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INFLUENCE OF STATIST INTER-ETHNIC TRANSFORMATION OF POLITICS IN THE MANAGEMENT OF INTER-ETHNIC CONFLICTS IN BUNGOMA COUNTY, KENYA

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ABSTRACT

Politics largely defines both protractible and intractability in inter-ethnic conflicts globally. In Kenya, Bungoma County in particular, inter-ethnic political reasons exacerbated 1963 including 1992 conflicts. The specific objective was to examine the effect of statist inter-ethnic integration of politics in management of inter-ethnic conflicts in Bungoma County. A conceptual framework underpinned by Ledarach's Conflict Transformation and Gultang's Conflict Triangle theories guided the study. The study applied a descriptive research. The study was conducted in Bungoma County. Simple Radom and Purposive sampling procedures determined the participant. The sample size of 400 participants used was derived from 1375065 population using Yamane 1967. Questionnaires, interviews, FGD and document analysis were instruments used to collect primary and secondary data respectively. Quantitative data was analysed by MS excel while thematization, corroboration and verification was applied to qualitative data. The study findings were: Though the use of inter-ethnic politics as scapegoat scored 15% responses in fueling inter-ethnic animosity, it worked alongside, hostile inter-ethnic inter-group politics, the elite tilted inter-ethnic perceptions, inter-ethnic violent political transition from one party to multiparty, inter-ethnic political contests and intensified leadership struggles which scored 17% responses each in influencing inter-ethnic conflicts in Bungoma County. However, despite the regulation of political parties, affirmative action, consensus and inter-ethnic integration were statist inter-ethnic structures set for inter-ethnic political integration, the process was lethergic. The study recommends, detachment of inter-ethnic demarcation from political cum administrative boundaries in Bungoma County.

Keywords; - Statist, Politics, Inter-ethnic transformation of politics, Inter-ethnic conflict management, Peacebuilding

INTRODUCTION

Globally, inter-communal political disputes have been the main cause of conflicts in a growing number of countries. For instance, in Britain for example, Protestant-Catholic conflicts, recorded as early as 1534, though, overly religious it had a political angle as it occurred within a nation state. On the hand, in Yugoslavia, the inter-ethnic conflict overly mired in politics, led to the collapse of the federal state and the establishment of yet other political units as a way of enhancing conflict management (Vesna, 1996). Furthermore, there is Canada which has registered linguistic clashes between the English-speaking and French-speaking Canadians, also with a political dimension falling back to 1756 in the imperialist war between the British and French, the USA is yet to overcome racial conflicts amidst peacebuilding efforts in an advanced political democracy (Sandra, 2003). Conflicts between Israel and Palestine, with immense political connotations over political determination have been raging for decades necessitating the involvement of

regional and international community in unending conflict and peacebuilding process (Yannis, 2018). In Sub-Saharan Africa, Mozambique, Angola, Ethiopia including Uganda and Rwanda have had a history of not only politics influenced conflicts but accompanied by deaths and massive displacement of the population. It was surprising that, efforts to federate Eritrea to Ethiopia, for example, by the United Nations Organisation (UNO) as a means of settling inter-communal political hostility and enhancing conflict management failed hence leading to the split of Ethiopia (Ghebrehiwet, 2009). Moreover, Ethiopia is yet again under intense politically motivated wave of conflict in Tigray, (Michelle, 2021). On the other hand in Mozambique peacebuilding was legislatively modeled along integration of peacebuilding and state-building goals as a way of enhancing coexistence in a politically divided country (Lisa et al, 2016, WFP, 2021), in Rwanda, peace-building strategies necessitated the political leadership to 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, (Sandra, 2003). Inter-ethnic inclined political conflicts are thus a global reality.

