particularly in Bungoma. The press was blamed for selectively highlighting casualties from non-Kalenjin arising from the conflict and blaming it on the government (Africa Watch 1993). The print media was blamed for spreading lies and hence threatened with a ban, (Africa Watch, Nov. 1993). Individual journalists, though independent in their work they appeared aligned to either government

or opposition depending ethnic background of the journalist (Respondent 21:2018). The government responded by attacking the media houses and individual Journalists which further widened the wedge of ethnicity than unity because it took ethnic alignment that the country had acquired over time. The *Finance*, *Society*, and *Nairobi Law Monthly* magazine owners were not only threatened but arrested and their magazines were seized for covering ethnic inclined conflict stories (Africa Watch Nov 1993:92). The editor of *Finance* magazine Njehu Gatabaki was arrested over seditious publication and was held for over a month by the police (Africa Watch, Nov 1993). Pius Nyamora, the editor of *Society* magazine also faced sedition charges in April 1992 (Africa Watch, Nov 1993) In June 1992 the office of *Society* magazine was petrol bombed, (Africa Watch Nov. 1993). The *Law Monthly*, *Society* and Finance Printing Press Fotoform Limited were raided and machines destroyed by the police in 1993 (Africa Watch, Nov 1993). The Color Print took up the printing of *Finance* and *Society* after Fotoform was stormed into by the police in 1993 and 20,000 copies of *Finance* magazine were seized (Africa Watch, Nov 1993).

It was partly because of this background that submissions to the Constitution of Kenya Review Commission included the demand for freedom of press including fair time on state media for all parties, unrestricted licensing of radio and television because free expression and democracy thrive on the free and responsible exchange of ideas from multiple sources (The Final Report of the Constitution of Kenya Review Commission 2005). Subsequently, unlike the 1980s and 1990s policies that curtailed freedom of the press, the 2010 Constitution is a departure and underscores the transformation of conflicts through good governance but with media development as a channel through which inter-communal relations, attitudes, and behavior change can be achieved. As a result, the

constitution provides for a vibrant electronic, print, and all other types of media. The state is cautioned against controlling, interfering, or penalizing any person engaged in broadcasting, production, circulation, and dissemination of information (The Constitution of Kenya 2010, Article 34). The state-owned media including the body charged with regulating media is under obligation of constitutionally being impartial.

5.2.8 Chapter Summary

Influence of political leadership on inter-ethnic co-existence in Bungoma among the Bukusu and Sabaot when the first president, Kenyatta gained entry and secured political backing from the Sabaot for his political party Kenya African National Union (KANU) by taking advantage of the misunderstanding between Daniel Moss the then political leader of the Sabaot, and his neighbour Masinde Muliro the leader of the Bukusu in Kenya African Democratic Union (KADU). Kenyatta's presidency instrumentalised the Sabaot against the Bukusu

This was the foundation upon which corruption, greed and ethnic inclined political leadership which characterized the Bukusu and Sabaot in independent government of Kenyatta and Moi's government compromised not only the ethics of the nation but also made the presidency lose its neutral arbitral role among the Bukusu and Sabaot. Corruption created suspicion and hatred among communities because it shrove on dishonesty, illegality and embedded the undue advantage of undeserving or perceived undeserving cases over the deserving or perceived deserving along ethnic lines.

Continued ethnic inclined repression of opposition politicians, by 1990 culminated into vigorous movements in support of the multiparty system of government strongly fronted by the Bukusu against the Sabaot backed government in Bungoma County.

The unregulated presidency misused discretionary powers of appointment of government officials hence good governance had to include transparency, accountability, and corruption-free public officers. Constitution of Kenya 2010 cut down presidential discretionary powers by creating commissions and ensuring that presidential appointments or nominations were subjected to approval by the National Assembly underscoring ethnic diversity and inclusivity as the bottom line.

Jailing and harassment of members of those who appeared to oppose the government was pointed to as yet another bottleneck that tilted the political leadership role towards influencing Bukusu-Sabaot peace building. Violation of the other person's dignity either by intimidation, hostility, degrading, humiliation, or harassment on account of ethnicity was outlawed.

The transformation of the executive arm of government that is, weak administrative structures within the office of the president under Provincial Administration influenced the Bukusu and Sabaot conflict and peacebuilding. The fact that Provincial Administration linked the grass root and the central government, its weakness disoriented administrative coordination and the overall performance of the government in conflict and peacebuilding among communities in Bungoma. The constitutional review commission final report of 2005 did concur that the 'provincial administration was authoritarian, paternalistic, corrupt, misused power and, it was a hindrance to political plurality',

Integration of ethnic diversity into executive arm of governance at the nation and county level involved restructuring the executive by 2010 since 1963 where the composition of the executive was to reflect the regional and ethnic diversity of the people of Kenya. Bungoma County to consist of the Governor, Deputy Governor, and Chief Officers appointed by the County Governor, with approval of the County Assembly but most importantly to include proportionately the Sabaot, Bukusu, and other minority communities.

The study found that the electoral reforms were in response to the government's weakness then associated with its loss of legitimacy. The most vicious dimension that divided Bukusu and Sabaot unity was felt the national election of 1988. To circumvent electoral-related conflict, first, the electoral process had to be detached from the presidency and the provincial administration. The 2010 Constitution established the Independent Electoral and Boundaries Commission consisting of the Chairperson and six other members though recommended by the president but then approved by the National Assembly for the appointment. The electoral commission had to reflect the regional and ethnic diversity of the people of Kenya, while electoral disputes arising from the election dispute were to be dealt with expeditiously.

Integration of ethnic diversity in employment: The study discovered that equitable distribution of employment reforms was to counter not only the direct means through which Kenyatta and Moi's administration compromised peacebuilding and developed ethnic consciousness but also regularized employment at Bungoma County to reflect County ethnic diversity.

Inequitable access to employment in independent Kenya had polarized communities one against the other. Skewed Public Service employment was restructured such that the presidential as well as the governor's free hand in the appointment of Chairperson, Vice-Chairperson, and Public Service Commissioners had to seek the approval of the National Assembly or County Assembly respectively while underscoring ethnic diversity.

The study established that political transformation influenced biased inter-communal inter-group politics which had exhibited hostility among communities in Bungoma.

At independence, the Bukusu-Sabaot co-existence did not align with the democratic process partly because of politicians' interests which heightened political contests. When Moi consolidated the Kalenjin power base and by extension Kalenjin Sub-state from 1978 and beyond, it brought forth unprecedented animosity between the Bukusu and Sabaot exhibited in the 1991/1992 Bukusu-Sabaot conflict. The independence constitution did not adequately regulate minority-majority and marginalized groups a situation that came to characterize inter-communal co-existence in Bungoma County.

Integration of minority and majority in the government structures both at the National and County in 2010, underscore rights for the minority particularly, Sabaot, Teso and Tachoni and marginalized groups by putting in place affirmative action programmes to take care of minority and marginalized groups in representation, governance, education, employment, develop their cultural values, access water, health, infrastructure, equal protection, participation in the political process and where they are not elected then they be nominated by the political parties. National Cohesion and integration act criminalizes ethnic discrimination, harassment, and victimization.

The inter-ethnic political contest, as a source of conflict because of belonging to different political parties has largely been addressed in the Political Parties code of conduct. The political parties are under legal obligation to promote; good governance, eradicate malpractices, regulate political competition and respect the rights of the minority.

The government provided a pathway to inter-ethnic social transformation of communities by regulating inter-communal interactions against hate, value differences, cultural dissimilarities, unfair distribution of social resources, and religious rivalry in the 2010 constitution. Inter-communal hatred is factored in National Cohesion and Integration Act 2008. Hate demonstrated through verbal threat, use of abusive or insulting words or behavior, or through the display of any written material is an offense punishable in law.

The constitution promotes cultural diversity and tolerance.

The affirmative action embedded in the constitution is to ensure that inter-communal discrepancy in development is limited or neutralized so that the marginalized and minorities equitably achieve development.

Economic transformation was pegged on the inequitable distribution of economic resources. Ranked highest according to the oral interview was the association of 'political leadership to economic neglect at initially, Bungoma County Council, and Bungoma County government. The government had made fruitless efforts to ensure regional balanced development in Bungoma County. Besides scarcity, even what was available was not equally distributed among communities under the same national and local administrative unit. Lower Bungoma was more developed than the dominantly Sabaot Mt. Elgon region in 'road network, schools, and hospitals.

Up to 2010 Kenya did not have a clear framework on the regional distribution of resources except for general distribution of resources nationally yet the main undoing to inter-communal unity, as the study established was disharmony in resource distribution between the Bukusu, the Sabaot, Teso and Tachoni, today inter-ethnic integration principles of equity, population spread, marginalized communities, openness, accountability, equitable sharing of revenue and public participation in financial matters guides resource distribution process.

Ethnic transformation into inter-ethnic integration entailed protecting the misuse of ethnic differences among communities including Bukusu and Sabaot for pursuit of political power by providing structures to promote inter-ethnic inclusive political parties and integration through, equity policies in distribution of resources, appointments at National and County Government.

Arbitrary amendment of constitution which jeopardized inter-ethnic co-existence particularly in Bungoma in relation to single party and multi-party between the Bukusu and Kalenjin was tightened, pegging it to inter-ethnic equity, inclusivity and national unity. Multiparty was embedded in the constitution which underscored ethnic inclusivity in executive, judiciary and independent commissions

The transformation of the police force was informed by inter-ethnic conflicts as was reflected in Kiliku, Akiwumi and Constitution of Kenya Review Commission Report. Reports from clash victims of 1992, the police took sides particularly in Bungoma. The Constitution of 1963 as amended to 1997 had directly placed the police force under the presidency as the appointing authority, the minister of Internal Security, the Attorney General, and the delegated presidential executive authority through the Provincial

Administration. From 2010, the office of (IG) was constitutionally made independent and inclusive.

After 1991/1992 clergy and new composition of elders who included Village Elders, Assistant Chiefs, and Chiefs played role in reconciling communities in Bungoma. By adopting provincial administrative structure, more comprehensive Peace Committees of 15 community elected members from each location were established consisting of a cross-section of ethnic communities present in the area, Sub-Location then location, most importantly the Sabaot, Bukusu, and Teso including the youth and women. Fifteen-member committees elected the Chairman, Secretary and Treasurer. This was replicated at the division to Sub-County. The Sub-County Commissioner and Peace Monitor was co-opted. They were then linked to the central government through the National Steering Committee on Peacebuilding and Conflict Management (NSC, 2011). Peace Committees were responsible for early identification and reporting of early signs of inter-ethnic instability, facilitated inter and intra-community peace.

In Mt Elgon church compounds were the first neutral refugee centres for IDPs. Peer Counseling and Community Policing have helped to address youth issues including drug trafficking and addiction.

Reconciliation meetings were organized and held after 1992. Besides the CSO officials, the reconciliation process involved regional community elders, elected leaders, and opinion leaders including church leaders. During reconciliation meetings, experiences between the disputants were shared. Reconciliation sessions consisted of adults of over 48 years. The study established that most men ran away and left children under the care of their mothers, women were raped, others contracted diseases; others conceived and got

babies from the sexual abuse. Bukusu women in the Mt. Elgon region were 'forcefully circumcised, youths joined the militia group, others dropped out of school leading to early pregnancies and marriage. Others separated from their families and lived away in solitude where their behavior degenerated to the extent that they could not fit or adjust back into their community either as youths or adults while others got traumatized.

Sharing of experiences made communities reflect on their role in the conflict hence it influenced their new perceptions and changed their attitude towards each other. The disputants came to know the difficulties which they went through including the women as well as the youths. The study established that reconciliation brought out the legitimate grievances of the conflict particularly land and provoked remorse but it failed to elicit apology. Verbal promises of peaceful coexistence were made though they 'lacked concrete commitment.

Workshops were held with a view to helping communities establish lasting peace in. Communities registered a common vision of attaining sustainable peace since they had lived together for long and intermarried.

The point of contention was over land, varying and contradictory histories and historical injustice. There were calls to stop female genital mutilation, resettlement of women and children by constructing houses, empowering women in leadership, and protecting women from abuse.

Action Aid Kenya Mt Elgon linked to the grassroots through Community-Based Organisations (CBO) for example KAMSACHA (CBO) went into transforming the condition of women, children and the OVC's, addressed awareness of HIV/AIDS

pandemic, encouraging behavior change, empowered women, youths and the general community through training on cases of HIV/Aids, Home Based Care skills and guiding and counseling techniques. Orphans were supported with school fees, uniforms, mattresses, food, and medication.

Forest Action Network (FAN) in partnership with Action Aid Kenya sponsored a workshop, National Stakeholders Forum towards Developing a Lobbying Strategy for Mt Elgon where an Action Plan for Mt Elgon was drawn. Capacity development included Training workshops on entrepreneurial skills on commercial Tree Growing. Groups in Mt Elgon were trained on how to look after forests and as a result, it encouraged those who had initially used the forests as a hide-out come out and or stop the behavior all together. The study established that the Forest Community Policing drastically limited the hideouts of cattle thieves and rustlers.

By 2004 Action Aid Kenya's effort on poverty reduction and food security in Mt Elgon had structured Mt Elgon residents into Community-Based Organisations located in each location as an entry point to the entire district where they engaged communities in various economic agricultural activities.

Inter-communal projects between and among communities in Bungoma County- 'Water project, friendly youth matches, beekeeping, and tree nursery' covered the entire Mt. Elgon,

Schools played a part as agents of peacebuilding. 'Drama was mostly used, followed by problem-solving workshops including sports and games.

The respondents observed that the media played a part with regard to inter-communal conflict but at a low. Unlike the 1980s and 1990s policies that curtailed freedom of the

press, the 2010 Constitution is a departure and underscores the transformation of conflicts through good governance but with media development as a channel through which inter-communal relations, attitudes, and change of behaviour can be achieved. The state-owned media is under obligation of impartially regulating media standards. The next chapter presents the findings on challenges and opportunities in the management of inter-ethnic conflict in Bungoma County

CHAPTER SIX

CHALLENGES AND OPPORTUNITIES IN THE MANAGEMENT OF INTER-ETHNIC CONFLICTS IN BUNGOMA COUNTY

Introduction

The chapter interrogates the challenges and opportunities in the management of inter-ethnic conflict among communities in Bungoma County. It examines the influence of colonialism, education, religion, political leadership, politics, democracy, ethnicity, and economic factors on the inter-ethnic indigenous and subsequent peacebuilding strategies.

6.1 Inter-ethnic Indigenous Peace building

A former senior chief observed that pre-colonial communities including Bukusu, Sabaot and Teso had developed their own indigenous or community-based institutions and mechanisms of ensuring peaceful coexistence (Respondent 8:2018). This demonstrated the fact that conflict among communities was not new but it was as old as the two communities coexisted. This was further evident in the elaborate nature of traditionally accepted peacekeeping and peacebuilding procedures largely shared and accepted among communities despite them having different elders from the different cultural backgrounds (Respondent 34:2018). Later, however, following the emergence of nation-state, first under the colonialists and subsequently independent Kenya including non-state institutions, they too became players in influencing inter-communal co-existence (Respondent 4:2018).

The indigenous peace processes among communities in Bungoma County for example the Bukusu and Sabaot was broad-based (Respondent 66:2019). It involved both peace-keeping and peacebuilding. The main actors amongst the Bukusu and Sabaot peacebuilding were elders, interlinked to divine intervention, (Respondent 7:2018). Key to its success was the instilled reverence and fear of the wrath that was to befall the lawbreakers by the ancestors, the gods, and the community if they failed to abide by the community norms and practices (Respondent 8:2018). The invisible members among the Bukusu, Sabaot and Teso especially the ancestors were highly regarded as more powerful than the physically living (Respondent 28:2018). This was the basis of divine discernment and punishment of the culprits in the physical world by the Supreme Being. To achieve such inter-communal equilibrium between the physical and spiritual levels of the community's norms involved more than just training but indoctrination as well (Respondent 23:2018). However, since indoctrination involved uptake of cultural values and norms including by belief without criticism, it therefore largely depended more on faith. The challenge was 'how to accurately peg empirical events that required practical human actions like conflict to faith in a highly dynamic society. It was partly out of this background that the elders interviewed revealed for example that Bukusu-Sabaot's gesture of peace settlement occasionally lapsed into major conflict remembered among, particularly, the Bukusu and Sabaot communities resulting from misunderstandings within the peacebuilding process (Respondent 2:2018).

One of the failed peacebuilding processes remembered in the oral traditions not only among the Bukusu and Sabaot but the Tachoni as well was *Ngachi* (Respondent 8:208). This was when Soito a Kony even though shuttled between the Tachoni leader Iyaya and

Bukusu leaders Wandabwa, Kukali, and Kikai on a peacebuilding mission but failed because of misunderstanding of traditional peacebuilding framework (Respondent 2:2018). Wandabwa and Kukali warmly received the diplomat Soito and sealed an agreement by slaughtering a cow and also entered into a ritual referred to as *Khulia embwa* translated as ‘eating a dog’ a traditional form of peace settlement which involved the warring Bukusu and Sabaot elders cutting a puppy into two halves and swore never to fight as they speared an inter-communal traditionally binding plant *Silulu* herb (Respondent 2:2018). Though the agreement was successfully entered between the diplomat Soito and his host Kikai however as the two parties celebrated after the successful agreement, the members disagreed and fought where Soito and almost all his men except one were killed, (FGD 3:2018). During the FGD at Cheptais, there was concurrence among respondents that the survivor escaped and reported the matter to their kin the Sabaot triggering further conflict between the two communities (FGD 3:2018). The incident lives on in the oral traditions of the two communities provoking memories of hatred from the Bukusu and heroism from the Sabaot (Respondent 40:2018). In essence thus, though the Bukusu and Sabaot had clearly developed peace-keeping and peacebuilding procedures which befitted their co-existence as independent and interdependent communities but not without challenges as it happened between Soito and Kikai. This showed a lack of proper, sustainable structures to guide the process of reconciliation and peacebuilding. Today, for example, education, inter-cultural intermingling with modernity, urbanization and religion were pointed at by elders as agents of eroding inter-ethnic eldership role as a result of inter-ethnic intergenerational cultural breakdown (FGD, 2:2019). Elders observed that there was an opportunity for transformation of inter-communal co-existence through inter-

ethnic cultural hybridization in Bungoma County, including through the removal of quota system in the admission of learners in high schools to enhance inter-ethnic integration, (FGD 2:2018)

6.2 Inter-ethnic Cultural Training and Inter-ethnic peacebuilding and Conflict

Management

Starting from pre-colonial Kenya, though, communities in Bungoma lived side by side ‘each community had its unique training and indoctrination of her people into the community’s cultural way of life’ (Respondent 2:2018). Communities spoke different languages with varying levels of ‘training including indoctrination’ for example, to the general community members and soldiers (Respondent 8:2018). Indoctrination transformed, heightened, and spiritualized the warrior class of each community into sacrificial lambs on behalf of the community (FGD 1:2018). This was evident in the conflict of Ngachi between the Bukusu and Sabaot. The Bukusu and Sabaot had war prophets who competed against each other using traditional herbs and thus put the two communities more often on warpath than peaceful engagement (Respondent 19:2018). At the same time the prophetic role slowly but steadily was subjected to empiricism yet it was largely pegged on faith that different generations retrogressively understood differently at a different time as its efficacy faded gradually, since culture is dynamic (Respondent 52:2019). Equally important were the varying beliefs, rituals, and unique community practices that went along with traditional peacebuilding. The elders interviewed observed that ‘Tobacco for example was used for a ceasefire by extension peace-keeping among, for example, the Bukusu and Sabaot’ (Respondent 66:2019). That is, as conflict raged on and effects grew either side of the disputants could ‘throw in the

tobacco as a way of asking for a ceasefire' (Respondent 2:2018). Immediately the warring groups smelled tobacco, elders from the two sides would come together and negotiate peace (Respondent 2:2018). What was in doubt was the efficacy of the practice, for example not many respondents were privy to the use of tobacco as a ceasefire in conflict, and hence there was room for such practice being manipulated, misunderstood and misused (Respondent 57:2019). The elders pointed out that each community had their cultural values which guided all their age groups and gender but had broken down over time, (FGD 1:2018). Thus offering an opportunity for hybridization of inter-ethnic traditional peacebuilding in order to harmonize, accommodate and strengthen inter-communal peacebuilding pillars. At the same time enhance respect for both inter-ethnic and all community property, (FGD 1:2018).

6.3 Colonialism and Inter-ethnic Indigenous Peace building Strategy

A major challenge to inter-communal indigenous and subsequent peacebuilding strategy emerged with the advent of colonialism and the creation of a new structure of power situated above the inter-ethnic traditional eldership (Respondent 21:2018). The colonialists instituted the inter-communal divide and rule policy which put for example the Bukusu and Sabaot communities at cross-purpose that is against each other which became a fertile ground for the disintegration of traditional authority (Respondent 14:2018). The former Senior Chief noted that this was hastened when the colonial government-appointed African collaborators as chiefs some of whom came from a traditionally non-royal background (Respondent 21:2018). In what became Bungoma County for example the first colonial chief Murunga was not only imposed on the Bukusu, Sabaot and other communities but a colonial collaborator, (RCNECNCI, 2011).