The literature reviewed further confirms the core role that politics plays in influencing inter-ethnic conflict. Sandra (2003), while writing on the British-French linguistic misunderstanding in Canada demonstrates how political legislation 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. Lisa et al (2016), demonstrates how peacebuilding in Mozambique was an integrated process of joining state-building goals and peacebuilding, underscored in the 'New Deal for Engagement in the Fragile States. In the document, politics was pointed to as an avenue for enhancing inter-ethnic integration alongside improved security, economic growth and inter-ethnic justice. Politicians can escalate, limit, or enhance peace-building. Nitze (2011), for example, argues that politicians escalate and polarize conflicts because they have the ability to influence their followers to attribute or direct their grievances to an adversary to the extent that the followers come to the understanding that violence other than peace is the only means to acquire their goal. He further attributed conflict to bad governance, whereby unless controlled through legislation, which is the domain of politicians, is a factor in enhancing or limiting conflicts. Further, he attributed conflict in Africa to poor leadership that mismanaged ethnic diversity causing political crises and wars. Like Nitze, Michael (1998) observes that unless the political class put government under check, political leadership can degenerate into corruption, leading to the withdrawal of bilateral and multilateral aid and eventually cause insecurity. According to him, for example, weak leadership causes weakness of the state manifested in leadership condoning corruption, which can attract bilateral or multilateral withdrawal or reduction of aid from donors forcing the citizens to lose trust in such a government. Weak leadership infuse insecurity nationally which lead to disintegration of a nationhood paving the way to ethnic grouping as a shield against perceived or real external threat. He further notes that discriminatory political institutions, that pursue biased policies that lack fairness in representation and administrative institutions, lead to inter- ethnic conflict (Michael, 1998). Mweyang (2010), and DAN (2010), concur that imbalanced representation that reflect political neglect which results in the poor or skewed ethnic provision of health services, infrastructure, and breakdown in education, cause conflict. Additionally, (Taras et al, 1998), attributes conflict to bad leaders who seek to get or forcefully retain power enhance political-based struggle. Further, competition over power among corrupt politicians cause conflicts (Taras et al., 1998). While, (Silvia et al, 2003), argue that by virtue of their positions, politicians can influence conflict because their decisions affect the masses, and that, a decentralized state power characterized by uncontrolled and misdirected resource utilization cause conflict escalation. Equally important, (Rummel, 1979), observes that peace and order thrive on a structure, where people's expectations are met, otherwise any incongruence in peoples' expectation causes conflicts. While, (Pkalya et al., 2013) point out that conflict resolution and management in Kenya has remained elusive partly because for a long time Kenya has not had a national policy on conflict resolution and peace-building, hence a weakness in legislation. On other hand Mweyang (2011) argues that to curtail ethnicity, state institutions which include legislative arm, should embrace ethnic diversity, safeguard and respect minority rights, enhance equitable sharing of power, put in place checks and balances. In addition, he observes, 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 takes all. Pkalya et al, (2013).

In essence therefore, politics and politicians counts in terms of conflict decline, escalation, or management, what is not clear as related to the current study is the extent to which inter-ethnic conflict in Bungoma was a product of poor, weak or corrupt or lack of inter-ethnic political integration in the management of inter-ethnic conflict in Bungoma County. Further knowledge gaps were, the historical evolution of politics in the nature of inter-ethnic conflict in order to capture the political root causes and peacebuilding thereof as a prelude to establishing the efficacy of the political structures put in place to counter conflict and enhance peacebuilding. The nature of political interventions before,

during, and after the conflict and peacebuilding thereof. The study's other knowledge gap is on how colonialism affected the nature of inter-ethnic political composition, inter-ethnic political perceptions and sharpened ethnic political identities which in turn influenced inter-ethnic politically inclined conflict and peacebuilding. Another knowledge gap is on how inter-ethnic political goals were integrated with statist development goals on land administration, economic development goals, positive ethnicity, and majority-minority community issues including political constitutional transformation in light of peacebuilding. From the literature reviewed relating to political majority-minority views, the knowledge gap is: to determine how the political minority-majority interests weighed on inter-ethnic conflict and peacebuilding. How the government and non-government agencies handled political issues of minority Sabaot, Teso and Tachoni in Bungoma County. How the State and non-state mechanisms responded to political inequalities of unfair distribution of education, hospital, and infrastructure including demystifying politically biased beliefs, stereotypes among communities. As regards challenges and opportunities to politically inclined peacebuilding strategies the knowledge gaps is: how hybridized traditional and modern methods of politics worked particularly in a heterogeneous setting among the Bukusu, Sabaot, Teso and Tachoni. In Kenya, specifically Bungoma, the synergy of state and non-state transformation of inter-ethnic politics in management of inter-ethnic has been ineffectively long. Though inter-ethnic politics related conflicts were erratic in pre-colonial Kenya but from independence in 1963, instead of increased inter-ethnic integration of politics, the conflicts acquired both national and a more violent inter-ethnic political dimension. Kenya African National Union (KANU) and Kenya African Democratic Union (KADU), the then two opposing major political parties situated communities against each other in Bungoma. Its aftermath was marked by scattering of political integration through ethnic inclined burning of houses, displacement of population and subsequently the conflict became quinquennial to political electoral circle (Kiliku, 1992). In 1992, instead of the growth of inter-ethnic political integration structures, the County lapsed into yet another unparalleled violence yet coinciding with the then newly introduced multiparty democracy but with dwindling inter-ethnic political integration (Akiwumi Report of Judicial Commission, 1999). Though the disputes revolved around politician's using, politics as a scapegoat, inter-ethnic inter-group politics, the elite tilted inter-ethnic perceptions, violent political transition from single party to multiparty, Bukusu-Sabaot inter-ethnic contest and intensified leadership struggles but challenged peacebuilding strategies applied then. This background contradicts the conventional approach which argues that statist inter-ethnic integration of politics has a stake in inter-ethnic integration and cohesion. It is from the foregoing that the study examined transformation of the politics in management of inter-ethnic conflicts in Bungoma County. The objective of the study was to examine the effect of statist inter-ethnic integration of politics in management of inter-ethnic conflicts in Bungoma County. This was to answer the study question; -What is the effect of statist inter-ethnic integration of politics in the management of inter-ethnic conflicts in Bungoma County. Other than filling the knowledge gap on statist inter-ethnic transformation of politics in the management of inter-ethnic conflict in Bungoma County, the study is an enrichment to the Ministry of Interior and National Coordination, to the CSOs including the NGOs, FBOs and CBOs. The study, underpins philosophical interpretivism approach to research, by bringing forth how the analysis of societal beliefs, norms and culture contributes to the understanding of statist inter-ethnic transformation of politics in management of inter-ethnic conflict in Bungoma.

Though, the study explored how statist inter-ethnic transformation of politics in the management of inter-ethnic conflict in Bungoma addressed the political root causes which forced it to fall back in the history, as was guided by (Lederach, 2003) . The study specifically addressed the competing politics between the Bukusu and Sabaot because inter-ethnic political hostility and violence in Bungoma County followed first, rival neighbouring Bukusu and Sabaot communities and later engulfed other communities into the conflict either perceived as supporting one of the conflicting communities or was 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 protracted and intractable inter-ethnic political contests embittering them to either of the conflicting communities, Bukusu or Sabaot in Bungoma in the period under review. Tachoni like other minority Luhya communities found in the Mt. Elgon region were politically classified amongst the Bukusu. This was partly due to their similarity in language, cultural practices, and political affiliation. Though the study evaluated peace-building strategies employed in the management of inter-ethnic political conflicts in Bungoma County since 1963 but the first part of the study falls back in time as guided by Galtung, to establish the evolution of inter-ethnic negative attitudes of politics, its manifestation and peacebuilding thereof (Galtung, 1996). The year 1963 is significant to this study because first, it marks a new dawn of independence yet with violent inter-ethnic politically inclined conflict in Bungoma under African leadership. Moreover, the political contests acquired a national as well as its effect broadened to include other minority communities. The year 2010 is a significant date to this study because it marks not only the promulgation of Kenya's new constitution but sets the new foundation for new political structures for inter-ethnic

conflict transformation nationally and specifically in Bungoma.