As early as 1908 and 1909 Murunga destabilized the inter-communal hegemony as he executed the colonialists' policies of forced labour which made, particularly the Sabaot flee from their land and home to different places, (RCNECNCI, 2008). The FGD held at Kapsokwony found that Bukusu-Sabaot dispersal meant more than the disintegration of Bukusu-Sabaot traditional units of administration and integration of colonial authority it also weakened the inter-communal peacebuilding fabric (FGD 2: 2018). Though most of the Bukusu went to squat on European farms in the white highland in Trans Nzoia, many of the Sabaot moved to the Mt. Elgon away from the Europeans (Respondent 8:2018). As Bukusu and Sabaot dispersed, Murunga complicated indigenous eldership when he encouraged the Abakhayo, Abawanga, and Teso to settle among the predominantly Bukusu and Sabaot particularly around Kimilili, (Respondent 71:2019). This compromised indigenous leadership in that the new entrants came from different cultural backgrounds compared to that of the Bukusu and Sabaot, for example unlike in their new area of settlement the Abakhayo and Teso did not undergo physical male circumcision (FGD 1:2018). The hybridization of the traditional social setting eased Murunga's administration but most importantly facilitated the integration of colonial authority at the detriment of traditional authority that initially held the Sabaot, Bukusu and other communities together (Respondent 7:2018), the Sabaot elders as late as 2008, described the leadership of Murunga as imposed and having caused cultural shock, (RCNECNCI, 2011). Similarly, as the Sabaot escaped to the mountain their farms were taken over by other communities particularly the Bukusu hence setting the seeds of a land dispute between the two communities which became a major hindrance to inter-communal unity at that time and several decades later till today (Respondent 4: 2018). Equally significant

to the disintegration of inter-ethnic indigenous peace-building implementation was the fading of cultural norms that ensured safety and respect for inter-communal property as the colonial hegemony took over from the traditional authority leaving a void which became a pillar upon which inter-ethnic animosity developed then, (Respondent 54:2019). Today however, as recommended by respondents at FGD, it offers opportunity for regional and national inter-ethnic integration through inter-ethnic diversity and affirmative action structures which have to be established by the government, (FGD 1:2019).

6.4 Religious and Cultural Disintegration in Inter-ethnic Peace building

Other factors that emerged and challenged successful implementation of indigenous and subsequent peace-building strategies included religion (Respondent 47:2018). The colonial missionaries, for example, treated traditional inter or intra-communal beliefs, practices, and even culture as heathen (Respondent 66:2019), yet they were the foundations upon which indigenous eldership was anchored. The fact that, for example, Bukusu-Sabaot indigenous peace-keeping and peace-building strategies entailed rituals like cutting a puppy into two, spearing the *Silulu* plant by respected elders from the Bukusu and Sabaot, and use of herbal medicine and tobacco remained condemned, (Respondent 66:2019). In essence, as people became Christians, indigenous fabric faded and so was the anchor of indigenous authority which eventually jeopardized inter-ethnic co-existence (Respondent 43:2019).

The religious rivalry among communities in Bungoma was hastened in the colonial and post-colonial period when traditional religion was abandoned as Christianity took root yet

the level of adaptation to foreign religion among communities did not take place at the same pace nor was the role of traditional authority substituted at the same rate (Respondent 24:2018). ‘The Sabaot, largely in Mt Elgon region unlike the Bukusu in lower Bungoma, for example, were far removed from the European Christian Missionaries, and therefore they largely remained conservatists to their traditional belief, even their conversion to Christianity took longer as European penetration to the Mt Elgon came later than lower Bungoma’ (Respondent 24:2018). It was upon this background that the study found that the Bukusu and Sabaot, for example, were at variance over values, norms, philosophical principles, and cultural aspects. Even after the Church took root, its focus was on Christian spiritual matters which were at variance with traditional authority. Religious disagreements among communities tended to tilt the very foundation of indigenous and subsequent peace-building strategies because its foundation was in the council of elders whose initial authority was based on African belief systems and practices of communities but disrupted affecting the subsequent foundation of inter-ethnic co-existence (Respondent 13:2018). A former teacher argued that education which came along with Christianity became a pacesetter in terms of adaptation to western religion and departure from traditional culture (Respondent 39:2018). Both education and Christianity separated and distanced Africa’s indigenous belief and indigenous peace-building strategy yet they later became part of traditional eldership but with weakened foundation (Respondent 39:2018). In essence, growth in western education interfered with the implementation of indigenous peace-building and subsequent strategies.

This was similarly true, that even the shared inter-communal cultural underpinnings inherent in the shared cultural background of circumcision rites between for example the

Bukusu and Sabaot in particular, gradually became inconsequential in uniting the two because of education and Christianity. 'The traditional family bonding, which accompanied the inter-communal marriages and dowry payment between communities including Bukusu and Sabaot faded' (Respondent 20:2018). This was demonstrated by the elders interviewed confirmed that though initially, a Bukusu girl who got married to a Sabaot could undergo clitoridectomy without recourse to inter-communal animosity, by 1990, it became offensive and was regarded as forced circumcision or sinful (Respondent 20:2018). This further weakened the inter-communal unity and traditional fabric thereof but paved way for inter-cultural and religious diversity and integration for inter-communal co-existence, elders argued that intermarriage should be encouraged to bond communities in Bungoma. (Respondent 7:2018).

6.5 Inter-ethnic Educated New Elite Elders

An elder, who was a former teacher noted that since nature hated vacuum the void that was created by the fading as well as weakening traditional eldership caused by the colonialists underscored in weakened indigenous peace-keeping and peacebuilding among communities in Bungoma paved way for a new crop of eldership initially from mission educated elite from colonial schools and subsequently from institutions that came up after independence (Respondent 29:2018). The mission-educated elite elders of particularly the Bukusu and Sabaot for example, Masinde Muliro and Daniel Moss, set different paths instead of working as a unit, (Respondent 29:2018). A respondent observed that educated elite whose expectations were not only at variant with the status quo neither were they met provided leadership and became an alternative elite leader who challenged the status quo.

The new elite elders degenerated their communities into ethnicities as they sharpened their path for self-interest, each community demanded the welfare of her ethnic group but largely missing was the structure upon which such demands could rest other than the faded unregulated pre-colonial ethnic structures' (Respondent 46:2019).

The Bukusu new elites for example initially coalesced under Kitosh Education Society while the Sabaot came up with Sabaot Union (Respondent 7:2018, MacArthur, 2016). The degeneration of unity between the Bukusu and Sabaot, for example, under the new elite elders was explained at various levels; first, it reflected the pre-colonial enduring ethnicity carried into independence and beyond, the colonialists' success in its divide and rule policy, third, the disunity that was inherent in the colonial Christianity and finally the antagonistic self-interest that the mission elite infused in ethnicity (Respondent 29:2018, Respondent 17:2018 & Respondent 12:2018). The four reasons were anathema to successful continuity and implementation of inter-ethnic peacebuilding under traditional setting because of the faded traditional authority affecting the future foundation of inter-ethnic co-existence in independent Kenya.

Oral interview findings did concur with other sources, where ethnic inclined new eldership encouraged and enhanced ethnic loyalties that came to full fruition in the political parties that emerged thereafter, (Korwa 1998). Among the Bukusu new elite elder was represented by Masinde Muliro. He founded Elgon Nyanza District Congress (ENDC) (Respondent 21:2018) which sponsored him to contest in 1957. In 1959, Muliro formed Kenya National Party which later changed its name to Kenya African Peoples Party (KAPP). As independence struggles in Kenya beckoned Muliro's KAPP joined other new elite elders for example Moi's Kalenjin People's Alliance, John Keen's Maasai United Front and Ronald Ngala's Coastal Peoples Union, and Somali National

Association who in June 1960 formed Kenya African Democratic Union, (KADU) but failed to bring Sabaot into its fold at independence (Respondent 19:2018). In essence the new elite elders integrated inter-ethnic contests into political party formations from the grassroots to the nation.

Though the Sabaot of Mt. Elgon had close allegiance to the Kalenjin Community at that time led by Moi, in 1963 they rejected Moi's Kalenjin Alliance and by extension KADU because of Muliro's association with Moi (FGD 2:2018). The Sabaot new elite elders led by Daniel Moss formed Western Kalenjin Congress (Respondent 66:2019). In 1963 they voted together with KANU.

Meanwhile, after independence in 1963, for example, Bukusu-Sabaot ethnic identity was enhanced by the initial political leadership. Kenyatta having used the Kikuyu of Central Kenya as a springboard to power he became obligated to reward them hence his leadership was overshadowed by his kin as was reflected in his government appointments where more than a half of provincial commissioners were held by his close confidants from central Kenya, the same was true with appointments of heads of government parastatal and statutory boards (Hornsby, 2011). When Moi came to power in 1978, he brought the Kalenjin into the core of government as his confidants. It was largely from this background that the advent of multipartyism as well degenerated into an ethnic contest among communities particularly the Bukusu and Sabaot in Bungoma (Respondent 19:2019). Since the Bukusu political leaders Masinde Muliro and Wamalwa Kijana advocated for multipartyism their communities were vilified as being against single-party rule of the then ruling KANU and the then-sitting president Moi and his Kalenjin community who supported single-party hence fueling what became Bukusu-Sabaot

conflict of 1990s, which was anathema to indigenous and subsequent peace-building strategies for not only the Bukusu and Sabaot but the perceived supporters of either of the two groups including the Teso, Kikuyu and other Luhya communities in Bungoma County.

In essence, thus the glimpses of unregulated multiparty democracy introduced towards the end of the 1950s and early 1960s hampered implementation of inter-communal indigenous and subsequent peacebuilding efforts as it drove a wedge among communities, united under and led by mission educated elite elders whose first objective, as the study revealed navigated from self-interest, followed by community interest, then national interest (Respondent 7:2018). Unfortunately, the new eldership was not armed by the pre-colonial traditional wisdom then inculcated by training on traditional cultural norms, nor had the new crop of elite elders been trained to accommodate democratic principles in multi-ethnic society hence the escalation of conflict in Kenya more specifically between the Bukusu and Sabaot for decades (Respondent 4:2018).

As a result thus, though indigenous peace-building continued in the post-colonial Kenya, other players had to come on board in order to meet the expanded social, economic, and political challenges of the independent government. The central government for example established Provincial administration structures from the grassroots, the village elders, assistant chiefs, chiefs, district officers, district commissioners, and provincial commissioners with various committees at each level hence strongly eating into initially indigenous peace-building initiatives (NSC, 2011). Elders were emphatic that it offered an opportunity for inter-ethnic political and administrative hybridization of communities in Bungoma County, (FGD 3:2019).

6.6 Ethnic Inclined Demarcation of Administrative Units among communities and its Effect on Inter-ethnic Peacebuilding and Conflict Management in Bungoma County

The boundaries created in independent Kenya like in the colonial period largely housed varying groups within the same district like Bungoma further fueling inter-communal competition initially between the Bukusu and Sabaot. This was conspicuously pronounced in places where one community was minority like the Sabaot and the other majority like the Bukusu and inherent challenges of sharing the ever scarce regional including national resources between minority-majority communities (Respondent 8:2018, Jacques & Oded, 2013). The point of contention in Bungoma was land and unequal representation between Bukusu and Sabaot at various levels from County Council to Parliament (Respondent 8:2018).

From independence, the Sabaot had always one Member of Parliament, later a Sub-district, district and today a Sub-County. Since the hiving off Mt Elgon administrative units from the larger Bungoma was done along ethnic lines between the Sabaot and Bukusu as a result, it tended to restrict the application of indigenous authority to respective communities and administrative units. At one stage the two communities shared Elgon Nyanza District, then Bungoma district where the Sabaot had their clear cut Sub-location, later location then elevated to a division in 1969, a sub-district, and then district in 1993 (Respondent 8:2018). Today it is a Sub-county and a constituency within Bungoma County. Such arrangement put the two communities in intense competition hence a warpath which politicians exploited for their political expediency compromising indigenous peacebuilding structures and avenues (FGD 1:2018). A Bukusu respondent,

who has been a resident of Mt. Elgon before and after the creation of Mt. Elgon at first a district then a Sub- County, lamented that as a minority in Mt. Elgon they are discriminated against when sharing bursaries, employment of Chiefs, Assistant Chiefs, police and military recruitment including political appointments,

In Kapsokwony there is no Chief, Assistant Chief or Member of County Assembly who is not a Sabaot, minorities are excluded' (Respondent 70:2019).

Mt. Elgon Sub-County as a unit of recruiting Chiefs and their Assistants, teachers and students to join colleges has skewed opportunities against non-Sabaot, (Respondent 70:2019).

The geographical dividing line between the Bukusu and Sabaot has often been used as a battle-front by the two communities (Respondent 7: 2018). In essence, ethnic inclined demarcation of electoral and administrative units of the Bukusu and Sabaot kept and sustained the two in inter-ethnic competition than peacebuilding. Similarly it opened an avenue for detaching ethnic demarcation from administrative cum political boundaries as well enhance diversity policies and affirmative action to cater for inter-ethnic equitable distribution of socio-economic and political resources and services, (RCNECI, 2011).

6.7 Clipping of Indigenous Authority by National Government and Its effect on Inter-ethnic peacebuilding and Conflict Management

Over time the traditional eldership, the then foundation of inter-communal co-existence was gradually but steadily shade-off and transferred its independence and authority to the colonial authority and later to independent Kenyan government starting 1963 (Respondent 68:2019). The clipping incapacitated the traditional eldership to the extent

that it could not stand alone as an institution (Respondent 68:2019). This meant that the traditional eldership hang in suspense without proper anchorage in the overall colonial and post-colonial formal administrative machinery (Respondent 52:2019). As an institution whose authority was derived from the council of elders, governed by rules and regulations handed down from one generation to the other, with strong customary underpinnings it had to get anchored and therefore patterned by socio-political and economic trends of the time. However, it failed to fully align and largely warped (Respondent 16:2018). In Kenya's independence constitution of 1963 which not only retained but borrowed from the colonialists, where eldership authority had degenerated and trimmed, but further shaped to conform to written law hence it remained unstable. However, the fact that eldership still had some role to play in a peoples' life though informally, it had to get entrenched within the government structure, (Respondent 8:2018). In essence, the overall behavior of the national government had a superior role than traditional eldership.

The colonial and independent constitution ate into the eldership role through the establishment of new government machinery through the structures like the executive, legislature, and the judiciary whose role largely replaced that of eldership (Respondent 21:2018). The formal constitution unlike traditional authority was elevated and made supreme and anything inconsistent to it was either repugnant or subordinate to the constitution to the extent of its inconsistency (Media Development Association & Konrad Adenauer Foundation). The elders lacked formal socio-judicial authority (Respondent 8:2018). It is from this background that the nation-state constituting political leadership, administrative machinery, socio-political and economic influences, identity issues,

ethnicity, and multi-partyism affected the implementation of inter-communal indigenous and subsequent peace-building strategies.

Under polarized ethnic inclined political leadership, the ethnicity of a person in the office of the president and the neutrality of political leadership became important to the implementation of indigenous and subsequent statist peacebuilding strategies (Respondent 67:2019). Repressive political leadership interfered with the neutrality of the eldership role as it did to the central government. This was a problem to inter-communal harmony because political leadership in Bungoma starting from independence entrenched competitive ethnic interests which created divided loyalty to the traditional leaders and the government (Respondent 19:2018). In the 1980s political leadership affected the Bukusu and Sabaot inter-ethnic unity more because the then-president Moi came from Kalenjin whose constituent communities included the Sabaot and had created a Kalenjin politically dominant group which controlled access to employment, education, and wealth (Respondent 21:2018). In essence, the biased presidential office in Kenya cut across the government administration from the top, president's office to Provincial Commissioner's, District Commissioner, and District Officer's office to the grassroots the chief, assistant chief, and the village elder (Respondent 8:2018). As earlier alluded to, establishment of provincial administration in Kenya had started in the earnest of colonialism from 1902, the East Africa Order in the Council which divided Kenya into provinces and districts (Constitution of Kenya Review Commission, 2005). The administrative units were demarcated in a way that they overstretched the traditional pre-colonial boundaries of the Bukusu, Sabaot and other communities, (Respondent 8:2018). It was upon this background that Kenya's weak independent administrative structure consisting of weak

village elders, assistant chief, and chief affected the implementation of indigenous and subsequent peace-building strategies because eldership which initially was independent had become a sub-set of formal administrative machinery and so was the subsequent peacebuilding strategies but in ad hoc manner (Respondent 7:2018).

Elders meetings convened to reconcile communities through dialogue, negotiation or any public gathering demanded for political and administrative goodwill from the government particularly at a time when such reconciliation had to take a series of meetings and more than one administrative unit as it happened between the Bukusu and Sabaot' (Respondent 28:2018).

Vices like corruption and greed which characterized administration in independent Kenya were as well identified as having been anathema to the successful implementation of peace-building strategies. 'Greed and corruption were used by government officials to influence elders' negotiations' (Respondent 7:2018). Additionally,

there were cases where elders were 'handpicked by politicians to accomplish specific agenda ranging from covering up the truth to tilting the findings to ensure cover-up of perpetrators of conflict eventually leading to unsuccessful prosecution and healing of the communities and the nation, eventually defeating justice' (Respondent 21:2018).

It was partly from the background of corruption, that negative ethnicity flourished since it was used as a tool to determine who took part in government, promoted or rewarded in public service among and between ethnic communities. 'The Sabaot, for example, had complained that Bukusu dominated Bungoma County Council in employment from the time of Jomo Kenyatta in 1963 yet at national level, the Bukusu felt antagonized with the Sabaot by Jomo Kenyatta government, the same applied during Moi's presidency where the Bukusu felt that they were left out of the national government' (Respondent 8:2018).

Additionally, harassment and jailing of people perceived as leaders for either the Bukusu or Sabaot, was established by the study as having taken ethnic line and worked at the cross purpose of implementation of indigenous and subsequent peacebuilding strategies. This was worsened at a level whereby political leaders within the ‘executive arm of government marshaled judiciary and legislature’ (Respondent 8:2018). The study established that abuse of power influenced Bukusu-Sabaot indigenous peace-building strategies (HRW, June 1997).

As was observed by a former councilor, political leadership’s abuse of power in the end was characterized by favoritism and underdevelopment which tilted inter-ethnic perceptions and economic policies for or against one community than the other, largely influenced by political leadership or senior government officials as was demonstrated in Bungoma, (Respondent 19:2019). The study established that promotion and demotion took ethnic lines depending on the relationship of the person in power and the affected person’s community. Poor political leadership combined with poor government administration paved the way to inter-ethnic tilted perception which largely interfered with the implementation of peacebuilding strategies since it became an avenue for spreading rumour, suspicion, and hatred than inter-communal harmony (FGD 2:2018). In the end it offered an opportunity for inter-communal indigenous, colonial and post-colonial adaptation to interethnic diversity in the Bungoma County, (FGD 2:2018).

6.8 Politics and its Challenges to inter-ethnic Peace building and Conflict

Management

A member in FGD held at Cheptais, for example, argued that Bukusu-Sabaot inter-group politics exhibited hostility which challenged the very avenue through which the

indigenous and subsequent peace-building process could have been achieved (FGD 3:2018). Politicians interested in gaining political mileage tilted inter-ethnic perception particularly between the Bukusu and Sabaot creating mistrust and suspicion which impaired peacebuilding process (Respondent 13:2018 & Respondent 36:2018). In essence politicians used ethnicity as an instrument to gain political mileage which compromised peace-building strategies by setting one community against the other thus jeopardizing chances of peacebuilding process and its implementation.

The situation was worse in cases where political leaders were not only part of elders but also participants in ensuring reconciliation among communities took effect. Under such cases, the politicians fuelled ethnic contests between conflicting groups' (Respondent 6:2018).

Kenyatta had used such an avenue to win over the political support of the Sabaot in Mt. Elgon in 1963 to KANU against KADU which was at that time supported by the Bukusu (Respondent 4:2018). It was in the same vein that the study revealed that intensified leadership contests among communities negatively influenced the implementation of Bukusu-Sabaot peacebuilding. This was particularly vicious during national electoral political cycles of five years between the Bukusu and Sabaot (Respondent 47:2019). The national political parties were organized around ethnic groups, for example

Bukusu –Sabaot political ideals, principles, and doctrines differed because the two communities largely belonged to different political parties and therefore interfered with inter-ethnic peace-building strategies' (Respondent 47:2019).

This paves way for the integration of ethnic diversity policies in political parties in Bungoma County, (Republic of Kenya, 2014).

6.9 Inter-communal Identity Issues and Its Challenges and opportunities to Peacebuilding Strategies

The Bukusu-Sabaot identity differences, although had emerged as early as in the pre-colonial Kenya but it took root and became more vicious and polarizing among communities alongside decolonization and integration of democratic ideals in inter-ethnic co-existence' (Respondent 21:2018).

This was when the ethnic numerical strength of a people became a primary asset in determining competition over local including state resources, (Respondent 21:2019). By its nature, democracy demanded that the ethnic majority Bukusu had their way much as the minority Sabaot had their say, largely because in Bungoma, inter-ethnic contests took vicious ethnic lines which challenged peacebuilding (Respondent 21:2018).

As Kenya's independence became imminent the minority-majority contests in Bungoma increased, the minority communities became worried of their survival after independence, (FGD 3:2018). The minority Sabaot's expressed their fear in various ways in independent Kenya, for example, they demanded that they move out of Bungoma and be administered from the Rift Valley amongst their fellow Kalenjin who at that time dominated the region (Respondent 8:2018). In essence, the Sabaot identity which started in pre-colonial Kenya by the 1960s their linguistic and traditions acquired a new meaning such that apart from acquiring some coveted administrative positions from the colonial government like Assistant Chief within the Bukusu dominated Bungoma they changed and demanded for moving away as a people from Bungoma and Western Province and join their fellow

Kalenjin (Akiwumi Report of Judicial Commission, 1999, Mountain Voices, 2000, The Kenya Land Commission Report, 1934).

As the Sabaot demanded for moving out, the land upon which they settled also acquired a special Sabaot identity, that is, they wanted Mt. Elgon as a region administratively moved to Trans Nzoia and the Rift Valley Province thereof (Respondent 46:2019).

It was pressure for ethnic identity which made the Sabaot trace as well as revisit their historical roots as having been the main owners of Trans Nzoia before the colonialists alienated their land and offloaded them into Bungoma as their farms became part of the white highlands' (Respondent 65:2019).

Unfortunately, after the colonialists left at independence, Trans-Nzoia was largely taken up by the Bukusu.

Consequently, the circumstances under which the Sabaot and the Bukusu lived just before independence, forced the respective communities to fall back to their historical roots and thus ethnicities as an avenue for their survival' (Respondent 19:2018).

Inter-communal different histories particularly between the Sabaot and Bukusu had enhanced Bukusu- Sabaot identity as people of different backgrounds with varying cultural beliefs and therefore anathema to the successful implementation of peace-building strategies.

Alongside inter-communal identity issues particularly between the Bukusu and Sabaot, a former senior chief pointed out that, the growth of negative ethnicity which displayed itself in a varying manner. Since democracy underscore the importance of numerical strength, it also put the competing communities at loggerheads, (Respondent 7:2018).

The Sabaot were a minority as the Bukusu were a majority in Bungoma County (KNBS

2009). In this case, any competition which demanded democratic decisions always worked against the Sabaot, as a result, the Bukusu became a hindrance to the success of the Sabaot and thus the two communities could not work together because one was advantaged or disadvantaged by the other. As alluded to earlier Kenyatta, the first president of Kenya as well as his successor president Moi took advantage of the varying numerical strength between the Bukusu and Sabaot and instrumentalized ethnicity for their political expediency. Kenyatta used it as a weapon against his political rival Masinde Muliro of KADU in the early 1960s while Moi used the Sabaot as a political weapon against; Masinde Muliro and the multi-party political actors including Wamalwa Kijana and Mukhisa Kituyi (Respondent 21:2018). The antagonistic approach of Kenyatta and Moi compromised the inter-communal eldership role in Bungoma. The two leaders, Kenyatta and Moi acquired their objectives by encouraging mutually exclusive perception between the Bukusu and the Sabaot' (Respondent 37:2018).

Mutual exclusive perceptions among communities in Bungoma, particularly between the Bukusu and Sabaot was ensured through various ways for example; inequitable access to power between the Bukusu, Sabaot and other smaller communities the Teso and Tachoni in terms of employment and political appointments and political participation, inequitable recognition from the state between the Bukusu and Sabaot through an expression of exclusionary ideologies and beliefs that elevated either the Bukusu or the Sabaot at the expense of the other at different times thus enhancing suspicion and hatred among communities (FGD 1;2018). Such background made the Bukusu and Sabaot coalesce as a solid community against the other and therefore against implementations of peacebuilding (Respondent 8:2018). Inter-communal mutual exclusive perception

between the Bukusu and the Sabaot, for example, was strengthened by impunity particularly in the 1980s when the security agents failed to punish those who unleashed inter-communal hatred between the Kalenjin to which the Sabaot were members and other communities where the Bukusu were members like, William Ole Ntimama, the then minister of local government (Kiliku Report, 1992).

The total challenge to implementation of inter-ethnic indigenous and subsequent peace-building strategies was caused by vicious inter-ethnic politics. Bukusu-Sabaot in particular, belonged to competing political parties at different times (Akiwumi Report of Judicial Commission, 1999). This was worsened by the fact that election in Kenya was a matter of life and death pegged on a winner take all, it raised inter-ethnic contests particularly between the Bukusu and Sabaot more often marked by conflicts at every election cycle of five years from 1963 (The Final Report of Constitution of Kenya Review Commission, 2005). Politicians, starting from the first president Jomo Kenyatta, first Mt Elgon Member of Parliament Daniel Moss, President Daniel Arap Moi, Bukusu leaders pioneered by Masinde Muliro, and Wamalwa Kinjana worked at cross purpose pitting the Bukusu against the Sabaot in terms of politics (Respondent 19:2018). These leaders largely led to the disabling of the implementation of the indigenous and subsequent peace-building strategies. However it offers opportunity for affirmative action measures to deal with minority groups in the county in order to ensure inter-ethnic integration.

6.10 Inequitable Resource Allocation and Inter-ethnic Peacebuilding

At independence, the Sabaot economic problems in Bungoma increased whereby over and above their having been comparatively marginalized than the Bukusu in the colonial

Kenya, the economic improvement in their dominantly Sabaot area Mt Elgon, stagnated than the lower Bukusu dominated Bungoma, which overtime witnessed construction of better roads, hospitals and schools some of which had started during the colonial period (Respondent 19:2018). However, when president Moi took over power there was a perception from the Bukusu that the Sabaot benefitted more because of their Kalenjin ethnic link with Moi (Respondent 21:2018). Such perception did not augur well with the implementation of peace-building strategy. As a result, when International Monetary Fund and World Bank withdrew Kenya's financial assistance during Moi's presidency it provoked ethnic sentiments whereby the pro-multiparty politicians whose greater proportion in Bungoma came from the Bukusu were blamed by the Sabaot for having supported the instigation of withdrawal of aid from Kenya thus further antagonized inter-ethnic eldership role and inter-ethnic co-existence (Respondent 46:2019). The study found that the Sabaot and the Bukusu, for example, blamed fluctuating and inequitable development on political neglect that took ethnic dimension and thus weakened the implementation of particularly Bukusu- Sabaot indigenous and subsequent peace-building strategies because economic problems were seen as having been caused by either of the ethnic group, (Respondent 46:2019). Inequitable access to public resources between the Bukusu and Sabaot was also established as having had a hand in the implementation inter-ethnic peace-building process. The perception created suspicion and mistrust and became a foundation for spreading rumour and untruths which generated inter-ethnic hatred thus compromising peace-building engagements. Though it also offers an opportunity for equitable inter-ethnic resource and socio-political development in Bungoma County, (RCNECI, 2011)

6.11 Changing Identity of Elders and Peace building Strategies

The greatest problem that affected the implementation of indigenous and subsequent peacebuilding included ‘distinguishing real traditional or indigenous elders from unofficial or none elders (Respondent 24:2018). ‘As traditional eldership faded so was the institution that prepared the elders, as a result, the ideal role and identity of elders fell in quagmire’, (Respondent 21:2018).

Various factors were identified from the study as having been the cause; for example, politicians manipulated elders to serve their interests than those of the community, in the end, the politician took the glory thus closing out elders role (Respondent 24:2018).

This was particularly felt among the Bukusu and Sabaot when the elders started receiving ‘orders from the political class than vice versa thus’ compromising the ancestral-spiritual origin of traditional elders’ authority as well as their neutrality’ (Respondent 24:2018).

In the end, the eldership role became subordinate to that of the politician thus compromising the elders’ arbitral indigenous authority. Similarly, the study established that the politicians divided elders along ethnic lines for their political expedience (Respondent 19:2018). It was therefore evident that demarcating and or harmonizing traditional eldership from politicians was an important undertaking for subsequent inter-ethnic peacebuilding, (RCNECI, 2011).

6.12 Constitution and Indigenous Peace building

Though, the constitution of Kenya 2010 recognizes the traditional elders and their authority in dispute resolution and in matters concerning land but as subordinate to the written law, (The Constitution of Kenya 67(2) (f) 159 (c). Traditional authority in Kenya is constitutionally inferior to any written law and bill of rights and its application is

limited to local circumstances which were consistent with the constitution and international conventions which Kenya is a signatory to, (The Constitution of Kenya 67(2) (f,) 159 (c). In essence, it paved way for not only reframing but also integrating inter-ethnic indigenous authority of peacebuilding into the confines of the constitution and international conventions. Most importantly it opens an avenue for indigenous authority to accommodate ethnic diversity in line with the dictates of international conventions.

6.13 Challenges and Opportunities to District Peace Committees and peacebuilding Strategies

The Peace Committee in Mt Elgon was faced with various challenges, ranging from harmonizing various interest groups, the traditional elders, politicians, youths, women, warring communities, and the government (FGD 2:2018). Disharmony which came from varying interest groups often affected the coordination and monitoring thus weakening the efficiency of Peace Committees (FGD 2:2018). The DPC's efficiency in conflict prevention, management, and reconciliation fluctuated (NSC, 2011). Since the DPC's were ad hoc, they lacked legal framework and thus they heavily depend on the goodwill of the government machinery, the County administration, and the community including the political leaders (Respondent 24:2018). In Mt Elgon, it was reported that politicians often did not cooperate with the peace committee instead they treated them as competitors partly because some politicians had risen to their political positions by inciting one community against the other (Respondent 28:2018). As a result, though, the DPC's were supposed to be apolitical but because of such interference, they became politicized (Respondent 15:2018).

Equally important, since the DPC's had to rely on the goodwill of government machinery they are more often at the mercy of the County Commissioners, whose rules of engagement with the DPC's was ad hoc and sometimes marked by undue interference by Sub-County Commissioners to the DPC's operation (Respondent 18:2018). In cases where some members of the DPC's were elected while others were appointed, it raised the question of the ability of personnel taken in dealing with matters of inter-communal conflict. Some elected people were popular because of enhancing exclusive communal interests than inter-communal interests, such personalities became antagonistic to the communities (Respondent 15:2018).

The DPC's members were also not remunerated, they therefore, depend on the donor funding which sometimes was not forthcoming or sometimes not enough (Respondent 34:2018). At other times the donor funding was cut short prematurely before accomplishing an already started project. The worst part was when the objectives of the donor did not merge with the objectives of DPC's thus confusing the whole operation (NSC, 2011).

Though not always, there was undue influence from the Sub- County and County Commissioner's office which cut across the operations of the DPC's, since they are the core administrative unit that cut across the DPC from the grassroots and coordinated the state and non-state activities at the local level (Respondent 8:2018, NSC, 2011). The office of County Peace Monitors and County officials often gave rise to two centres of power reporting directly to the national government, (Respondent 15:2019). Suspicion was also registered between the two offices of the Peace Monitor and County Commission particularly when the former reported matters of security before the latter

yet it officially fell in the County Commissioner's Office (Respondent 18:2018). As a result instead of the two offices complementing each other they end up getting into the competition, where one office appears spying against the other thus compromising peacebuilding efforts (Respondent 24:2018). A respondent familiar with the working of DPC disclosed that Peace Committee members were sometimes sidelined by the County –Commissioner's Office, (Respondent 15:2018). By its nature, the functions of the County Commissioner's office as part of the executive strive to protect the government to the extent that they often give half-truths than the real position of the problems experienced, unlike the peace committee personnel who may wish is to report the matter as it is on the ground (Respondent 24:2018). Similarly, since the provincial administration from independence was skewed to support the government that was in power, it largely lost its neutral arbitral role in peacebuilding and conflict management (Respondent 8:2018, NSC, 2011). The DPC's as well as the Chief, Assistant Chiefs lacked logistical and financial ability to respond to conflicts which jeopardized peacebuilding particularly in linking up the government, non-state and the general public (NSC, 2011, Respondent 6:2018). Consequently, its dysfunction disconnected the government and her people (Respondent 15:2018).

It is important that clear structures are put in place to accommodate the DPCs, with clear job prescription to protect the DPCs from political influence and county officials, (Respondent 45:2019). Workshops and training were identified as an avenue that can be used to upgrade the ability of DPC members, (Respondent 15:2018). A respondent at FGD argued that hybridization of peacebuilding process to accommodate various interest groups, elders, politicians, youths and women would be ideal, hence it opens an avenue

for developing a work plan for hybridized peacebuilding process in Bungoma County, (FGD 1:2019).

6.14 Chapter Summary

Communities in Bungoma County had their unique training and indoctrination of her people into the community which challenged the inter-communal implementation of peace-building strategies. War prophets particularly between the Bukusu and Sabaot competed against each other and thus they put the two communities more on warpath than peace engagement.

Inter-communal prophetic role gradually subjected to empiricism as society got secularised yet it was largely pegged on faith that different generations retrogressively understood differently as it faded. Equally important were the varying beliefs, rituals, and unique community practices that went along with traditional peacebuilding. Advent of colonialism and the creation of a new structure of power disintegrated inter-communal traditional units of administration.

Initially, colonial missionaries and later African characterized African beliefs, practices, and even culture as ungodly. When traditional religion was abandoned as Christianity took root, the adaptation to Christianity varied among communities setting a new angle of antagonism.

Fading as well as weakening traditional eldership underscored in weakened traditional informal learning, a new crop of eldership from mission educated elite set different paths for each community. The new elite degenerated their communities into ethnicities as they sharpened their path for self-interest, each community demanded the welfare of her

ethnic group but largely missing was the structure upon which such demands could rest other than the faded unregulated pre-colonial ethnic surface.

Though indigenous peacebuilding continued in post-colonial Kenya, other players had to come on board. Provincial administration structures from the grass root, the Village Elders, Assistant Chief, Chiefs, District Officers, District Commissioners, and Provincial Commissioners strongly ate into indigenous and subsequent peace-building initiatives. The boundaries created by independent Kenya housed varying groups within the same district further fueling inter-ethnic competition which weakened inter-communal engagements.

Over time the traditional eldership gradually but steadily shade-off and transferred its independence and authority to the colonial authority and later to independent Kenyan government starting in 1963. Clipping of authority incapacitated the traditional eldership. The colonial and independent constitution ate into the eldership role through the establishment of new government machinery and its institutions, the executive, legislature, and the judiciary. The formal constitution unlike traditional authority was made supreme and anything inconsistent with it was either repugnant or subordinate.

Greed and corruption were used by a government official to influence elders' negotiations, as well there were cases where elders were 'handpicked by politicians to accomplish their political agenda than peacebuilding. Poor leadership combined with poor government administration negatively tilted inter-ethnic perception which largely interfered with the implementation of peacebuilding since it became an avenue for spreading rumour, suspicion, and hatred than inter-communal harmony. Inter-communal economic disparity affected the successful implementation of peacebuilding

Though, the constitution of Kenya 2010 recognizes the traditional elders and their authority in dispute resolution and in matters concerning land but in a subordinate. Traditional authority is constitutionally inferior to any written law and bill of rights. Opportunities identified were, to integrate inter-ethnic diversity and equity tenets into traditional, educational, administration, religious, politics, in resource allocation, demarcation of administrative units and in modernity policies. The next chapter is the summary of findings, conclusions and recommendations

CHAPTER SEVEN

SUMMARY CONCLUSION AND RECOMMENDATION

Summary

This chapter summarises study findings, draws conclusions, makes recommendation and provides suggestion for further research in accordance with study objectives.

7.1 Summary of Findings

The overall study objective, examined the efficacy of peacebuilding strategies employed in the management of inter-ethnic conflicts in Bungoma County. Specific objective were: to examine the nature of inter-ethnic conflicts in Bungoma County, to evaluate peacebuilding strategies by the state and non-state actors in management of inter-ethnic conflicts in Bungoma County, to assess the challenges and opportunities in management of inter-ethnic conflict in Bungoma County. The study adopted conceptual framework underpinned by two theories, Johan Galtung's Conflict Triangle and Conflict Transformation theory.

The study was carried out in Bungoma County. The sample size of 400 was drawn from a population of 1375065 using Yamane 1967 formula. Sample population was distributed proportionately and purposively, elders 377, CSOs 7, clergy 6, senior police officers 2, Sub-County Commissioner that is Deputy County Commissioners (DCC) 2, Chiefs 4, and IDP officials 2. Primary data was collected using questionnaires, interview guides and FGD. Secondary data was collected from document analysis. Quantitative data was analysed using MS excel, while qualitative involved thematization, corroboration, verification and networking various parts of data.

As regards the nature of inter-ethnic conflicts, eldership 42% (119), intermarriage 23% (65), culture 20% (57) and trade 15% (42) including language, myths of origin, geographical location, socio-economic and political organization determined the nature of inter-ethnic conflict and peacebuilding. However, they were altered by colonialists' administrative structures, economic activity, education, land management policies, Christianity, and new eldership of educated political elite specifically Masinde Muliro and Daniel Moss of the Bukusu and Sabaot respectively and later Jomo Kenyatta and pioneer political parties KANU and KADU.

The study established that, though indigenous peace-building strategy was inherently part and parcel of inter-ethnic traditional way of life and was subject to change its dynamism was enhanced by colonialists' centralized pyramidal administration. This involved Colonial Chiefs who not only hijacked traditional authority and directed it to the colonists but also, chieftaincy integrated new class of elders above the traditional ones, new colonial economic practices, new land tenure resulting from alienation and displacement of population and traditional authority, formal education and varying levels of uptake of colonial formal education among communities, and Christianity into the nature of inter-ethnic conflict in Bungoma. Colonial education and administration brought to the fore new challenges leading to the birth of new elites who antagonized traditional inter-communal authority. The new crop of elites largely transformed, eroded, and to a greater extent replaced the traditional eldership among communities particularly the Bukusu and Sabaot during nationalistic struggles and linked it into national socio-economic and political contests and peacebuilding in Kenya.

As concerns statist and non-statist peacebuilding strategies, Influence of political leadership on inter-ethnic conflict in Bungoma was characterized by and rated at: corruption and greed in government 17% (48), biased repressive political leadership 16% (45), ethnic inclined public participation in government 15% (42), ethnic inclined punishment to anti-government individuals, biased ethnic and psychological torture 13% (37) and ethnic inclined demotion from government 12% (34). This was experienced when the first president, Kenyatta gained entry and secured political backing from the Sabaot for his political party Kenya African National Union (KANU) by taking advantage of the misunderstanding between Daniel Moss the then political leader of the Sabaot, and his neighbour Masinde Muliro the leader of the Bukusu in Kenya African Democratic Union (KADU). Kenyatta's presidency instrumentalised the Sabaot against the Bukusu.

This marked the foundation upon which corruption, greed and ethnic inclined political leadership which characterized initially the Bukusu and Sabaot in independent government under Kenyatta and Moi's government compromised not only the ethics of the nation but also made the presidency lose its neutral arbitral role among communities in Bungoma. Corruption created suspicion and hatred among communities because it shrove on dishonesty, illegality and embedded the undue advantage of undeserving or perceived undeserving cases over the deserving or perceived deserving along ethnic lines.

Continued ethnic inclined repression of opposition politicians, by 1990 culminated into vigorous movements in support of the multiparty system of government strongly fronted by the Bukusu against the Sabaot backed government in Bungoma County.

The unregulated presidency misused discretionary powers of appointment of government officials hence transformation of political leadership entailed good governance which underscored transparency, accountability, and corruption-free public officers. Constitution of Kenya 2010 cut down presidential discretionary powers by creating commissions and ensuring that presidential and gubernatorial appointments or nominations were subjected to approval by the National or County Assembly underscoring ethnic diversity and inclusivity as the bottom line qualification.

Jailing and harassment of members of those who appeared to oppose the government was pointed to as yet another bottleneck that tilted the political leadership role towards influencing inter-ethnic peace building in Bungoma. Violation of the other person's dignity either by intimidation, hostility, degrading, humiliation, or harassment on account of ethnicity was outlawed.

The transformation of the executive arm of government that is, weak administrative structures 19% (54) within the office of the president under Provincial Administration influenced inter-communal co-existence in Bungoma. The fact that Provincial Administration linked the grassroots and the central government, its weakness disoriented administrative coordination and the overall performance of the government in conflict and peacebuilding among communities in Bungoma. The constitutional review commission final report of 2005 did concur that the 'provincial administration was authoritarian, paternalistic, corrupt, misused power and, it was a hindrance to political plurality'. Transformation entailed, integration of ethnic diversity into executive arm of governance at the nation and county level which involved restructuring the executive in 2010. This is when the composition of the executive was not only to reflect the regional

and ethnic diversity of the people of Kenya at national level but at Bungoma County where the Governor, Deputy Governor, and Chief Officers appointed by the County Governor, with approval of the County Assembly but most importantly to include the Sabaot, Bukusu, and other minority communities.