In its exploration, the study was guided by a conceptual framework underpinned by two complementary theories. Lederach’s Conflict Transformation which explores the transformation of conflict to peacebuilding by taking into account the role played by different people from grassroots, middle and top level military, religious or political leadership. The second was Galtung’s theory of Conflict Triangle within the three aspects of Attitude (A) Contradiction (C), Behaviour (B), which underscore not only the emergence, growth and manifestation of politically inclined conflict in this case but conversely pinpoints at areas of intervention, (Galtung, 1996, Lederach, 2003)

METHODOLOGY

The study used descriptive research design which helped the researcher to not only establish facts which emanated from the influence of statist inter-ethnic transformation of politics in inter-ethnic conflict management in Bungoma but also describe the state of affairs as existed by identifying, capturing and accounting for political frequencies, trends and patterns, (Kombo & Tromp, 2006). The study was conducted in Bungoma County in Kenya. The County covers 2206.9 km² with total population of 1,375,063 consisting of about 172, 377 Sabaot and about 1202686 Bukusu Census of (KNBS 2010). The area was chosen because, for many years it has witnessed recurrence of conflict and peace building initiatives engaged by both the elders, state and non-state agents since pre-colonial, colonial and post-colonial Kenya. The County has nine constituencies, Mt. Elgon, Kimilili, Kanduyi, Kabuchai, Bumula, Sirisia, Webuye East, Webuye West and Tongaren, therefore led by nine MPs and forty-five County Assembly Wards. The study population consisted of the population of the entire Bungoma County 1375065 for which the findings were to generalize to, (KNBS 2010). The study targeted the whole county because inter-ethnic politically related conflicts in the region have been protracted and intractable. Having started in pre-colonial Kenya, conflicts have multiple causal levels, strati, dimensions including sub states hence its expansion has affected various generations, regimes and regions including neighbouring states particularly Uganda, (Kenya Land Commission Report (KLC), 1934). 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 calculated using Yamane formula of sample sizes, (Yamane, 1967) and distributed proportionately and randomly.

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

where n= sample size N= population size

(e) = significant error (± 0.05)

$$n = \frac{1375065}{1 + 1375065 (0.0025)^2} = 400$$

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 additionally 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 10-30% is ideal representation of a target population. Consequently, using 10-30% of each targeted population category the researcher was able to obtain the desired information from respondents as shown in the Table 1.

Table 1: Summary of Study Population Units

POPULATION CLUSTER	Population SIZE (X)	SAMPLING STRATEGY	SAMPLE SIZE DETERMINATION $X/26561 \times 400$	DATA COLLECTION
Elders	25070	SRS PURPOSIVE	377	SRS 263 Questionnaire (263) FGD

				PURPOSIVE VE 113	Interview (113)
So officials	690	SRS	10		Questionnaire
Clergy	600	PURPOSIVE	9		Questionnaire
IDP officials	20	PURPOSIVE	1		Interview
Senior Police	20	PURPOSIVE	1		Interview
County/ Sub-County Commissioner	9	PURPOSIVE	1		Questionnaire
Chiefs	44	PURPOSIVE	1		Interview
Assistant Chiefs	128	PURPOSIVE	2		Interview

Proportionate Distribution of Elders questionnaires are shown in Table 2

Table 2: Population of +65 years and Questionnaire and interviews Distribution Per Sub-County

SUB-COUNTY	OVER 65 YEARS	Distribution of Questionnaire Interviews	
Kimilili	2944	31	13
Bungoma North	3129	33	14
Bumula	3696	39	17
Bungoma Central	2718	29	12
Bungoma South	3288	34	15
Bungoma West	2014	21	9
Webuye East	1975	21	9
Webuye West	2221	23	10
MT Elgon -Kapsokwony-Kopsiro and Cheptais	3085	32	13
TOTAL	25070	263	113

Source: Researcher (2016)

The 10 questionnaires for CSOs were randomly distributed, except for Bungoma North which received 2 questionnaires because of her population the rest had 1 each per Sub-County. 9 questionnaires were filled by the clergy one each from the 9 Sub-Counties. Except for the 2 Assistant Chiefs interviewed, Chiefs, Senior Police officers, and IDP officials one each was interviewed. 3 Focus Group Discussion were equally included; one each at Kimilili, Kapsokwony and Cheptais.

Both primary and secondary data were consulted. Primary data were collected directly from respondents through the questionnaire and interviewing elders, clergy, CSOs officials, Sub-County Commissioners, Chiefs, Assistant Chiefs, IDP officials and Senior Police officers. The questionnaire was used on literate elders, CSO officials, Sub-County Commissioner and Assistant Chiefs. Structured interviews were used to ensure that reliable, in-depth, systematic, comprehensive, and quantifiable information was acquired. Focus Group Discussion involved discussions of distinct homogenous groups of six elders from the Bukusu, Sabao, Tachoni and Teso both men and women, including IDPs. This allowed freedom of discussion, (Cohen & Swerdlik, 2005).

The secondary data, involved interrogation of published records, reports and unpublished works with a view to corroborate with interview findings. 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, Krieger 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.

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 instruments by ensuring that the content of questions, wording and sequence on interview schedule were correct, (Gall et al, 1996). In line with Weiner, (2007), reliability of research instrument 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), internal and external data validation was achieved through critical and accurate analysis and interpretation of data, (Lincoln & Guba, 1985).

Quantitative data was analysed using MS excel which enabled the researcher to prepare statistical abstracts with clear constructs embedded. While, Qualitative data analysis involved studying collected notes, organize them by looking for cross-cutting issues and trends, checking emergent patterns, corroboration, verifying and networking various parts of data. The results of the data were presented in chapters in accordance with the study objective. The limitations of the study was suspicion from IDPs who lost livestock, land and their loved ones, some of whom fall back to 1963. Expenses, in terms of Bungoma a vast region with a host of people with diverse languages, the researcher, engaged translator, detailed introductory procedures and sticking on research ethics where respondents were assured of confidentiality and, that through such studies, new findings will guarantee peace for future generations, (Okoth, 2012, The National Commission for the Protection of Human of Biomedical and Behavioral Subjects Research, 1979).

FINDINGS AND DISCUSSIONS

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. As gathered from responded 19 in 2018; the 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).

According to the responded, 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. According to respondent 19 in 2018, the Sabaot *Oloibon* had forewarned them against engaging into conflict with the Europeans whose weapons, he 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). Equally significant, as gathered from respondent 8 in 2018, not many Sabaot had been prepared for nationalism because not many of them had acquired western education early enough compared to their counterpart the 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.

Respondent 19 interviewed in 2018, observed that, 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, Aseka, 1989). According to respondent, 28 in 2018, 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. 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. According to respondent 19 in 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). As gathered from respondent 21 in 2018, 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. As was gathered from respondent 66 in 2019, 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). Respondent 19 in 2018, observed that 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, according to respondent 7 in 2018, as it became clear that independence was imminent ethnic fissures between the Bukusu and Sabaot became pronounced (Respondent 7:2018). According to responded 19 in 2018, it was at this time that Muliro and the new Sabaot leader Daniel Moss got engulfed into an ethnic contest over the administrative 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). In addition, responden 19 in 2018, further observed that, 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). Responded 8 in 2018, explained that, 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 in Bungoma 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, Aseka, 1989). This was despite, the party's core objective underscoring repossession of crown land including unused land by the Africans (Kakai, 2000). Respondent 19 in 2018, argued that 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 Ondinga 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. As gathered from responses of respondent 21 in 2018, 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 in Bungoma, (Korwa, 1998). Respondent 7 in 2018, argued that the ethnic kings born out of nationalist's 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). Respondent 8 in 2018, argued that, 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). Respondent 2 in 2018 explained that, this was further strengthened when the constituency boundaries were aligned to ethnic boundaries between the Bukusu and Sabaot (Respondent 2:2018). Respondent 57 in 2019 asserted that 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). Respondent 21 in 2018, observed that 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), 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 (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. 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). The division between KANU and KADU fueled Bukusu and Sabaot dispute because the two communities belonged to the two ideologically separate political parties. 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. 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.