The study found that the electoral reforms were in response to the government's weakness then associated with its loss of legitimacy in Kenya's electoral system, rated at 16% (45) in Bungoma County, the most vicious dimension that divided interethnic communities in Bungoma was in 1988. To transform electoral-related conflict, first, the electoral process had to be detached from the presidency and the provincial administration. The 2010 Constitution established the Independent Electoral and Boundaries Commission consisting of the Chairperson and six other members though recommended by the president but then approved by the National Assembly for the appointment. The electoral commission had to reflect the regional and ethnic diversity of the people of Kenya, while electoral disputes arising from the election were to be dealt with expeditiously to diffuse tension including inter-ethnic hostility and enhance representation.

Integration of ethnic diversity in employment: The study discovered that equitable distribution of employment reforms was to counter not only the direct means through which Kenyatta and Moi's administration compromised peacebuilding and developed ethnic consciousness particularly in Bungoma but also it regularized employment at Bungoma County to reflect County ethnic diversity. Skewed employment and inter-ethnic conflicts and peacebuilding in Bungoma scored 19% (54). Skewed Public Service employment at the County was structured whereby the governor's free hand in the

appointment of Chairperson, Vice-Chairperson, and Public Service Commissioners had to seek the approval of the County Assembly while underscoring ethnic diversity as the legal bottom-line.

The study established that politics characterized as: Bukusu-Sabaot inter-group politics, political elites tilted inter-ethnic perception, political transition from single party to multiparty, Bukusu-Sabaot inter-ethnic contest and intensified leadership struggles all scored 17% (48) response, while use of politics as a scapegoat at 15% (42).

At independence, the Bukusu and-Sabaot co-existence did not align with the democratic process, partly because of politicians' interests which heightened political contests. When Moi consolidated the Kalenjin power base and by extension Kalenjin Sub-state from 1978 and beyond, it brought forth unprecedented animosity between the Bukusu and Sabaot exhibited in the 1992 Bukusu-Sabaot conflict. The independence constitution did not adequately politically regulate minority-majority and marginalized groups a situation that came to characterize Bukusu-Sabaot co-existence. Integration of minority and majority in the government structures both at the National and County in 2010, underscore rights for the minority particularly, Sabaot, Teso and Tachoni and marginalized groups by putting in place affirmative action programmes to take care of minority and marginalized groups in representation, governance, education, employment, cultural and values development including access to water, health, infrastructure, equal protection, participation in the political process and where they are not elected then they be nominated by the political parties. National Cohesion and integration act criminalizes ethnic discrimination, harassment, and victimization.

The inter-ethnic political contest, as a source of conflict because of belonging to different political parties has largely been addressed through the establishment of Political Parties code of conduct. The political parties are under legal obligation to promote; good governance, eradicate malpractices, regulate political competition and respect the rights of the minority.

By 2010, the government constitutionally provided a pathway to inter-ethnic social transformation of communities by regulating inter-communal interactions against hatred which had scored 17% (48), while value differences 18% (51), cultural dissimilarities 17% (48), unfair distribution of education 17% (48), and religious rivalry. Inter-communal hatred is factored in National Cohesion and Integration Act 2008. Hate demonstrated through verbal threat, use of abusive or insulting words or behavior, or through the display of any written material is an offense punishable in law. The constitution promotes cultural diversity and inter-ethnic tolerance.

The affirmative action embedded in the constitution is to ensure that inter-communal discrepancy in development is limited or neutralized so that the marginalized and minorities equitably access services.

Economic transformation was pegged on the inequitable distribution of economic resources. Ranked highest according to the oral interview was the association of 'political leadership to economic neglect at 21% (59), initially in Bungoma County Council. The government had made fruitless efforts to ensure regional balanced development in Bungoma County. Besides scarcity, even what was available was not equally distributed among communities under the same national and local administrative unit. Lower Bungoma was more developed than the dominantly Sabaot Mt. Elgon region in 'road

network, schools, and hospitals. Other factors which influenced inter-ethnic co-existence were: inter-communal inequitable access to resources 16% (45), competition over resources, 17% (48), lack of resources 16% (45), economic stagnation 15% (42) and high population at 15% (42)

Up to 2010 Kenya did not have a clear framework on the regional distribution of resources except for general distribution of resources nationally yet the main undoing to inter-communal unity, as the study established was disharmony in resource distribution between the Bukusu, the Sabaot, Teso and Tachoni. Today inter-ethnic integration principles of equity, population spread, marginalized communities, openness, accountability, equitable sharing of revenue and public participation in financial matters guides the process.

Transformation of negative ethnicity in Bungoma County was pegged on scores which showed that: politicians used ethnic differences for political expediency rated highest at 16% (45), while inter-ethnic perceptions, minority-majority issues, ethnic fear of survival, inter-ethnic historical injustices and ethnic chauvinism scored 14% (40) each. In essence ethnic transformation into inter-ethnic integration entailed protecting the misuse of ethnic differences among communities including Bukusu and Sabaot for pursuit of political power by providing structures to promote inter-ethnic inclusive political parties and integration through, equity policies in distribution of resources, appointments at National and at County Government.

Arbitrary amendment of constitution which jeopardized inter-ethnic co-existence particularly in Bungoma in relation to single party and multi-party between the Bukusu

and Kalenjin was tightened, pegging it to inter-ethnic equity, inclusivity and national unity. Multiparty was embedded in the constitution which underscored ethnic inclusivity in executive, judiciary and independent commissions.

The transformation of the police force was informed by inter-ethnic conflicts. Reports from clash victims of 1992 showed that the police took sides particularly in Bungoma. The Constitution of 1963 as amended to 1997 had directly placed the police force under the presidency as the appointing authority, the minister of Internal Security, the Attorney General, and the delegated presidential executive authority through the Provincial Administration. From 2010, the office of (IG) was constitutionally made independent and ethnic inclusive.

After 1991/1992 clergy and new composition of elders who included Village Elders, Assistant Chiefs, and Chiefs played role in reconciling communities in Bungoma. By adopting provincial administrative structure, more comprehensive Peace Committees of 15 community elected members from each location were established consisting of a cross-section of ethnic communities present in the area, Sub-Location then location, most importantly the Sabaot, Bukusu, and Teso including the youth and women. Fifteen member committees elected the Chairman, Secretary and Treasurer. This was replicated at the division to Sub-County. At the Sub-County administrative unit, the Sub-County Commissioner and Peace Monitor was co-opted. They were then linked to the central government through the National Steering Committee on Peacebuilding and Conflict Management (NSC, 2011). Peace Committees were responsible for early identification and reporting of early signs of inter-ethnic instability, facilitated inter and intra-community peace.

In Mt Elgon church compounds were the first neutral refugee centres for IDPs. Peer Counseling and Community Policing have helped to address youth issues including drug trafficking and addiction.

Reconciliation meetings were organized and held after 1992. Besides the CSO officials, the reconciliation process involved regional community elders, elected leaders, and opinion leaders including church leaders. During reconciliation meetings, experiences between the disputants were shared. Reconciliation sessions consisted of adults of over 48 years. The study established that most men ran away and left children under the care of their mothers, women were raped, others contracted diseases; others conceived and got babies from the sexual abuse. Bukusu women in the Mt. Elgon region were 'forcefully circumcised, youths joined the militia group, others dropped out of school leading to early pregnancies and marriage. Others separated from their families and lived away in solitude where their behavior degenerated to the extent that they could not fit or adjust back into their community either as youths or adults while others got traumatized.

Sharing of experiences made the Bukusu and Sabaot reflect on their role in the conflict hence it influenced their new perceptions and changed their attitude towards each other. The disputants came to know the difficulties which they went through including the women as well as the youths of the two communities. The study established that reconciliation brought out the legitimate grievances of the conflict particularly land and provoked remorse but it failed to elicit apology. Verbal promises of peaceful coexistence were made though they 'lacked concrete commitment.

Workshops were held with a view to helping communities establish lasting peace. Communities according to the interviews registered a common vision of attaining sustainable peace since they had lived together for long and intermarried.

The point of contention was over land, inter-ethnic varied and contradictory histories and historical injustices. There were calls to stop female genital mutilation, resettlement of women and children by constructing houses, empowering women in leadership, and protecting them from abuse.

Action Aid Kenya Mt Elgon working through Community-Based Organisations (CBO) KAMSACHA (CBO), went in to transform the condition of women, children and the OVC's, awareness of HIV/AIDS pandemic, encouraging behavior change, empowered women, youths and the general community through training on cases of HIV/Aids on Home Based Care skills and guiding and counseling techniques. Orphans were supported with school fees, uniforms, mattresses, food, and medication.

Forest Action Network (FAN) in partnership with Action Aid Kenya sponsored workshop, notable was National Stakeholders Forum towards Developing a Lobbying Strategy for Mt Elgon. At the workshop, an Action Plan for Mt Elgon was drawn, in which capacity development included Training workshops on entrepreneurial skills on commercial Tree Growing. Groups in Mt Elgon were trained on how to look after forests and as a result, it encouraged those who had initially used the forests as a hide-out come out and or stop the behavior all together. The study established that the Forest Community Policing drastically limited the hideouts of cattle thieves and rustlers.

By 2004 Action Aid Kenya's effort on poverty reduction and food security in Mt Elgon had grouped Mt Elgon residents into Community-Based Organisations located in each

location as an entry point to the entire district where they engaged communities in various economic agricultural activities.

Inter-communal projects between and among communities in Bungoma County- 'Water project, friendly youth matches, beekeeping, and tree nursery' covered the entire Mt. Elgon,

Schools played a part as agents of peacebuilding. 'Drama was mostly used, followed by problem-solving workshops including sports and games.

The respondents observed that the media played a part with regard to inter-communal conflict but at a low. Unlike the 1980s and 1990s policies that curtailed freedom of the press, the 2010 Constitution is a departure and underscores the transformation of conflicts through good governance but with media development as a channel through which inter-communal relations, attitudes, and behavior change could be achieved, with state-owned media under obligation of being an impartial body charged with regulating media standards.

As regards specific objective three, challenges and opportunities in the management of inter-ethnic conflict in Bungoma County, implementation of inter-ethnic indigenous peacebuilding was alienated and differentiated by both colonial and independent government in Kenya which clipped indigenous authority. Independent political leadership, politics, formal local and international justice system, skewed inter-communal resource allocation, negative ethnicity, education, and Christianity weakened indigenous authority.

The study established that, though communities lived side by side 'but each community had its unique training and indoctrination of her people into their respective community which challenged the inter-communal implementation of indigenous peace-building strategy. The oral interview established that the Bukusu and Sabaot, for example, had war prophets who competed against each other. They thus, put the communities more on warpath than peace. At the same time the prophetic role slowly but steadily was subjected to empiricism yet it was largely pegged on faith that different generations retrogressively understood differently as it faded. Equally important were the varying beliefs, rituals, and unique community practices that went along with traditional peacebuilding. A major challenge to inter-ethnic indigenous peacebuilding implementation had emerged with the advent of colonialism and the creation of a new structure of power. The Bukusu-Sabaot dispersal and intermingling was accompanied by both disintegration of traditional units of administration and integration of colonial authority. The colonial missionaries condemned African beliefs, practices, and even culture as ungodly. The inter-communal religious rivalry among communities was hastened in the colonial and post-colonial periods when traditional religion was abandoned as Christianity took root. Unfortunately, the level of adaptation to foreign religion among communities did not take place at the same pace nor was the role of traditional authority substituted at the same rate. Fading as well as weakening traditional eldership underscored in weakened indigenous peacekeeping and peacebuilding among communities paved the way for a new crop of eldership from mission educated elite. The mission-educated elite elders of the Bukusu and Sabaot in particular, set different paths instead of working as a unit. The new elite degenerated their communities into ethnicities as they sharpened their path for self-

interest, each community demanded the welfare of her ethnic group but largely missing was the structure upon which such demands could rest other than the faded unregulated pre-colonial ethnic surface. New eldership was not armed with the pre-colonial traditional training pegged on traditional cultural norms, nor had they been trained to accommodate democratic principles in multi-ethnic society hence the escalation of conflict in Kenya specifically between the Bukusu and Sabaot which engulfed other communities.

Though indigenous peacebuilding continued in post-colonial Kenya, other players had to come on board in order to meet the expanded social, economic and political challenges of the independent government. Provincial administration structures from the grass root, the village elders, assistant chief, chiefs, district officers, district commissioners, and provincial commissioners including various committees at each level hence strongly ate into indigenous peacebuilding initiatives. The boundaries created by independent Kenya like in the colonial period largely housed varying groups within the same district like Bungoma further fueled competition among communities over resources including land, unequal representation, appointments hence weakened inter-communal indigenous engagement. Indigenous eldership gradually but steadily was shade-off, overshadowed and transferred its independence and authority to the colonial authority and later to independent Kenyan government starting 1963. Clipping of authority incapacitated the traditional eldership to the extent that it could not stand alone as an institution. The colonial and independent constitution ate into the eldership role through the establishment of new government machinery and its institutions, the executive, legislature, and the judiciary whose role largely replaced that of eldership. The formal constitution unlike traditional authority was made supreme and anything inconsistent

with it was either repugnant or subordinate to the constitution to the extent of its inconsistency. Ethnic inclined political leadership, repressive political leadership interfered with the neutrality of the eldership role as it did to the central government. Greed and corruption were used by government officials to influence elders' negotiations, as well there were cases where elders were 'handpicked by politicians to accomplish their political agenda than peace building. Poor leadership combined with poor government administration paved the way to tilted perception which largely interfered with the implementation of peacebuilding among communities since it became an avenue for spreading rumour, suspicion, and hatred than inter-communal harmony. Inter-ethnic identity issues, economic disparity affected the successful implementation of peacebuilding. Though, the constitution of Kenya 2010 recognizes the traditional elders and their authority in dispute resolution and in matters concerning land but as subordinate to conventional law. Traditional authority is constitutionally inferior to any written law and bill of rights. Its application was limited to local circumstances and only those that are consistent with the constitution and international conventions that Kenya was a signatory to hence largely a sterile institution.

7.2 Conclusion

In accordance with specific objective one, transformation of traditional customs, myths of origin, geographical location including eldership, intermarriage, trade and traditional informal administrative structures which initially characterized inter-ethnic conflict and peacebuilding in pre-colonial Bungoma by colonial centralized pyramidal administration went a long way to systemize secular colonial administrative structures over divine-cum inter-communal administration. This led to new colonial land alienation and regulation

over traditional communal land administration, formal colonial education over traditional informal education, settled colonial agriculture over nomadic pastoralism, proselytizing Christianity over traditional religion, formal colonial African chiefs over traditional chieftaincy which not only influenced the nature of inter-ethnic co-existence but also subordinated traditional authority into centralized colonial authority. At its zenith was the nationalistic struggle which paved the way to a new crop of political elite elders who not only sunk communities into socio-political and economic contests and violence at local or regional level but intertwined it with national contests which came to characterize the nature of inter-ethnic conflict among communities for decades in Bungoma County.

In line with specific objective two, the study concludes that, the adoption of trimmed inter-ethnic traditional fabric among communities in Bungoma County at independence, initial alignment of particularly, Bukusu-Sabaot into nationalist and later political unalignment of the two inter-ethnic archrivals at independence set the pathway upon which the state mutated from precipitated conflict to merging of development and peacebuilding goals among communities in Bungoma County. This was felt through restructuring of political leadership, administrative structures, and electoral reforms including inter-communal political reforms which, though minimally, enhanced inter-communal coexistence. Inclusive inter-ethnic socio-economic co-existence was anchored in the transformation of, inter-communal hatred, value differences, cultural dissimilarity, varying norms, religious rivalry, and negative ethnicity, inequitable distribution of education and economic resources. Transformation of one-party to regulated multiparty, tightening of the constitutional amendment to ethnic inclusivity, transformation of the police force to reflect ethnic diversity and involvement of CSOs who came to include

elders, District Peace Committees, church leaders had an effect on inter-communal coexistence and peacebuilding. However, peacebuilding remained an elusive ongoing process as it mutated with dynamic man and society.

In line with specific objective three, the study concludes that, colonial and post-colonial government's socio-political and economic structures worked at cross purpose with indigenous and subsequent peace-building strategies. Traditional pillars of peacebuilding based on eldership, cultural norms, intermarriages, and trade were alienated, differentiated and clipped by the Colonial and Post-colonial governance but precariously anchored in government. As a result skewed inter-ethnic political leadership, ethnic inequitable resource allocation, minority ethnic fear of survival, misuse of ethnicity for political power, the emergence of new educated elite elders who directed independence and subsequent political contests in Kenya and specifically in Bungoma polarized communities along ethnic lines and by extension compromised peacebuilding and inter-ethnic conflict management. Largely indigenous elder role faded, it could not work in isolation of the government machinery, the church, and the new class of elite elders including the politicians and CSO's. Opportunities include integration of inter-ethnic diversity policies into traditional eldership, inter-generational cultural gap, education, administration, religion, resource and demarcation of administrative units.

7.3 Overall Conclusion

Notwithstanding state and non-state peacebuilding efforts employed in management of inter-ethnic conflict in Bungoma County there were glaring challenges to overcome ranging from negative inter-ethnic legacy of colonialism to inter-ethnic iniquities in: governance, politics, economic, education and in development. Affirmative action, inter-

ethnic inter-generational cultural hybridization, regional and national integration of inter-ethnic diversity policies in education, resource distribution and in development were safety valves identified for inter-ethnic integration.

7.4 Recommendations

Based on the findings, the study makes the following recommendation in accordance to each specific objective.

In relation to specific objective one, the study recommends for the translation of the nature of inter-ethnic conflict and peacebuilding from written theoretical work into a more practical approach of creative art and documentary so that it cannot only reach a wider and inclusive audience but create a broad-based awareness on causes and effects of particularly Bukusu-Sabaot conflict and peacebuilding efforts. In the end, it will diffuse varying yet competing inter-communal oral traditions, beliefs and stereotypes.

In line with the findings on specific objective two, the study makes two recommendations, first, the government to survey and register all land in Bungoma County while inclusively and amicably dealing with disputed pieces of land.

Second, the government detaches Bukusu-Sabaot ethnic boundaries from political and administrative boundaries.

In line with the findings on specific objective three, the study recommends for designing of an integrated inter-communal peacebuilding manual involving, CSOs, traditional elders, religious groups, and the County Government of Bungoma in order to achieve diversity in in peacebuilding processes in the County.

7.5 Suggestions for Further Research

As a result of the dynamics in conflicts and peacebuilding Bungoma County, the study realized new gaps worth further interrogation;

In regard to specific objective one, the study established that inter-ethnic conflict and peacebuilding in Bungoma County was mired in myths and stereotypes, hence there was need for true particularly Bukusu-Sabaot inter-ethnic information to reach the populace, research should be conducted in **the translation of peacebuilding process in Bungoma into creative art and documentary to enhance inter-communal justice, reconciliation and healing.**

In accordance with specific objective two, the study established that the ongoing governments' structural changes were fundamental in infusing statist peace-building and conflict management goals, research should be conducted on, **Post-2010 socio-political, economic and administrative integration of communities in Bungoma County.** This would go a long way in evaluating the government's role in the implementation 2010 constitutional provision for checks and balances in resolving inter-ethnic conflicts in Bungoma County.

On the part of the CSOs, research should be conducted on; **-The effect of the 2010 constitutional implementation on the role of CSOs in peacebuilding and conflict management in Bungoma County.**

In accordance with specific objective three, research should be conducted on, **Interrogation of the role of traditional elders, CSOs and Bungoma County government in post 2010 inter-ethnic peacebuilding and conflict management.**

REFERENCES

- Adu, Boahen (1990) *Africa under colonial domination 1880-1935*. UNESCO Digital library
- Africa Watch, (1991). *Kenya: Taking liberties*. New York: Human Rights Watch.
Retrieved from <https://www.foreignaffairs.com/ke> accessed on 15/3/2016
- Akiwumi, A.M., (1999). *Report of the Judicial Commission Appointed to Inquire Into Tribal Clashes in Kenya*. Nairobi: The Commission. Retrieved from <https://www.worldcat.org/title/report-of-the-judicial-commission-appointed-to-inquire-into-tribal-clashes-in-Kenya/oclc/51652865> accessed on 5/4/2017
- Alshibly, H. (2018). Re: How to calculate sample size for purposive sampling (Non Random Sampling)? Retrieved from <https://www.researchgate.net/post/How-to-calculate-sample-size-forpurposive-sampling-Non-random-sampling/5a4b2fc596b7e425a07ab3e2/citation/download>
- Anderson, D., (2005). *Histories of the hanged: the dirty war in Kenya and the end of the empire*, New York: W, W. Norton.
- .
- Almquist, Kate. (1997). *Religion and politics in Sudan: a humanitarian agency's perspective*. U.S. Institute of Peace Conference.
- Aseka, E. M. (1989). Political economy of the Baluhya 1900-1960 (Doctoral dissertation), Nairobi: Kenyatta University
- Awedoba, A.K., (2009). *An ethnographic study of Northern Ghanaian conflicts: towards a sustainable peace*. Legon-Accra: Sahara Publisher

- Awet, T. W., (2013). African diplomacy of liberation. the case of Eritrea's search for an 'African India' *Open Edition Journals* 212/ (4). Pp 867-894.
- Bahati, J. N., (2008). *Triggers of conflict in Africa*. Washington D.C: Africa Faith and Justice Network Retrieved from <http://afjn.org/triggers-of-conflict-in-Africa/> accessed on 1/1/2011.
- Barasa K. N., (1997). 'The impact of past present and potential ethnic conflict on Kenya's stability and development'. *USAID Conference on Conflict resolution in the Greater Horn of Africa*, June 1997. Nairobi: Department of History and Government University of Nairobi. Retrieved from <https://citeseerx.1st.psu.edu/viewdoc/download?doi=10.1.1.596.7855&rep=rep1&type=pdf> accessed on 18/3/2018
- Barasa, P.W. (2011). *Drumming up dialogue: The dialogic philosophies of Martin Buber, Fred Ikl'e and William Ury compared and applied to the Bukusu community of Kenya*. Bloomington: iUniverse Publishing Retrieved from <https://books.google.co.ke/books?id=xv-EimiCWCYcyc&pg=PA127&1Pg=Bukusu+elderandsource=bi&ots=Vocy> accessed on 5/11/2016
- Bland, G.,(2007). Decentralization, local governance and conflict mitigation in Latin America. In D. W. Brinkerhoff (ed.), *Governance in post conflict societies: Rebuilding fragile states* (PP. 207-225). Abingdon: Rout ledge
- Bowd, R. & Chikwanha (ed.), (2010). Understanding Africa's contemporary conflicts: origins, challenges, and peace building. *Institute for Security Studies Monographs* 173, *Journals*. co.ca Retrieved from <https://media.africaportal.org/documents/mono173> acc 8/6/2016
- Brink, H. I. L (1993) 'Validity and reliability in qualitative research', *Society of Nurse*

Researchers' Workshop-RAU. *Curationis Journal* Vol. 16 (2): pp 35-38.

Carr, E. H. (1961). *What is history?* New York, Vintage.

Carroll, C., (2009). Serbs face the future: one nation divisible *National Geographic Magazine*: Washington D.C: Issue of National Geographic Magazine pp1-19. Retrieved from https://www.nationalgeographic.com/magazine/2009/07/seb_acc_28/8/2019 accessed on 17/9/2018

Cohen, R. J., & Swedlik, M.E. (2005). Psychological testing and assessment: An introduction test and measurement (6th. ed.) New York: McGraw-Hill

Collingwood, R.G., (1964). *The idea of history*. London Oxford University Press

Choucri, N. C., (2008). Insight into solving the problem of overpopulation the overwhelming issue of our time. Population and conflict: New dimension of population dynamics. *Policy development studies* (8). New York: The Centre for Research on Population and Security, Retrieved from <http://www.population-security.org/unfPa-84.htm>. accessed on. 30/01/011.

Constitution of Kenya Review Report, (2005). *The final report constitution of Kenya review commission*, Approved for issue at 95 plenary meeting of the constitution of Kenya review commission held on 10th , February 2005. Nairobi: CKRC

Creswell, J., & Poth, C. (2013). *Qualitative inquiry and research design: Choosing among five approaches* (4th ed.). Los Angeles: Sage Publication

Dibley, L. (2011). Analyzing narrative data using McCormack's lenses, Nurse Researcher, Retrieved from <http://nurseresearcher.rcnpublishing.co.uk/news-and-opinion/commentary/analysing-qualitative-data>

- Dawson, S (2000) '20th World congress of philosophy', in Boston Massachusetts from Aug 10-15, 1995, Boston: Philosophy Documentation Centre USA. Retrieved from <http://www.bn.edu/wap/papers/valu/valchanhtm>. Accessed on 9/1/2011
- Draman, R. (2003). *Poverty and conflict in Africa explaining a complex relationship*. Experts Group Meeting on Africa-Canada Parliamentary Strengthening Program, Addis Ababa.
- Dyker, D. A & Vejvoda, I. (1996) *Yugoslavia and after: A study in fragmentation, despair and Rebirth*. London: Longman.
- Ekiyor, T., (2008). The role of civil society in conflict prevention: West Africa experience; United Nations Institute for Disarmament Research (UNIDIR), *Disarmament Forum. The Complex dynamics of Small arms in West Africa*, Number 4. pp 27-34 Retrieved from <https://gsdrc.org/document-library/the-role-of-civil-society-in-conflict-prevention-west-africa-experience> accessed on 18/7/2017
- Freeman, M. (1998). "Theories of Ethnicity, Tribalism and Nationalism" In K. Christie (eds.), *Ethnic conflict, tribal politics; a global perspective*, (Chapter 2) London: Curzon Press Great Britain. Retrieved from [https://scholar.google.com/scholar?q=Freeman,+M.+\(1998\)+Theories+of+ethnicity,+tribalism+and+nationalism+in+Christine+K+ethnic+conflict,+tribal&hi=en&as_sdt=0&as_vis=1&oi=scholart](https://scholar.google.com/scholar?q=Freeman,+M.+(1998)+Theories+of+ethnicity,+tribalism+and+nationalism+in+Christine+K+ethnic+conflict,+tribal&hi=en&as_sdt=0&as_vis=1&oi=scholart) accessed on. 5/3/2017
- Frerks, G.E, & Klem, M. (2008). How local government contribute to peace building. In A. Musch. A., Sizoo, & K. Tajabakhsh (eds.), *City diplomacy, the role of local government in conflict prevention, peace building, post conflict reconstruction* (pp 47-74) Den Haag: VNG. International
- Forum Towards Developing a Lobby Strategy for Mt Elgon, (Dec 19, 2005) Unpublished

Stakeholders Forum towards Developing a Lobby Strategy for Mt Elgon, Sirikwa Hotel

Fusch, P.L. & Ness, L.R. (2015). *Are we there yet? Data saturation in qualitative research*. Qua. Rep. Vol. 20 (9) pp1408-1416 TQR Publication Google Scholar

Gall, M. D., Borg, W.R. & Gall, J.P. (1996). *Educational research* (6th ed.). White Plains, NY: Longman Publishers USA

Ghai, Y.P. & McAuslan, J. (1970) *Public law and political change in Kenya: a study of the legal framework of government from colonial times to the present*, Nairobi: Oxford University Press

Galtung, J. (1976). Three realistic approaches to peace: peacekeeping, peacemaking and peace building. *Impact of Science on Society*, Vol. 26. (1 /2) pp 103-105 Copenhagen : Christian Jeers. Retrieved from <https://unesdoc.unesco.org/ark:/48223/pf0000017295> accessed on 16/8/2018

Galtung, J., (1996) *Peace by peaceful means*, London, Sage

Galtung, J., Carl G. Jacobsen & Kai F., Brand Jacobsen., (2002). *Searching for peace: The road to transcend, Pluto & TRANSCEND*, 2nd Ed. London

Galtung, J., (2000). Conflict transformation by peaceful means- The transcend Method, (Participants Manual/Trainers Manual), United Nations Disaster Management Training programme

Geertz, C. (ed.), (1963). Primordial sentiments and civil politic. in the New York states'; *in Old societies and new states; the quest for modernity in Asia and Africa*, New York: Free Press of Glencoe

- Gerard, P., (2008). *Kenya: roots of crisis*. London: openDemocracy. Retrieved from <http://www.opendemocracy.net/article/democracy?kenya-behind>. accessed on 8/9/2016
- Ghebrehiwet, Y. (2009). *Eritrean independence: is it worth all the sacrifice*. Asmara: Asmarino Independent Media. Retrieved from <https://asmairo.com/article> accessed on 28/8/2019
- Glaser, B.G., & Strauss, A.L. (1967). *The discovery of grounded theory: Strategies for Qualitative Research*. Chicago: Aldine
- Grusky, D, B & Jasmine, H., (eds.), (2018). *Inequality in the 21st century*, New York: Routledge.
- Guest, G., Bunce, A. Johnson, L. (2006). How many interviews are enough? An experiment with data saturation and variability. *Field Methods*. Vol 18 (1) pp 59-82. Sage Publication
- Halfpenny, P. (2015) *Postivism and sociology, explaining social life* Routledge London and New York
- Haus, G. C. (2001). *International conflict resolution* (2ND ed.). New York :Bloomsbury Publishing
- Herbert, J.G. (1996). 'Ethnic invention and acculturation, a bumpy line approach' In C.M. Rechard. *Taking sides-clashing views, on controversial views*. Guilford: Brown and Benchmark Publishers Guilford.
- Heyman, C. (2010). *Ripples in waves: Locally led peace building on a national scale*. New York: Peace Direct and the Quaker United Nations office

- Hobbes, T. (2008). *Leviathan* (J. C.A. Gaskin, Ed.). Oxford University Press
- Hoffman, S. (1986). 'The balance of power.' In Herbert Levine (Ed), *World politics debated 2nd Edition*, New York: MacGraw Hill.
- Hornsby, C (2012). *Kenya: A history since independence*. London: I.B. Tauris Retrieved From Horowitz, D.L (1985). *Ethnic Groups in Conflict* Berkeley: California university Press
- Horwitz , D.L (2001). *Ethnic Group in Conflict, updated edition with a new preface*. Berkeley: California University Press. Retrieved from <https://www.ucpress.edu/book/9780520227064/ethnic-groups-in-conflict-updated-edition-with-a-new-preface> accessed on 18/5/2016
- HRW, (1993). *World report*. New York: HRW Retrieved from <https://www.hrw.org/reports/1993/WR93> accessed on 5/3/2019
- HRW, (1993). *Divide and rule: state sponsored ethnic violence in Kenya* New York: (Africa), Human Rights Watch. Retrieved from <https://www.hrw.org/1993/11/01> accessed on 5/3/2016
- HRW, (1997). *Failing the internally displaced: the UNDP displaced persons program in Kenya*. Nairobi :Human Rights Watch Kenya. Retrieved from <https://www.refworld.org/docid/3ae6a8610.htm> accessed on 6/1/2018
- Hyman, H. H. (1987) *Secondary analysis of sample surveys*. Middletown :Wesleyan University Press.
- Imbuye, K. B., (2016). *Intra-ethnic relations among the Sabaot of Mt. Elgon Kenya 1945-2010*. Kenyatta University Repository
- Israel, G.D. (1992). *Sampling the evidence of extension program impact*. Program

- evaluation and organizational development, IFAS, University of Florida. PEOD-5. October.
- Jorg, C., & Christine, M., (1994). Peaceful settlement of conflicts- A task for civil society Rebburg-Loccum-Protokille.
- Kakai, P. (2000) *History of inter-ethnic relation in Bungoma, Mt. Elgon and Trans-Nzoia districts, 1857-1997*.(PhD Thesis), Kenyatta University Kenya
- Karabacak, E., (2018) *Colonial regime in Rwanda and its effect on Tutsi-Hutu relations*. Istanbul: Bogazici University Retrieved from www.researchgate.net/publication/323686141-colonial-regime-in-Rwanda-and-its-effect-on-the-Tutsi-Hutu-Relations accessed on 28/8/2019
- Katho, G. (2009). Power sharing in resolving Africa's electoral conflict. (Masters Thesis) University of Nairobi, College of Humanities and Social Sciences (CHSS) <https://erepository.uonbi.ac.ke.8080/xmlui/handle/123456789/59398>. accessed on 5/3/2018
- KLC (1934). *The Kenya Land Commission Report*, Nairobi: KNA
Scribd.com/doc/74835533/CAB-24-248
- Kamoet, A.S. (2008). Causes and types of conflict. In P. G. Okoth (eds.), *Peace and conflicts studies in global context*. Kakamege: Masinde Muliro University of Science Technology Press.
- Kamoet, A. S, (2010) *The land question and intra-ethnic conflicts squater enclaves of Mt. Elgon region, Western Kenya*. (PhD Thesis). Kakamega: Masinde Muliro University of Science Technology Press.
- Kamoet, A. S. & Okoth, P. G., (2008). International Mediation of The Kenya Post

Election Crisis. In Okoth P.G (eds.). *Peace and conflict studies in global context*. Kakamega: Masinde Muliro University of Science Technology Press.

Kamsacha Water Project (2005) *First Quarter Activity Report*. From March to June 2005. Sacha: Kamsacha Water Project

Katebire, D.A., (2007). *Social research methodology: An introduction*. Kampala: Makerere University Press.

Kathleen, N. C., et al. (1996). The invention of ethnicity a perspective from USA' In C.M. Richard *Taking sides: Clashing views on controversial issues in race and ethnicity*. Guilford: Brown and Benchmark Publishers.

Kathuri, D.A & Pals, D.A (1993). *An introduction to educational research*. Egerton University: Educational Media Centre Njoro.

Kaya, H.O and Kale, S.E., (2016). Africa indigenous institutions and contemporary global security. *Journal of Social Sciences*: Vol. 46, (2) pp 114-122 Kamla

Keating, T. K.W., (ed.), (2004). *Building sustainable peace*. New York: Alberta Press.

Kerlinger, F. N & Lee, H. B. (ed.). (2000) *Foundation of behavioral research*. Orlando: Harcourt College Publishers.

KHRC, (2011). *Justice delayed: A status report on historical injustices in Kenya*. Nairobi: Kenya Human Rights Commission. Retrieved from <https://www.khrc.or.ke> accessed on 6/3/2016

Kiliku, J. K., (1992). *Report of the parliamentary select committee to investigate ethnic clashes in western and other parts of Kenya*. Nairobi: Government Press

- Kimogoti, S.N. (2013). *Integrated post-conflict management strategies and sustainable peace in Trans-Nzoia County, Kenya* (Unpublished M.A thesis Masinde Muliro University of Science and Technology Kakamega. Kenya.
- Kinoti, M.H. (1998) *Handbook for social science research*. Nairobi: NCKK Press.
- Kisembe, B. C., (1978). *The role of “worgondet” and the “kirwangindet” in the history of the Sabaot people of MT. Elgon during the late nineteenth and twentieth century’s* (Unpublished B.A Dissertation) University of Nairobi
- Klare M.T. & Thomas, D. C. (1994) *World security: challenges for a new century*. (2nd ed.) . New York: St Martin’s Press.
- KNBS, (2010), *The 2009 Kenya population and housing census* Vol. 1c population by age, sex and administration unit, Nairobi: KNBS. Retrieved from <https://www.knbs.or.ke/category/census-2009-summary-of-results> accessed on 15/11/2018
- Kothari, C.R. (2004). *Research methodology: methods and techniques*, 2nd Edition New Delhi: New Age International Publishers.
- Kombo, D.K and Delno, L.A (2006) *Proposal and thesis writing*. Nairobi; Paulines Publications Africa.
- Korwa A & Munyae, I., (2001). Human rights abuse in Kenya under Daniel arap Moi 1978-2001’ *African Studies Quarterly* Vol. 5(1) pp 1-14. Florida: University of Florida. Retrieved at https://asq.africa.ufl.edu/adar_munyae accessed on 14/5/2016
- Korwa, G. A. (1998) *Ethnicity and ethnic Kings: the enduring dual constraint in Kenya’s*

Multiethnic democratic electoral experiment. *Journal of Third World Spectrum* Vol 5 pp: 71-79. Human Science Research Council (HSRC). South Africa Archive No. 3471. Retrieved from <http://hdl.handle.net/20.500.11910/7/28> . accessed on 18/5/2016

Krippendorff, K., (1980). *Content analysis: An introduction to its methodology*. Beverly Hills: Sage Publications

Krishna, S. O.R. (2000). *Data collection methods*. Mumbai: Himalaya Publishing House

Lebaron, M. (2003). Culture and conflict. Beyond Intractability. G. Burges., & B. Heidi., (ed.). *Conflict information consortium*. Boulder: University of Colorado.

Lederach, J.P., (1995), *Preparing for peace: conflict transformation across cultures*, Syracuse, New York: Syracuse University Press

Lederach, J.P., (1997). *Building peace: Sustainable reconciliation in divided societies* Washington D.C: US Institute of Peace Press

Lederach, J.P., (2003). *The little book of conflict transformation*. New York: Good Books

Ley, C., (1975). *Underdevelopment in Kenya: the political economy of neo-colonialism* London: Heinemann

Lindsay, W.K (1987), *Integrating parks and pastoralists: Some lessons from Amboseli. In, conservation in Africa: people, policies and practice*. Cambridge: Cambridge University Press.

Lisa, R., Jonathan, Rozen & Gustavo de Carvalho, (2016). *Planning for peace. lessons*

from Mozambique's peace building process. Pretoria: Institute of Security Studies
Paper 291. Retrieved from <http://www.africaportal.org> accessed on 3/5/2019

Lincoln, Y.S., & Guba, E.G., (1985). *Naturalistic inquiry*. Newbury Park, CA: Sage
Publication

Ljubisas S. A., (1995). Nations of former Yugoslavia: Consequences of economic
breakdown. *International Journal of Politics, Culture and Society*. Vol.9 (1) pp
149-167.

Lonsdale, J. (1989). The conquest state: 1895-1904, in W. R. Ochieng', ed. *A modern
History of Kenya* Nairobi: Evans Brothers

Mabanga Peace Conference (2011). Resolution of Mabanga Peace Conference, Adopted
at the conclusion of Inter-Community Peace Conference . Unpublished.

MacArthur, J. (2016). *Cartography and the political imagination mapping community in
colonial Kenya* (New African Histories). Ohio: Ohio University Press

Mack, N., Woodsong, C., MacQueen, K., Guest, G., and Namey, E., (2005). *Qualitative
research methods: Data collector's guide*. North Carolina: Family health
international. Retrieved from <https://www.fhi.org> accessed on 12/5/2019

Magradze, G. (1996). Minority influence and the role of mentality in social conflict in
establishing the institution of democracy. Retrieved from
<https://www.nato.int/acad/fellow/95-97/magradze.pdf> accessed on 14/6/2016

Makila, F.E. (2004) *Bukusu cultural tradition*, Nairobi: Kenya Literature Bureau

Makila, F.E. (1978). *An outline history of the Babukusu of Western Kenya*. Nairobi,
Kenya Literature Bureau

Makila F.E, (1982). *Significance of Chetambe fort in Bukusu history* Nairobi; Ministry of Culture and Social Services.

Makinda, S.M., (2002). Global terrorism versus norms and institutions in Africa and Asia: Identity, culture and politics: An Afro-Asian dialogue, *Africa Review* Vol. 3(1) pp 37-58. International Centre for Ethics Studies Retrieved from [https://scholar.google.com/scholar?q=Makinda,+S.M+\(2002\)global+terrorism+versus+norms+and+institutions+in+Africa+and+Asia&hl=en&as_sdt=o&as_vis=1&oi=scholart](https://scholar.google.com/scholar?q=Makinda,+S.M+(2002)global+terrorism+versus+norms+and+institutions+in+Africa+and+Asia&hl=en&as_sdt=o&as_vis=1&oi=scholart) accessed on 14/6/2016

Masabo, F (2017). Indigenous approaches to post-conflict peace building. Post conflict peace building- key issues, challenges, lessons learnt and best practices. Woodrow Wilson Centre Pennsylvania Retrieved from <https://www.wilsoncenter.org> accessed on 22/9/2019

Mansbach, R. W and Rhodes, E., (2006). *Global politics in a changing world*. (3rd ed.). Washington: Wadsworth publishing.

Matanga, F. E., (2018). *Conceptualizing peace, security and development: a critical discourse*. Inaugural. Lecture delivered at Masinde Muliro University of Science and Technology, Kakamega Kenya

Matemba, C. K., (2008) Strategies for peace and conflict studies. In P. G. Okoth, *Peace and conflict studies in global context* Kakamega: MMUST.

Masakhalia, A.E., (2011). Focus on tribalism in Kenya London. OpenDemocracy. Retrieved From <https://www.opendemocracy.net/alan-e-masakhalia/focus-on-tribalism-in-kenya> accessed on 18/8/2017

- Maxwell, J. A. (2013) *Qualitative research design: An interactive approach*. 3rd ed. Thousand Oaks, CA: Sage
- Menkhaus, S. K. (2006). Governance without government in Somalia: Spoilers, state-building and the politics of coping. *International Security* Vol. 31(3), pp 74-106
Retrieved from <https://www.belfercenter.org/publications/governance-without-government-somalia-spoilers-state-building-and-politics-coping> accessed on 5/3/2019
- Mgbako, G., (2005). Ingando solidarity camps reconciliation and political indoctrination in post-genocide Rwanda. *Harvard Human Rights Journal* Vol.18
- Michael, E. B. (1998). The causes of internal conflict. In K. Michael (ed.). *World security: challenges for a new century*. pp 181-188 Boston: Bedford 1st Martins.
- Michael, O. R., & Nicholas O. B. (2008). *The new world of international relations*. (7th ed.). New Jersey: Pearson education, inc Upper Saddle River.
- Michelle, G. (2021) The conflict in Ethiopia's Tigre Region: What to know Retrieved from <https://www.cfr.org/in-brief/conflict-ethiopia's-tigray-region-what-know> accessed on 17/5/2021
- Miller, D. (2012). Recommended sample size table to achieve saturation In Donna Bonde. *Qualitative Interview*. When enough is enough, Qualitative Market Research. www.researchdesigndesign.com.au. ISBN978-09-925065-2-0
- Morrow, J. D. (1988). Social choice and system structure in world politics. *World politics*. 41(1), 75-97
- Morse, J. M. (2000). Determining sample size. *Qualitative health research*, 10, 3-5. Google Scholar SAGE Journals Retrieved from

<https://doi.org/10.1177/10473200129/1883> accessed on 16/11/2016

Morse, J. M. (1994). *Designing funded qualitative research*. In N. K. Denzin & Y.S. Lincoln (Eds.), *Handbook of qualitative inquiry* pp220-235. Sage Publication, Inc.

Mountain Voices, (2000). Oral Testimonies from Mt. Elgon. In B. Olivia, *Panos oral testimony mountains project* Mountain research and development 20(1), 97,(1February 2000). Retrieved from [https://doi.org/10.1659/0276-4741\(2000\)020\(0097:POTMP\)2.0.CO:2](https://doi.org/10.1659/0276-4741(2000)020(0097:POTMP)2.0.CO:2) accessed on 6/5/2018

Mugenda, O.M & Mugenda, A.G (2003). *Research Methods; Quantitative and Qualitative Approaches* Nairobi: Acts Press.

Muncaster, Robert G. & Zinnes, Dina, A. (1990). 'Structure and hostility in international systems.' *Journal on Theoretical Politics*, 2, 31-50

Mutiso, C (1997) *Conflict resolution programming framework*. report prepared for USAID/Kenya, Nairobi: Muticon Retrieved from <http://payson.tulane.edu/conflict/Cs%20st/coNfstra2htm> . accessed on 15/12/010.

Murithi, T. (2006). Africa approaches to building peace and social solidarity, *African Journal on Conflict Resolution* Vol. 6 (2) pp 9-34 Retrieved from <https://gsdrc.org/document-library/african-approaches-to-building-peace-and-social-solidarity> accessed on 22/9/2019

Mtukwa, T. (2015). Informal peace building initiatives in Africa: Removing the table. *African Journal on Conflict Resolution* Vol 15. (1) pp 85-106. Retrieved from <https://www.files.ethz.ch/ism/193352/ACCORD-ajcr-2015-1> accessed on 14/12/2019.

- Mwangi, S. N., (2012). *History of constitution making in Kenya*, Nairobi: Media Development Association.
- Mwaserah, A.K (2007). An overview of causes of the Mt Elgon crisis and its effects on province and possible solutions. In *Mt. Elgon Crisis Workshop* MMUST 28th - 29th, June, MMUST Kakamega, Kenya
- Mweyang, C. A., (2010). Misinterpreting ethnic conflict in Africa. *Africa Security Briefs*. 4: pp 1-6. Washington: Africa Centre for Security Studies (ACS), National Defense University. Retrieved from <https://www.Africacentre.org> accessed on 14/1/12/010.
- Nachimias., C. F. & Nachimias, D., (2004). *Research methods in the social science*, (5th ed.). London: Arnold
- Nagel, J. (1986). The political construction of Ethnicity. *Competitive Ethnic Relations*, pp 93-112 .New York: Academic Press.
- NCCCK, (1992). *The cursed arrow:A report on organized violence against democracy in Kenya*, Nairobi: NCCCK
- NEMU, (1993). *Courting disaster: A report on the continuing terror, violence, and destruction in the Rift Valley, Nyansa and Western Provinces of Kenya*. Nairobi: NEMU
- Nduku, E. & Tenamwenyi, J., (2015). *Corruption in Africa a threat to justice and sustainable peace*, Vol. 14.University of Basel: Globethics.net. Retrieved from <https://www.amazon.com/corruption-Africa-Threat-Justice-sustainable/dp/2889310178> accessed on 24//6/2018.
- Ned, L. (2017). *A future for Israeli-Palestinian peace building*. Washington: BICOM and

Fathom Gorge Washington University Retrieved from www.bicom.org.uk accessed on 14/9/2019.

Nitze, P. H., (2011). School of advanced international studies Washington D.C
<http://www.sais-jhu.edu/cm/toolkit/approaches/introduction/causesofa>. accessed 19/01/01
1

Nguru, S. (2012). *Constitution of Kenya-Provincial Administration*. New Jersey: New Brunswick Retrieved from
www.ustawi.info.ke/index.php/government/government-under-the-new-constituion/provincial-administration accessed on 25/5/2018.

NSC Secretariat Ministry of Provincial Administration and Internal Security Report,
(2011). *National conflict mapping and analysis :peace and conflict trends in Kenya*, Nairobi: GOK. Retrieved from <https://nscpeace.go.ke> accessed on 5/4/2016

Norwegian Refugee Council-Global IDP Project, (2004). *Profile of internal displacement: Kenya*. A compilation of the information available in the Global IDP Data base of the Norwegian Refugee Council. Switzerland: Global IDP Project Retrieved from
<https://www.internal-displacement.org/asset/library/Africa/Kenya/pdf/Kenya-November-2004> accessed on 24/3/2016

Non-Governmental Organisations Act No 19 of 1990 Laws of Kenya

Nyawalo, P. A. Kabongah, G. O., Obok, O., Magero, P.L.K., Onyango, M., Wepundi, M., Obiri, J., (2011). *The invisible violence in Kenya: A case study of Rift Valley and Western regions*, Nairobi: Konrad Adenauer-Stiftung

Ochieng', W. R & Maxon, R. M (Eds.), (1992). *An economic History of Kenya* Nairobi: EA Publishers LTD

- Ogula, A.P (1998) *A handbook on educational research*. Nairobi; New Kemit
- Okoth, O., (2006) *Reforming land rights administration system in Africa*. UON Digital Repository, <http://erepository.uonbi> accessed 7/8/2015
- Okoth, P.G. (2008) *Peace and conflict studies in global context*, KAKAMEGA: MMUST
- Okoth, P.G., (2007) 'The interdisciplinary challenge of peace studies' in *Proceedings of the Mt. Elgon Crisis*. Workshop held at Masinde Muliro University of Science and Technology, Kakamega, Kenya from 28 to 29 June, 2007
- Okoth, P. G. (2012). 'Research as a cornerstone of quality assurance in university education with specific reference to Uganda Martyrs University.' *Journal of Science and Sustainable Development*, 5, 37-55.
- Omolo, A. (2010) *Review of rights discourse Kenya*. *Kenya law reports*, Retrieved from <https://www.jus.uio.no/riposa> accessed on 3/5/2016
- Onkware, K. (2018). Philosophical Questions Surrounding Social Justice In Okoth, P. G., Matanga, F.K., and Onkware, K. (eds) *Peace, Security and Development in 21st century Africa: Theory and practice*. Finesse Publishing ltd
- Ong'ayo, A.T (2008) *Post election violence; an over view of the underlying factors*. Embu Pambazuka News, Retrieved from <http://www.ogiek/news.htm> accessed on 15/12/2018
- Orodho, A.J. (2003). *Essential of educational and social science research method*. Nairobi Masola Publisher.

- Orvis, S. (2011) Moral ethnicity and political tribalism Kenya's 'virtual democracy'. *African Issues*. Vol.29 No 1 /2 Ethnicity and recent democratic experiments in Africa (2001) pp 8-13. Retrieved from <https://www.jstor.org/stable/1167103> accessed on 8/12/2012
- Overton, J. (1988). The origins of the Kikuyu land problem: Land alienation and land use in Kiambu, Kenya, 1895-1920. *Africa Studies Review* Vol.31, (2) pp 109-126, Cambridge: Cambridge University Press. Retrieved from; <https://www.jstor.org/stable/524421> accessed on 5/3/2018
- Oyugi W.O & Gitonga A. (1995) *Democratic theory and practice in Africa*. Nairobi: E.A Publishers
- Pickering, P. (2007). Peace building in the Balkans: The view from the ground floor. New York: Cornell University
- Pkalya, R. Mohammed, A. & Masinde, I. (2003). *Conflict in Northern Kenya: A focus on internally displaced conflict victims in Northern Kenya*. Nairobi: ITDG- East Africa.
- Preiswerk, R. (1977) 'Could we study international relations as if people mattered' In Preiswerk ed. *International Relations in a changing world*. Geneva Graduate Institute of International Studies.
- Republic Of Kenya, (2014). *Political parties manual*, Nairobi: Larry One Media.
- RCNECNCI, (2011). *Report of the Committee of National Elders Conference on National Cohesion and Integration*. Annexe Vol. II. Nairobi: Government Printer <https://kenyalaw.org/kl/fileadmin/CommissionReport/Report-of-the-Committee-of-National-Elders-Conference-on-National-Cohesion-and-Integrationpdf> accessed on 15/6/2016

Richard, C.M (1996) *Taking side clashing views on controversial issues in race and ethnicity* Guilford: Brown and Benchmark Publishers, Guilford.

Ritchie, H., (2018). *Is it fair to compare terrorism and disaster with other causes of death, Our World in Data*. Oxford: Oxford University Retrieved from <https://ourworldindata.org/is-it-fair-to-compare-terrorism-and-disaster-with-other-causes-of-death> accessed on 5/3/2019

Robert, B., (200). Civil society and peace building in Bosnia and Herzegovina. *Journal of Peace Research* 38(2) pp 163-180

Rop, K. (2016) Extra Judicial Methods: African Traditional Religious Leadership Strategy for Peace-Making and Security *Innovation in Social Sciences Research* Vol.2(3) pp 1-10 Retrieved From https://www.researchgate.net/publication/303842915_EXTRA-JUDICIAL_METHODS_AFRICAN_TRADITIONAL_RELIGIOUS_LEADERSHIP_STRATEGY_FOR_PEACE_MAKING_AND_SECURITY accessed on 26/7/2017

Rudestam, K. E. (1992) *Surviving your dissertation:-A comprehensive guide to content and process*. New York: Sage Publication

Rummel, R.J. (1979). *Understanding conflict and war* Vol 4. War, Power, Peace. Beverly Hills: Sage Publications Retrieved from <http://www.hawaii.edu/powerkills/wpp.chap16.htm>. Accessed on 24/12/010.

Rummel, R.J. (1976). *Understanding conflict and war* Vol.2 the Conflict Helix. John Beverley Hills: Wiley and sons Inc Retrieved from <http://www.hawaii.edu/powerkills/Tch.chap32.htm>. Accessed on 24/12/010.

- Rutten, M.M.E.N. (1992). *Selling wealth to buy poverty: The process of individualization of land ownership among the Maasai pastoralists of Kajiado district , Kenya, 1890-1990*. Breitenbach: Saarbrucken.
- Rutherford, J, and Ahlgren, A. (1989) *Science for all Americans*: Oxford University Press. Retrieved from www.project2061.org/politicians/sfaa/online/sfaatoc.htm accessed on 5/6/2018
- Russell, B. (1996). *History of Western Philosophy* London, Routledge
- Sandra, F.J. (2003). *Nationalism and political identity* Cornwall: MPG Book Ltd Bodmin
- Singleton, R.A. (1963). *Approaches to social research*. New York: Oxford University Press.
- Shelly, S. (2013). *The importance of socialisation in society*. Sociology Discussion Retrieved from www.Sociologydiscussion.com/socialisation/theimportanceofsocialisationinsociety/2200 accessed on 4/6/2016
- Siegler, J. & O'Mahony, P. (2010). Decentralization and Internal Conflict. In E.K. Connerly, & P. Smoke. (ed.). *Making decentralization work: democracy, development and security* (pp.135-166). Boulder, Co: Lynne Rienner Publishers
- Simiyu V.G. (1997). *Elijah Masinde*, Nairobi: East African Educational Publishers.
- Syagga, P.M. (2002). Land Ownership and use in Kenya: Policy prescription from

inequality perspective. Nairobi: UON Digital Repository article. Retrieved from <http://erepository.uonbi.ac.ke:8080/xmlui/handle/123456789/16069> accessed on 12/8/2018.

Sylvia, C., Larry, D., Rufa, G., Romulo de la Rosa, Mara S. (2003). *Breaking the link between economics and conflict in Mindanao*. Waging peace' Conference Manila' Retrieved from <http://www.international-alert.org/pdf/economics-andconflict-inmi>. accessed on. 6/1/011.

Taras, R. C. and Rajat G. (2009), *Understanding ethnic conflict*. Milton Park, Abingdon: Rout ledge. Retrieved from <https://www.routledge.com/Understanding-Ethnic-Conflict/Taras-Ganguly/p/book/9780205742301> 18/7/2015

Tharoor, S., (1999). The Future of Civil Conflict. *World Policy Journal* Vol. 16 (1): pp 1-11 London: Duke University Press. Retrieved from <https://www.jstor.org/stable/40209606> accessed on 8/7/2012

Temperly, H. W. (1920). A history of the peace conference of Paris, Vol. II. London: Oxford University Press

The Constitution of the Republic of Kenya 1963

The Constitution of Kenya Revised edition 2010, Nairobi: National Council for Law Reporting

Thomson, J. E. (1990). 'State practices, international norms and the decline of mercantilism.' *International Studies Quarterly*, 37-47

The National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research, 1979, Belmont Report Retrieved from <https://www.hhs.gov/ohrp/humansubjects/guidance/belmont.html#xrespect>

Accessed 24/2/2023

Tiemessen, A. e., (2004). After Arusha: Gacaca justice in post-genocide Rwanda. *Africa Studies quarterly* Vol.8 (1) Retrieved from <https://asq.africa.ufl.edu/files/Tiemessen-vol8issue1> accessed on 5/6/2018

The Kenya Land Commission Report, (1934). CAB/24/248/. Nairobi: Kenya National Archive Retrieved from <https://www.scribd.com-The-Kenya-Land.Commission-Report-1934> accessed 26/5/2016

Thomas, H.B & Spencer, A,E (1938). A history of Uganda land and administrative surveys department. *Journal of the Royal African Society* Vol. 37. (148) pp 401-403. Oxford: Oxford University Press. Retrieved from https://www.jstor.org/stable/717721?seq=1#metadata_info_tab_content accessed on 3/5/2019

Towett, J.K., (2004), Ogiek land cases and historical injustices 1902-2004. Nauru: Egerton. Retrieved from <https://freeafrica.tripod.com/ogiekland/book.htm> accessed on 5/3/2018

Training Workshop on Entrepreneurial Skills, (Jan 23-26, 2007) Unpublished Training Workshop On Entrepreneurial Skills On Commercial Tree Growing, Kitale: Monor House Agriculture Centre.

Truth, Justice and Reconciliation Commission (TJRC) (2013) *Summary Report*, Nairobi: Kenya Justice Transitional Network. Retrieved from kituochasheria.or.ke accessed on 24/5/2017

Truth Justice and Reconciliation Commission (TJRC) Report, (2013). Vol. II A, Nairobi: Truth Justice and Reconciliation Commission Kenya

- Tugume, L. H (2015). Attitude of Christian missionaries towards African traditional Religious beliefs in East Africa during the British colonial rule. In *African Journal of History and Culture* Vol. 7(10) pp 193-199. Academic Journals, open access. Retrieved from <https://academicjournals.org/journal/AJHC/articlet/5d944D155369> accessed on 20/4/2017
- Turner, S., (2014). Making good citizens from bad life in post-genocide Rwanda. *Development and Change* Vol.45(3)
- Raffaele, M., & Nathalie, T., (2009). Conflict Society: understanding the role of civil society in conflict. *Global Change, Peace & Security* Vol. 21(2) pp 201-217.
- Ray, J.L. (1998). Does democracy cause peace? *Annual review of Political Science*; Vol.1 pp 27-46. Nashville, Tennessee: Department of Political Science, Vanderbilt University. Retrieved from <https://doi.org/10.1146/annurev.polisci.1.1.27> accessed on 18/3/2012
- UN, Report (1992) *An agenda for peace, preventive diplomacy, peacemaking and peacekeeping*. UN GA and SG. Retrieved from www.un.org/Docs/SG/agpeace.html
- UNO, (2016). Understanding and improving engagement with civil society in UN peacekeeping. United Nations Department of Peacekeeping Operations and Field Support Policy. Evaluation and Training Division Policy and Best practices Service. New York. NY 10017 Retrieved from https://peacekeeping.org/sites/default/files/engagement_with_civil_society_in_un_peacekeeping_web.pdf. accessed 18/5/2018
- USAID, (2012). Civil society organization sustainability index:-for Sub-Saharan Africa.

USAID Bureau for Democracy, conflict and humanitarian Assistance Centre of Excellency on Democracy, Human Right & Governance. Retrieved from https://www.usaid.gov/sites/default/files/documents/860/csosi_Afric_2012.pdf accessed on 17/8/2018

USAID Agency for International Development, (2005). *Land and conflict- a toolkit for intervention*. Washington: USAID Office of conflict management and mitigation. Retrieved from <http://www.usaid.gov/our-work/cross-cutting-programs/conflict/public>. accessed on 8/12/2012

Vesna, P., (1996). *Serbian nationalism and origins of Yugoslav crisis*. Peace works No. 8 Washington DC: United States Institute of Peace (USIP). Retrieved from <https://www.usip.org/publications/1996/04/serbian-nationalism-and-origins-yugoslav-crisis> accessed on 14/11/2018

Wafula, P. (2000). *Politics and nationalism in colonial Kenya. The case of Babukusu of Bungoma district (1894-1963)*. (Unpublished M.A Thesis), Kenyatta University

Wafula, S. (1981). *Colonial land policy and the North Kavirondo Africa reserve to 1940*. (Unpublished B.A Dissertation University of Nairobi)

Wandiba, S (1996). *Masinde Muliro* Nairobi: East African Publishers

Wagner, G. (1949). *The Bantu of Western Kenya* (Vol.1), London: Oxford University Press.

Wanjala, N.T (2013). *Trauma intervention methods and healing among the Sabaot community during the 2006-2008 violence in Mt. Elgon, Kenya*. (Unpublished PhD Thesis) Kakamega: MMUST. .

- Wanyiri, K. (2005). *The price of freedom: the' story of political resistance in Kenya*. Nairobi: Mvule Publishers.
- Wabel, C., & Galtung, J. (2007). *Handbook of peace and conflict studies*, New York: Routledge.
- Were G.S. (1967). *A history of Abaluyia of Western Kenya (1500-1930)*, Nairobi: East Africa Publishing. House
- WFP (2021) Warns of looming crises as insurgency and displacement sends hunger skyrocketing in Northern Mozambique. Retrieved from [wfp.org/videos/wfp-warns-looming-crisis-insurgency-and-displacement-sends-hunger-skyrocketing-northern- Mozambique](https://wfp.org/videos/wfp-warns-looming-crisis-insurgency-and-displacement-sends-hunger-skyrocketing-northern-mozambique) accessed 18/5/2021
- Whittemore, R., Chase, S.K., & Mandle, C.L., (2001). Validity in qualitative research. *Qualitative health research*, 11,522-537. Doi:10:1177/104973201129119299
- World Bank Report, (2007). *Civil society and peace building, potential limitations and critical factors*. Washington DC: World Bank Retrieved from <https://openknowledge.worldbank.org/handle/10986/7709> acc 20/9/2019 accessed on 18/5/2018
- Yamane, T. (1967). *Statistics, an introductory analysis*, 2nd Ed., New York : Haper and Row
- Yannis, A.S. (2018). *Conflict and diplomacy in the Middle East, External actors and regional rivalries*. Bristol : E-International Relations publishing www.

APPENDICES

APPENDIX i: Introductory letter

Dear Respondent

My name is Job Mulati Chebai, a PhD student from Masinde Muliro University of Science and Technology. I am in the process of carrying out research on **PEACE BUILDING STRATEGIES EMPLOYED IN THE MANAGEMENT OF INTER-ETHNIC CONFLICTS IN BUNGOMA COUNTY, KENYA**. It is expected that the study findings will be used for academic purposes as well as make recommendation for intervention policies. Information given will be treated with utmost confidentiality. The government has allowed me to undertake field survey and you are one of the people that I have selected for interview.

Your participation in the research is voluntary. You may refuse to participate, discontinue participation or skip any question you do not wish to answer at any time without penalty or loss. You may not receive any direct benefits from participating in this research. Please note that any question regarding this research should be directed to me. I kindly request you to sign this consent form and participate in this interview.

I certify that I have read and understood the contents of this form and hereby agree to participate in this study

.....

Signature

.....

Date

APPENDIX ii: Questionnaire for elders

BACKGROUND INFORMATION

Section A

Name _____ Home Location _____

Occupation _____

Age 30 years and above 31-40 years 41-50 years 51-60 years 61-70 years
71-80 years

Any other specify _____

Highest level of education attained

-Never attended school

-Primary school completed

-Secondary School completed

-college/University

-Secondary Never completed

SECTION B: THE NATURE OF INTER-ETHNIC CONFLICT, STATE PEACE BUILDING STRATEGIES, CHALLENGES AND OPPORTUNITIES IN MANAGEMENT OF INTER-ETHNIC CONFLICT IN BUNGOMA COUNTY

1) Did the customs, language, myths of origin, geographical location determine the nature of inter-ethnic conflict Bungoma? Yes/No

ii) If the answer is yes explain _____

iii) Did inter-ethnic traditional structures that is Elders, Culture, Intermarriages or Trade (*Mark where applicable* ✓) influence the nature of inter-ethnic conflict in Bungoma County Yes/No

iv) If your answer for iii) is Yes, explain _____

v) i) Did colonization:- Colonial administration, economic, education, development, land control. and religion (*Mark where applicable* ✓) influence the nature of inter-ethnic conflict in Bungoma County? Yes/No

ii) If the answer for v)i) is yes, explain _____

2a) (i) Did political leadership in Kenya influence the inter-ethnic conflict in Bungoma County? Yes/ No.....

ii) If your answer to the above question 2a) is yes, (*Mark where applicable* ✓) on how political leadership influenced inter-ethnic conflict in Bungoma County on the alternatives listed below

- Biased repressive political leadership inclined to one community, -

Jailing of members of either Bukusu or Sabaot or Teso or Tachoni community who were seen as anti-government between 1963 to 2010,

-Biased physical and psychological torture (ie through harassment) of some people or persons regarded by either community Bukusu, Sabaot, Tachoni, Teso as their leader by the political establishment 1963 to 2010,

-Ethnic inclined demotion of either Bukusu, Sabaot, Tachoni or Teso public officers,

-assassination or all over sudden disappearance of opposition leaders which happen to take ethnic lines,

-Corrupt and greed political leadership which compromised the ethics of the Nation in favour of either Bukusu, Sabaot, Tachoni community,

-ethnic inclined public participation in government affairs by one community than the other)

Any other explain.....

iii) Explain how the government dealt with political leadership influences to inter-ethnic conflict in Bungoma County.....

iv) Did political leadership influences inter-ethnic conflict challenge successful implementation of peacebuilding strategies? Yes/No.....

v) If your answer to the above question iv) is yes explain the challenges

vi) Suggest opportunities to the challenges mentioned in (v) above

3a) (i) Was the weakness of Kenya as a nation responsible for the inter-ethnic conflict in Bungoma County? Yes/ No.....

ii) If your answer to the above question 3a (i) is yes (**Mark where applicable** ✓) the Kenya's administrative weakness influences to inter-ethnic conflict and peacebuilding in Bungoma County on alternatives listed below

-Kenya had been isolated economically and politically regionally or internationally eg foreign aid withdrawal because of Kenya's skewed economic and political policies thus jeopardizing security operation,

-Kenya's weak administrative structures (that is weak village elders, assistant chiefs, chiefs, District Officers, District Commissioners, Provincial Commissioners and presidency), breakdown of law and order,

- Skewed employment eg internal changes in the government in terms of promotion to positions perceived as important department favoring Bukusu, Sabaot, Teso or Tachoni community than the other,

-Intensified leadership struggles between the Bukusu, Sabaot, Teso or Tachoni,

-Government loss of legitimacy from the people through rigging of election, - underdevelopment,

-abuse of power by the state reflected by lack of separation of power from executive, judiciary and legislature such that some elites used their position to benefit Bukusu or Sabaot or Teso or Tachoni community at the expense of the other,

Any other explain.....

iii) Explain how the government dealt with its weakness to inter-ethnic conflict in Bungoma County.....

iv) Did the weakness of Kenya administrative structures challenge successful implementation of peacebuilding strategies in inter-ethnic conflict management in Bungoma County? Yes/No.....

V) If your answer to the above question iv) is yes explain the challenges

vi) Suggest opportunities to the challenges mentioned in (v) above.....

4a) (i) Were political factors responsible for inter-ethnic conflict Yes/ No.....

ii) If your answer to the above question 4a (i) is yes **mark where applicable** ✓ the political influences to inter-ethnic conflict and peacebuilding strategies in Bungoma County on the alternatives listed below

-Bukusu, Sabaot, Tachoni or Teso inter-ethnic inter group politics that exhibited inter-ethnic hostility,

- Political elites tilted the perception of one ethnic group Bukusu or Sabaot or Tachoni or Teso against the other,

-Political transition from say single party to multiparty,

-Intensified leadership struggles pegged on inter-ethnic deference in political ideology (*certain ethical set of ideals, principles, doctrines, myths or symbols of a political party, social movement or class*),

-Politicians using ethnicity as a way of scapegoat to deflect attention or gain political mileage, -inter-ethnic contests amongst communities over political power

iii) Explain how the government dealt with political factors in inter-ethnic conflict in Bungoma County.....

iv) Did the political factors challenge successful implementation of peacebuilding strategies in inter-ethnic conflict management in Bungoma County? Yes/No.....

v) If your answer to the above question iv) is yes explain the challenges.....

vi) Suggest opportunities to challenges mentioned in (v) above.....

5a) (i) Were social factors listed (**Mark where applicable** ✓)

-Inter-ethnic religious rivalry, inter-ethnic disagreement over values or norms, inter-ethnic (Bukusu, Tachoni, Sabaot or Teso)

- cultural dissimilarity, inter-ethnic (Bukusu, Sabaot, Tachoni or Teso) differing philosophical principles, inter-ethnic (Bukusu, Sabaot, Tachoni, Teso)

-unfair distribution of education opportunities,

-intrinsic or inborn hatred among the Teso, Tachoni, Bukusu or Sabaot, lack of ethnic diversity in institutions of the government) responsible for inter-ethnic conflict? Yes/ No.....

ii) If your answer to the above question 5a (i) is yes explain how social factors influenced inter-ethnic conflict.....

iii) Explain how the government dealt with social factors in inter-ethnic conflict in Bungoma County.....

iv) Did the social factors challenge peacebuilding strategies in inter-ethnic conflict management in Bungoma County? Yes/No.....

v) If your answer to the above question iv) is yes explain the challenges on peacebuilding strategies in inter-ethnic conflict management in Bungoma County.....

vi) Suggest opportunities to the challenges mentioned in (v) above.....

6a) (i) was inter-ethnic conflict caused by identity differences (**Mark where applicable ✓ from the list below**) ie:

Bukusu, Sabaot, Tachoni, Teso:- appearance/identity,

- Irreconcilable moral values, -Bukusu, Sabaot, Teso, Tachoni geographical locations,

-Bukusu, Sabaot, Teso, Tachoni different histories,

-Bukusu, Sabaot, Teso, Tachoni differing myths, religion, psychological and even genetic aspects, Bukusu, Sabaot, Teso, Tachoni varying cultural identities) Yes/No

ii) If your answer to the above question 6a (i) is yes explain how separate inter-ethnic identity influenced conflict.....

iii) Explain how the government dealt with inter-ethnic identity in Bungoma county...

iv) Did the separate identity challenge inter-ethnic peacebuilding strategies in inter-ethnic conflict management in Bungoma County? Yes/No.....

v) If your answer to the above question iv) is yes explain the challenges

vi) Suggest opportunities to the challenges identified in (v) above

7a) (i) Did economic factors that is (- inter-ethnic economic stagnation,

-inter-ethnic inflation, resource or wealthy competition among communities the Bukusu, Sabaot, Tachoni, Teso,

- Lack of resources for re-addressing grievances of either the Bukusu, Sabaot, Teso, Tachoni communities,

-Political neglect of economic development leading to poor facilities, infrastructure and break down in education among the Bukusu than the Sabaot, Tachoni or Teso, -High population against static resources,

-inequitable access to power or resources) (**Mark where applicable ✓**) influence inter-ethnic conflict Yes/ No.....

ii) If your answer to the above question 7a (i) is yes explain how the economic factors influenced inter-ethnic conflict in Bungoma County.....

iii) Explain how the government dealt with economic factors in inter-ethnic conflict.....

iv) Did the economic factors challenge successful implementation of peacebuilding strategies in inter-ethnic conflict management in Bungoma County? Yes/No.....

v) If your answer to the above question iv) is yes explain the challenges on peace building strategies in inter-ethnic conflict management in Bungoma county

vi) Suggest opportunities to the challenges mentioned in (v) above

8a) (i) Was ethnicity (Bukusu, Sabaot, Tachoni, Teso problematic inter -ethnic histories,

-Bukusu, Sabaot, Tachoni, Teso inter-ethnic minority- majority issues a hindrance to advancement of the other,

-Bukusu, Sabaot, Tachoni, Teso inter-ethnic mutually exclusive perception of each other,

-Bukusu, Sabaot, Tachoni, Teso inter-ethnic differences used as mobilizing factors for support in pursuit of power for example political power,

-ethnic inequitable access to power in terms of employment opportunities or political appointments,

-Bukusu, Sabaot, Teso, Tachoni ethnic collective fear of survival,

Ethnic chauvinism expressed through state of inter-ethnic disrespect between traditions and social positions between the Bukusu, Sabaot, Tachoni, Teso including lack of inter-ethnic dignity between Bukusu, Sabaot, Tachoni, Teso) a factor in inter-ethnic conflict (**Mark where applicable** ✓) Yes/ No...

ii) If your answer to the above question 8a (i) is yes explain how negative ethnicity (**Marked above**) influenced inter-ethnic conflict in Bungoma.....

iii) Explain how the government dealt with ethnic factors in inter-ethnic conflict.....

iv) Did negative ethnic factors challenge successful implementation of peacebuilding strategies in inter-ethnic conflict management in Bungoma County? Yes/No.....

Yes/No.....

v) If your answer to the above question iv) is yes explain the challenges

vi) Suggest opportunities to the challenges mentioned in (v) above

APPENDIX iii: Interview Guide for Civil Society Organisation (CSO) including the Clergy in Bungoma County

a) (i) Were inter-ethnic reconciliation meetings held after the Bukusu and the Sabaot conflicts since 1963?

Yes/No

ii) If your answer to the above question is yes, then how many times were reconciliatory meetings held and date when held?

iii) Was the reconciliation process voluntary/ forced (tick accordingly)

iv) Who led the reconciliation process?

Elder Male/Female

CBO leader/s Male/Female

FBO leader/s Male/Female

NGO'S leader/s Male/Female

Others specify the number of males and females

v. a) Were inter-communal experiences among the disputants shared? Yes/No.

v. b) Did the inter-communal experiences shared address women/youth or both

v.c) if your answer is women, which experiences addressed women issues?

v.d) If your answer is youths, which experiences addressed youth issues?

vi. a) did inter-communal reconciliations make the disputants; **Mark where applicable** ✓

(i) Acknowledge their responsibilities and guilt.

(ii) Reflect on their own role and behavior in conflict

(iii) Acknowledge and accept their responsibility for the part they played.

(iv) Learn new inter-communal perspective and change their attitude towards each other.

(v) Recognize inter-communal difficulties faced by the women in opposing sides.

(v) Recognize inter-communal difficulties faced by the youths in opposing sides.

(vi) Recognize the legitimate inter-communal grievances.

(vii) Develop inter-communal empathy to women.

(viii) Develop inter-communal empathy to the youths.

Others specify: _____

viii. b) In your opinion did inter-ethnic experience sharing among the Bukusu, Sabaot Tachoni and Teso change perceptions among communities Yes/No

viii.c) Did the women and youths recognize and bring out the difficulties they faced during the conflict Yes/No

viii.d) If your answer to the question viii.c) is yes, mention the difficulties that either party experienced?

i. Bukusu Women _____

ii. Bukusu youths _____

iii. Sabaot women _____

iv. Sabaot youths _____

i. Teso Women _____

ii. Teso youths _____

iii. Tachoni women _____

iv. Tachoni youths _____

Others _____

ix. a) Did the reflection on the conflict create remorse among communities, Bukusu, Tachoni, Teso and Sabaot over what had happened: yes/No.

ix.b) If your answer to the above question is yes choose the explanation/s from the following objectives;-

- I. Through expression of sincere regret and remorse.
- II. Apology for what had happened
- III. Parties made commitment to refrain from anger and repeating the conflict.

(Tick where applicable)

Others specify.

x. a) Did the reflection on the conflict create remorse among Bukusu, Sabaot, Tachoni, Teso and Sabaot women over what had happened: yes/No.

x.b) If your answer in the above question is yes choose from the following how it was determined from the following choices;-

- I. Through expression of sincere regret and remorse.
- II. Apology for what had happened
- III. Parties made commitment to refrain from anger and repeating the conflict.

(Tick where applicable)

Others specify.

b) 1) Were workshops held with a view to build peace among communities Bukusu, Sabaot, Teso, Tachoni? Yes/No

2) If the answer to the above question is yes, how many times?

1

2

3

4

5

(tick accordingly)

3) How many people from Bukusu, Sabaot, Tachoni, Teso represented their respective communities at each time the Workshop was held, venue, lead person, nature of communication?

WORKSHOP

Venue.....

Lead Person was Councilor Chief Mp Dc Pastor/Bishop

Others specify.....

Membership of;-

Bukusu.....

Sabaot.....

Teso.....

Tachoni.....

Others specify.....

4) i) How would you describe the communication between the disputants in the workshops?

Hostile/Friendly/ Unconcerned

Any other specify

ii) If the answer to the question 4.i) above was hostile how did the lead person help the disputants get focused

.....

iii) If the answer to the question 4.ii) above was friendly, how would you describe the commitment of the conflicting parties at the level of

Bukusu Sabaot Tachoni Teso others

i) Punctuality to the meeting High/Low High/Low High/Low High/Low High/Low

ii) Participation in the meeting High/Low High/Low High/Low High/Low High/Low

iii) Absenteeism from meeting High/Low High/Low High/Low High/Low High/Low

iv) Similarity in vision between the Bukusu, Sabaot, Teso, Tachoni Present/Absent

5) i) If the Bukusu, Sabaot, Teso, Tachoni had common vision, indicate what the communities shared that could reconcile them?

.....

ii) What was contentious among the communities

(i) Bukusu.....

Sabaot.....

Teso.....

Tachoni.....

6(i) In the workshop held to build peace were women interests addressed? Yes/No

ii) If the answer to the question 6.i) is yes which interests of women were addressed_____

iii) How many women from Bukusu, Sabaot, Tachoni, and Teso represent their respective communities at the Workshop?

i) Bukusu Women_____ Men_____

ii) Sabaot Women_____ Men_____

iii) Teso Women_____ Men_____

iv) Tachoni Women _____ Men _____

Others specify _____

7. (i) In the workshop that were held to build peace, were youths interests addressed?
Yes/No

ii. If the answer to the question 7.i) is yes which interests of the youths were addressed _____

iii. How many youths from Bukusu, Sabaot, Teso, and Tachoni represented their respective communities at the Workshop?

Bukusu youths _____ Sabaot youths _____ Teso youths_ Tachoni youths _____

Others specify _____

8. i) Did the lead person help the disputants in any manner Yes/No

ii) If your answer for the question 8 above is Yes choose from the following the assistance accorded to the disputants by the lead person?

- (i) Jointly analyze fundamental sources of conflict
- (ii) Focus on unmet needs e.g. security or identity
(Tick where applicable)

Others specify.....

9. i) In your opinion was/were the work shop/s a success Yes/No

ii) What was the conclusion of the workshop?

- a) Developed mutual trust between the disputants
- b) Disputants developed wider- communal enemy images

c) Common perceptions of problems

(Tick where applicable)

Others specify.....

C. 1) Did the government or CSOs make effort to set up any form of inter-communal joint project between Bukusu, Sabaot, Teso, Tachoni

Yes/No

2) If your answer to C.i) is Yes, who set up the inter-communal project

Government

CSOs

(Tick where applicable)

3. i) What was the nature of the Project?

.....
.....
.....

ii) Was the project related to the conflict Yes/No

iii) If your answer to the above question 3.ii) is Yes explain the relationship

.....

iv) If your answer to the above question 3.ii) is No explain how they differed

.....

4. How would you describe the involvement of the Bukusu, Sabaot, Tachoni and Teso to the joint project program?

Bukusu:- High/Low

Sabaot: – High/Low

Teso:- High/Low

Tachoni:- High/Low

5. Did the project established address any shared interest among communities the Bukusu, Sabaot, Teso, Tachoni?

Yes/No

6. If your answer to the above question 5 is, shared interest among communities the Bukusu, Sabaot, Teso, Tachoni in the project, what was the shared interest?

.....

7.i) Did the joint project help the communities (Bukusu, Sabaot, Teso, Tachoni) in creating unity among them?

Yes/No

ii) Did the joint project breakdown any stereotypes held among communities the Bukusu, Sabaot, Teso, Tachoni? Yes/No

iii) If the answer to question 7.ii) is Yes state the stereotype that was broken down through the joint project

.....

8. What goals did the joint project achieve? Choose the answer from the following objective

- (i) It led to grass root reconciliation
 - (ii) They serve a symbol of peace and co-operation
- (Tick where applicable)
Others specify.....

9. How did the joint project contribute to grass root reconciliation?

.....

10. How did the project serve as symbol of peace and co-operation?

.....

Others specify

.....

11. i) How would you describe the involvement of the Bukusu, Tachoni, Sabaot and Teso women to the joint project program

Bukusu women:- High/Low

Sabaot women: – High/Low

Tachoni women:- High/Low

Teso women:- High/Low

ii) Did the project established address any shared interest among the Bukusu, Teso, Sabaot and Tachoni Women?

Yes/No

iii) If the answer to the above question 11.ii) is shared interest among the Bukusu, Teso, Tachoni and Sabaot women in the project, which interest did they share

.....

iv) Did the joint project help the Bukusu, Tachoni, Teso, and Sabaot women in creating unity among communities? Yes/No

v) Did the joint project breakdown any stereotypes held among communities? Yes/No

vi) If the answer to the above question 11.v) is Yes state the stereotype/s that was broken down through the joint project:

i) Bukusu women from the Sabaot

.....

ii) Sabaot women from the Bukusu

.....

iii) Teso women

.....

iv) Tachoni women

.....

12. What goals did the joint project achieve for women?

(iii) It led to grass root reconciliation

(iv) They serve as symbol of peace and co-operation

Others specify

.....

13. How did the joint project contribute to grass root reconciliation of Bukusu, Teso, Tachoni and Sabaot women?

.....

14. How did the project serve as symbol of peace and co-operation among communities in Bungoma County?

Others specify

.....

15.i) How would you describe the involvement of the Bukusu, Teso, Sabaot and Tachoni youths to the joint project program

Bukusu youth:- High/Low

Sabaot youths - High/Low

Tachoni youth:- High/Low

Teso youths - High/Low

ii. Did the joint project help the Bukusu youths and the Sabaot youths in creating unity between the two communities?

Yes/No

iii) Did the joint project breakdown any stereotypes held among communities? Yes/No

iv) If the answer to the question above 15.iii) is Yes state the stereotype that was broken down through the joint project:

i) Bukusu youths from the Sabaot

.....

ii) Sabaot youths from the Bukusu

.....

iii) Teso youths

.....

ii) Tachoni youths

.....

16. i) What goals did the joint project achieve for youths? Choose from the following objectives (Tick where applicable)

- (v) It led to grass root reconciliation
- (vi) They serve as symbol of peace and co-operation

Others specify

.....

17. How did the joint project contribute to grass root reconciliation of Bukusu, Tachoni, Teso and Sabaot youths?

.....

18. How did the project serve as symbol of peace and co-operation among communities?

.....

Others specify

.....

19. Were the past sources of conflict among communities in Bungoma redressed Yes/No

20. i) Were the people involved in committing inter-communal atrocities/damages punished

Yes/No

ii) If the answer to question 20.1) is Yes choose from the following how the culprits were punished

- (i) Judged in the court of law for example imprisoned/fined
 - (ii) Judged by the chiefs, Assistant chiefs
 - (iii) Ex- communicated
- (Tick where applicable)

Others specify.....

21.i) Did the culprits/community/ or both the community and culprits apologise?

Yes/No

ii) Was the apology heartfelt Yes/No?

iii) If the answer to the above question 21.ii) is yes explain how it was heartfelt for example did they offer any sacrifice or were the key community leaders or elders involved? (Tick where applicable)

D.1) Did the media play any role in inter-ethnic peace building Yes/No (Tick appropriately)

2. What role did the media play in inter-ethnic conflict in Bungoma County?

- (i) Through reports on inter-ethnic conflict
- (ii) Create and report stories which build trust by featuring common identities and concerns among communities in Bungoma County
- (iii) Facilitating greater openness and transparency between the disputants in Bungoma County
- (iv) Accurate reporting of information of either ethnic or political party in order to dispel negative stereotypes

(Tick where applicable)

E) 1. Were the schools used to build peace between the Bukusu, and Sabaot

Yes/no

2. If the answer to the question above is yes tick from the following list how the schools were involved in peace building

- (i) Simulations
- (ii) Drama
- (iii) Problems solving work shop
- (iv) Dialogue groups
- (v) Peace Talks from teachers

Other specify

APPENDIX iv: FGD Guide for Elders

1. (a)i)Traditionally how were the inter-communal conflicts among Bukusu, Tachoni, Teso and Sabaot solved?

(ii) Were inter-ethnic conflicts caused by weak executive, legislature and judiciary? (lack of electoral reforms, lack of power sharing initiatives between the Bukusu and the Sabaot, lack of police training and civil servants to observe basic inputs in the course of executing their duties , lack of transparency, predictability in government, lack of employment, lack of food, lack of access to land) Yes/No

(iii) If the answer to the above question 1a (ii) is yes explain how the weak executive, legislature and judiciary influenced inter-ethnic conflicts in Bungoma.....

iv) Explain how the government dealt with weak executive, legislature and judicial factors in inter-ethnic conflicts.....

v) Did the weak executive, legislature and judiciary factors challenge successful implementation peace building strategies? Yes/No.....

vi) If the answer to the above question v) is yes explain the challenge

vii) Suggest solutions to challenges mentioned in (vi) above.....

In your opinion suggest any other indigenous measures that could counter Kenya’s weak executive and enhance successful implementation of peace building strategies in management of inter-ethnic conflict in Bungoma County?

2.i) State the weaknesses that characterized the legislature by selecting from the following and state how the government dealt with each weakness in spaces provided under each factor;-

(a) Poorly developed political parties

(b) Lack of legitimate and stable political institutions

(C)Lack of meaningful political competition among communities Teso, Bukusu, Sabaot and Tachoni

(d) Broad selection of leaders and policies

(e) Lack of open legal adoption by the public

3. (i) Did the government take any deliberate step/s to contain inter-ethnic conflicts
Yes/No

(ii) If your answer to the above question is yes identify and tick from (a-q) structure/s put
in place to contain inter-ethnic conflicts in Bungoma County

- a) Build unifying structures among inter-ethnic communities in Bungoma County
- b) Enactment of comprehensive legal system that protects minorities from the abuse of the majority
- c) Inter-ethnic grievances from either the Bukusu, Sabaot, Tachoni or Teso were properly taken into consideration.
- d) Bukusu, Sabaot, Teso and Tachoni inter- ethnic equitable access to civil service jobs and other services from the state.
- e) Equitable minority-majority participation in the leadership and ranks in the government.
- f) Establish an inclusive independence electoral body with people of impeccable character.
- g) Bukusu, Sabaot, Tachoni and Teso ethno- geography not to coincide with electoral boundaries
- h) Re-direct divisive Bukusu, Sabaot, Tachoni and Teso cultural norms to positivity.
- i) Promote inter-communal unity through social campaigns for example,

-outreach and civil society campaigns

-inter-group cooperation

-strengthening inter-communal diversity themes.

- j) Through youth education that promote integration, coexistence among communities the Bukusu, Sabaot, Tachoni and Teso.
- k) Shift cultural and political norms that enhance Bukusu, Sabaot, Teso, Tachoni inter-ethnic animosity to inter-ethnic integration.
- l) Tame leaders and the media which exploit ethnic differences for their own good through sanctions like criminalizing the inciters and imprisonment
- m) Setting ethical standards that were to be met by the media for responsible reporting,
- n) Stoppage of media programmes that incite one community against the other.
- o) Setting up independent media monitoring policy to take charge of inciters.
- p) Setting up early response mechanism to inter-ethnic animosity.
- q) Others specify.....

4. In your opinion which of the following organs can regulate inter-ethnic conflicts in Bungoma County

- a) National constitution and laws
- b) Court system
- c) Police
- r) Others specify.....

APPENDIX v: Interview schedule to key informants; Elders, Deputy County Commissioner, Senior Police officer and Chiefs

1) Did the customs, language, myths of origin, geographical location determine the nature of inter-ethnic conflict Bungoma? Yes/No

ii) If the answer is yes explain_____

iii) Did inter-ethnic traditional structures that is Elders, Culture, Intermarriages or Trade (*Mark where applicable* ✓) influence the nature of inter-ethnic conflict in Bungoma County Yes/No

iv) If your answer for iii) is Yes, explain_____

v) i) Did colonization:- Colonial administration, economic, education, development, land control. and religion (*Mark where applicable* ✓) influence the nature of inter-ethnic conflict in Bungoma County? Yes/No

ii) If the answer for v)i) is yes, explain_____

2a) (i) Did political leadership in Kenya influence the inter-ethnic conflict in Bungoma County? Yes/ No.....

ii) If your answer to the above question 2a) is yes, (*Mark where applicable* ✓) on how political leadership influenced inter-ethnic conflict in Bungoma County on the alternatives listed below

- Biased repressive political leadership inclined to one community, -

Jailing of members of either Bukusu or Sabaot or Teso or Tachoni community who were seen as anti-government between 1963 to 2010,

-Biased physical and psychological torture (ie through harassment) of some people or persons regarded by either community Bukusu, Sabaot, Tachoni, Teso as their leader by the political establishment 1963 to 2010,

- Ethnic inclined demotion of either Bukusu, Sabaot, Tachoni or Teso public officers,
- assassination or all over sudden disappearance of opposition leaders which happen to take ethnic lines,
- Corrupt and greed political leadership which compromised the ethics of the Nation in favour of either Bukusu, Sabaot, Tachoni community,
- ethnic inclined public participation in government affairs by one community than the other)

Any other explain.....

iii) Explain how the government dealt with political leadership influences to inter-ethnic conflict in Bungoma County.....

iv) Did political leadership influences inter-ethnic conflict challenge successful implementation of peacebuilding strategies? Yes/No.....

v) If your answer to the above question iv) is yes explain the challenges

vi) Suggest opportunities to the challenges mentioned in (v) above

3a) (i) Was the weakness of Kenya as a nation responsible for the inter-ethnic conflict in Bungoma County? Yes/ No.....

ii) If your answer to the above question 3a (i) is yes (*Mark where applicable* ✓) the Kenya's administrative weakness influences to inter-ethnic conflict and peacebuilding in Bungoma County on alternatives listed below

-Kenya had been isolated economically and politically regionally or internationally eg foreign aid withdrawal because of Kenya's skewed economic and political policies thus jeopardizing security operation,

-Kenya's weak administrative structures (that is weak village elders, assistant chiefs, chiefs, District Officers, District Commissioners, Provincial Commissioners and presidency), breakdown of law and order,

- Skewed employment eg internal changes in the government in terms of promotion to positions perceived as important department favoring Bukusu, Sabaot, Teso or Tachoni community than the other,

-Intensified leadership struggles between the Bukusu, Sabaot, Teso or Tachoni,

-Government loss of legitimacy from the people through rigging of election, - underdevelopment,

-abuse of power by the state reflected by lack of separation of power from executive, judiciary and legislature such that some elites used their position to benefit Bukusu or Sabaot or Teso or Tachoni community at the expense of the other,

Any other explain.....

iii) Explain how the government dealt with its weakness to inter-ethnic conflict in Bungoma County.....

iv) Did the weakness of Kenya administrative structures challenge successful implementation of peacebuilding strategies in inter-ethnic conflict management in Bungoma County? Yes/No.....

V) If your answer to the above question iv) is yes explain the challenges

vi) Suggest opportunities to the challenges mentioned in (v) above.....

4a) (i) Were political factors responsible for inter-ethnic conflict Yes/ No.....

ii) If your answer to the above question 4a (i) is yes **mark where applicable** ✓ the political influences to inter-ethnic conflict and peacebuilding strategies in Bungoma County on the alternatives listed below

-Bukusu, Sabaot, Tachoni or Teso inter-ethnic inter group politics that exhibited inter-ethnic hostility,

- Political elites tilted the perception of one ethnic group Bukusu or Sabaot or Tachoni or Teso against the other,

-Political transition from say single party to multiparty,

-Intensified leadership struggles pegged on inter-ethnic deference in political ideology (*certain ethical set of ideals, principles, doctrines, myths or symbols of a political party, social movement or class*),

-Politicians using ethnicity as a way of scapegoat to deflect attention or gain political mileage, -inter-ethnic contests amongst communities over political power

iii) Explain how the government dealt with political factors in inter-ethnic conflict in Bungoma County.....

iv) Did the political factors challenge successful implementation of peacebuilding strategies in inter-ethnic conflict management in Bungoma County? Yes/No.....

v) If your answer to the above question iv) is yes explain the challenges.....

vi) Suggest opportunities to challenges mentioned in (v) above.....

5a) (i) Were social factors listed (**Mark where applicable** ✓)

-Inter-ethnic religious rivalry, inter-ethnic disagreement over values or norms, inter-ethnic (Bukusu, Tachoni, Sabaot or Teso)

- cultural dissimilarity, inter-ethnic (Bukusu, Sabaot, Tachoni or Teso) differing philosophical principles, inter-ethnic (Bukusu, Sabaot, Tachoni, Teso)

-unfair distribution of education opportunities,

-intrinsic or inborn hatred among the Teso, Tachoni, Bukusu or Sabaot, lack of ethnic diversity in institutions of the government) responsible for inter-ethnic conflict? Yes/No.....

ii) If your answer to the above question 5a (i) is yes explain how social factors influenced inter-ethnic conflict.....

iii) Explain how the government dealt with social factors in inter-ethnic conflict in Bungoma County.....

iv) Did the social factors challenge peacebuilding strategies in inter-ethnic conflict management in Bungoma County? Yes/No.....

v) If your answer to the above question iv) is yes explain the challenges on peacebuilding strategies in inter-ethnic conflict management in Bungoma County.....

vi) Suggest opportunities to the challenges mentioned in (v) above.....

6a) (i) was inter-ethnic conflict caused by identity differences (**Mark where applicable** ✓ **from the list below**) ie:

Bukusu, Sabaot, Tachoni, Teso:- appearance/identity,

- Irreconcilable moral values, -Bukusu, Sabaot, Teso, Tachoni geographical locations,

-Bukusu, Sabaot, Teso, Tachoni different histories,

-Bukusu, Sabaot, Teso, Tachoni differing myths, religion, psychological and even genetic aspects, Bukusu, Sabaot, Teso, Tachoni varying cultural identities) Yes/No

ii) If your answer to the above question 6a (i) is yes explain how separate inter-ethnic identity influenced conflict.....

iii) Explain how the government dealt with inter-ethnic identity in Bungoma county...

iv) Did the separate identity challenge inter-ethnic peacebuilding strategies in inter-ethnic conflict management in Bungoma County? Yes/No.....

v) If your answer to the above question iv) is yes explain the challenges

vi) Suggest opportunities to the challenges identified in (v) above

7a) (i) Did economic factors that is (- inter-ethnic economic stagnation,

-inter-ethnic inflation, resource or wealthy competition among communities the Bukusu, Sabaot, Tachoni, Teso,

- Lack of resources for re-addressing grievances of either the Bukusu, Sabaot, Teso, Tachoni communities,

-Political neglect of economic development leading to poor facilities, infrastructure and break down in education among the Bukusu than the Sabaot, Tachoni or Teso, -High population against static resources,

-inequitable access to power or resources) (*Mark where applicable* ✓) influence inter-ethnic conflict Yes/ No.....

ii) If your answer to the above question 7a (i) is yes explain how the economic factors influenced inter-ethnic conflict in Bungoma County.....

iii) Explain how the government dealt with economic factors in inter-ethnic conflict.....

iv) Did the economic factors challenge successful implementation of peacebuilding strategies in inter-ethnic conflict management in Bungoma County? Yes/No.....

v) If your answer to the above question iv) is yes explain the challenges on peace building strategies in inter-ethnic conflict management in Bungoma county

vi) Suggest opportunities to the challenges mentioned in (v) above

8a) (i) Was ethnicity (Bukusu, Sabaot, Tachoni, Teso problematic inter -ethnic histories,

-Bukusu, Sabaot, Tachoni, Teso inter-ethnic minority- majority issues a hindrance to advancement of the other,

-Bukusu, Sabaot, Tachoni, Teso inter-ethnic mutually exclusive perception of each other,
-Bukusu, Sabaot, Tachoni, Teso inter-ethnic differences used as mobilizing factors for support in pursuit of power for example political power,

-ethnic inequitable access to power in terms of employment opportunities or political appointments,

-Bukusu, Sabaot, Teso, Tachoni ethnic collective fear of survival,

Ethnic chauvinism expressed through state of inter-ethnic disrespect between traditions and social positions between the Bukusu, Sabaot, Tachoni, Teso including lack of inter-ethnic dignity between Bukusu, Sabaot, Tachoni, Teso) a factor in inter-ethnic conflict (*Mark where applicable* ✓) Yes/ No...

ii) If your answer to the above question 8a (i) is yes explain how negative ethnicity (**Marked above**) influenced inter-ethnic conflict in Bungoma.....

iii) Explain how the government dealt with ethnic factors in inter-ethnic conflict.....

iv) Did negative ethnic factors challenge successful implementation of peacebuilding strategies in inter-ethnic conflict management in Bungoma County? Yes/No.....

v) If your answer to the above question iv) is yes explain the challenges

vi) Suggest opportunities to the challenges mentioned in (v) above 9a) (i) Did electioneering process in Kenya influence inter-ethnic coexistence Yes/ No..

ii) If your answer to the above question 9a (i) is yes explain how electioneering process influenced inter-ethnic conflict.....

iii) Explain how the government dealt with electioneering process factors in inter-ethnic conflict in Bungoma county.....

iv) Did electioneering process factors challenge successful implementation of peacebuilding strategies? Yes/No.....

v) If your answer to the above question iv) is yes explain the challenges

vi) Suggest opportunities to the challenges mentioned in (v) above

Appendix vi Interview schedule for IDP officials

A) (i) Were inter-ethnic reconciliation meetings held after the inter-ethnic conflicts since 1963?

Yes/No

ii) If your answer to the above question is yes, how many times were reconciliatory meetings held and date when held?

iii) Were reconciliation process voluntary or forced?

iv) Who led the reconciliation process?

v. a) Which experiences were shared among disputants?

b) 1) Were workshops held with a view to build peace among communities Bukusu, Sabaot, Teso, Tachoni? Yes/No

ii) If the answer to the above question is yes, how many times?

iii) How would you describe the communication between the disputants in the workshop?

iv) In your opinion were work shop/s a success Yes/No

C. 1) Did the government or CSOs make effort to set up any form of inter-communal joint project between Bukusu, Sabaot, Teso, Tachoni

Yes/No

ii) If your answer to C.i) is Yes, who set up the inter-communal project

iii) What was the nature of the Project?

.....

iv. Did the project established address any shared interest among communities the Bukusu, Sabaot, Teso, Tachoni

v) Did the joint project help communities the Bukusu, Sabaot, Teso, Tachoni in creating unity?

vi) Did the joint project breakdown any stereotypes held among communities the Bukusu, Sabaot, Teso, Tachoni? Yes/No

vii) If the answer to question 7.ii) is Yes state the stereotype that was broken down through the joint project

.....

viii. What goals did the joint project achieve?

xiv). How did the joint project contribute to grass root reconciliation?

.....

x). How did the project serve as symbol of peace and co-operation?

.....

D). What role did the media play in inter-ethnic conflict in Bungoma County

E) Were the schools used to build peace among communities in Bungoma County?

APPENDIX vii: TABLE OF SAMPLE SIZE

Size sampling (N)	Sampling Size (n) Precision(E) of:			
	±3%	±5%	±7%	±10%
500	A	222	145	83
600	A	240	152	86
700	A	255	158	88
800	A	267	163	89
900	A	277	166	90
1000	A	286	169	91
2000	714	333	185	95
3000	811	353	191	97
4000	870	364	194	98
5000	909	370	196	98
6000	938	375	197	98
7000	959	378	198	99
8000	976	381	199	99
9000	989	383	200	99
10000	1000	385	200	99
15000	1034	390	201	99
20000	1053	392	204	100
25000	1064	394	204	100
50000	1087	397	204	100
100000	1099	398	204	100
>100000	1111	400	204	100

A= Assumption of normal population is poor (Yamane, 1967)

APPENDIX viii: UNIVERSITY AUTHORIZATION



MASINDE MULIRO UNIVERSITY OF SCIENCE AND TECHNOLOGY (MMUST)

Tel: 056-30870
Fax: 056-30153
E-mail: sgs@mmust.ac.ke
Website: www.mmust.ac.ke

P.O Box 190
Kakamega – 50100
Kenya

Office of the Dean (School of Graduate Studies)

Ref: MMU/COR: 509079

Date: 2nd November, 2016

Mulati Job Chebai
CPC/H/39/09
P.O. Box 190-50100
KAKAMEGA

Dear Mr. Chebai

RE: APPROVAL OF PROPOSAL

Following communication from the Departmental Graduate Studies Committee and the Faculty Graduate Studies Committee, I am pleased to inform you that the Board of the School of Graduate Studies meeting held on 4th September, 2016 considered and approved your Doctor of Philosophy proposal entitled: *'Peace Building Strategies Employed in the Management of Inter Ethnic Conflicts in Bungoma County, Kenya'* and appointed the following as supervisors:

1. Dr. Edmond Were - Department of Peace and Conflict Studies - MMUST
2. Prof. Itayo C. - Department of Peace and Conflict Studies - MMUST

You are required to submit through your supervisor(s) progress reports every three months to the Dean SGS. Such reports should be copied to the following: Chairman, Centre of Disaster Management and Humanitarian Assistance Graduate Studies Committee and Chairman, Disaster Management and Sustainable Development. 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 PhD 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.

Yours Sincerely,

PROF. HENRY KEMONI
EXECUTIVE DEAN, SCHOOL OF GRADUATE STUDIES

**APPENDIX ix: RESEARCH AUTHORIZATION FROM NATIONAL
COMMISSION FOR SCIENCE, TECHNOLOGY AND INNOVATION**



**NATIONAL COMMISSION FOR SCIENCE,
TECHNOLOGY AND INNOVATION**

Telephone:+254-20-2213471,
2241349,3310571,2219420
Fax:+254-20-318245,318249
Email: dg@nacosti.go.ke
Website : www.nacosti.go.ke
When replying please quote

NACOSTI, Upper Kabete
Off Waiyaki Way
P.O. Box 30623-00100
NAIROBI-KENYA

Ref. No. **NACOSTI/P/18/82783/25732**

Date: **9th October, 2018**

Job Mulati Chebai
Masinde Muliro University of Science and Technology
P. O Box 190-50100
KAKAMEGA

RE: RESEARCH AUTHORIZATION

Following your application for authority to carry out research on ***“Peace building strategies employed in the management of inter-ethnic conflicts in Bungoma County, Kenya”*** I am pleased to inform you that you have been authorized to undertake research in **Bungoma County** for the period ending **9th October, 2019**.

You are advised to report to **the County Commissioner and the County Director of Education, Bungoma County** before embarking on the research project.

Kindly note that, as an applicant who has been licensed under the Science, Technology and Innovation Act, 2013 to conduct research in Kenya, you shall deposit **a copy** of the final research report to the Commission within **one year** of completion. The soft copy of the same should be submitted through the Online Research Information System.

**BONIFACE WANYAMA
FOR: DIRECTOR-GENERAL/CEO**

Copy to:

The County Commissioner
Bungoma County.

The County Director of Education
Bungoma County.

National Commission for Science, Technology and Innovation is ISO9001:2008 Certified

**APPENDIX xi: AUTHORIZATION LETTER FROM MINISTRY OF INTERIOR
AND COORDINATION OF NATIONAL GOVERNMENT**

REPUBLIC OF KENYA



**OFFICE OF THE PRESIDENT
MINISTRY OF INTERIOR AND COORDINATION OF NATIONAL GOVERNMENT**

Telephone: 055- 30326
FAX: 055-30326
E-mail: ccbungoma@yahoo.com
When replying please Quote

Office of the County Commissioner
P.O. Box 550 - 50200
BUNGOMA

24th June, 2019

REF: ADM.15/13/VOL.II/160

All Deputy County Commissioners
BUNGOMA COUNTY

RE: RESEARCH AUTHORIZATION – JOB MULATI CHEBAI

Reference is made to the letter Ref NOCOSTI/P/18/82783/25732 dated 9th October 2018 on the above subject matter.

The above referred has been authorised by the National Commission for Science, Technology and Innovation to carry out a research on "***Peace building strategies employed in the management of inter-ethnic conflicts Bungoma County, Kenya***".

Job will be carrying out the said research in Bungoma County for a period ending **9th October, 2019**

This is therefore to introduce him and ask for your cooperation and support as he undertakes the research.


Leonard Walukhu
For County Commissioner
BUNGOMA COUNTY



**APPENDIX xii: AUTHORIZATION LETTER FROM MINISTRY OF
EDUCATION, SCIENCE AND TECHNOLOGY**



REPUBLIC OF KENYA

MINISTRY OF EDUCATION, SCIENCE AND TECHNOLOGY
State Department of Education – Bungoma County

When Replying please quote
e-mail: bungomacde@gmail.com

County Director of Education
P.O. Box 1620-50200
BUNGOMA

Ref No: BCE/DE/19/VOL.II1/56

Date: 24th June, 2019

TO WHOM IT MAY CONCERN

**RE: AUTHORITY TO CARRY OUT RESEARCH – JOB MULATI CHEBAI –
NACOSTI/P/18/82783/25732**

The bearer of this letter Job Mulati Chebai of Masinde Muliro University of Science and Technology has been authorized to carry out research on ***“Peace building strategies employed in the management of inter-ethnic conflicts in Bungoma County, Kenya”*** a period ending ***9th October, 2019.***

Kindly accord him the necessary assistance

ELIZABETH JEMIMAH MAINA
For: COUNTY DIRECTOR OF EDUCATION
BUNGOMA COUNTY