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

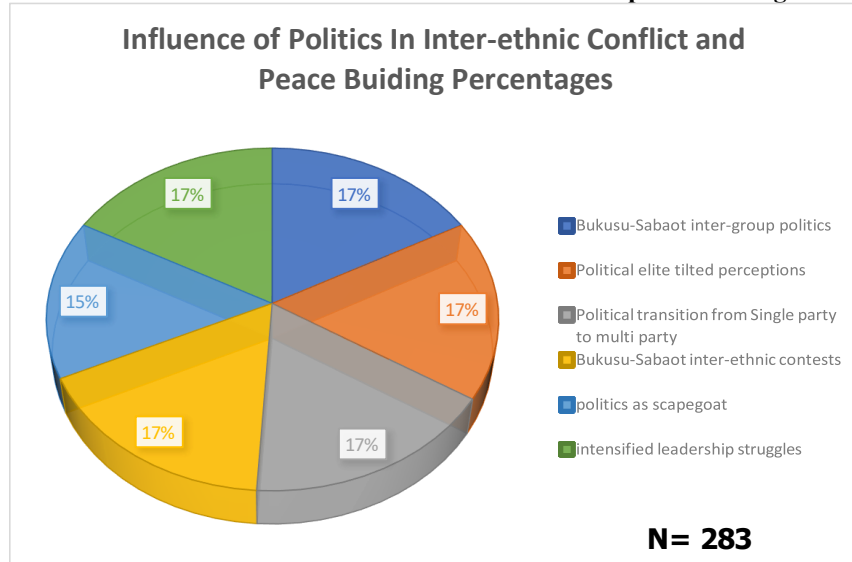


Figure 1: Influence of Politics in Inter-Ethnic Conflict and Peacebuilding Percentages

A retired Senior Chief responded 21 in 2018, 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 live 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). Responded 19 in 2018, observed 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. Responded 2 in 2018, observed that, 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 quantitative 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 (CKRC), 2005). As was gathered from respondent 21 in 2019, it is important to start by falling back into history 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 regulate or take care of minority and majority political interests in Bungoma, (Respondent 21:2019).

Respondent 15 in 2018, observed that prior to the creation of Bungoma district ethnic tension within communities was widely spread out, (Respondent 15:2018)). While respondent 8 in 2018, observed that 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 administratively at the defunct province and at the National Assembly. Respondent 19 in 2018, explained that 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. 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). According to respondent 55 in 2019, the Sabaot comparative to their education and numerical strength in relation to the Bukusu they were lucky to be 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, (Respondent 55:2019). 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 in 2018, argued that, Kenyatta's divide and rule policy resulted in the integration of the Sabaot at the exclusion of the Bukusu (Respondent, 19:2018). The Truth Justice and Reconciliation Commission report concurs with this finding that Kenyatta's administration was responsible for the 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). Respondent 10 in 2018, asserted that, 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). While respondent 66 in 2019, argued that, 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). Respondent 19 in 2018, observed that, 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 guarantee 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. As was observed by respondent 19 in 2019, 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 proportional 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.

CONCLUSION

The initial alignment of Bukusu-Sabaot into nationalist and later political realignment of the two inter-ethnic archrivals at independence in 1963, it set the pathway upon which the state mutated from precipitating inter-ethnic related political conflicts to glimpses of merging of politics and peacebuilding goals among communities in Bungoma County. This was felt through restructuring of inter-ethnic; politics, political leadership, electoral reforms, inter-communal

political reforms and transformation of one-party to regulated multiparty politics in Bungoma. However, peacebuilding remained elusive underscored in the challenges ranging from the negative political legacy of colonialism to inter-ethnic iniquities in politics in Bungoma County.

RECOMMENDATION

The study recommends, strengthening of affirmative action in politics, inter-ethnic inter-generational political hybridization, regional and national integration of inter-ethnic diversity policies in politics. The government to detach Bukusu-Sabaot inter-ethnic boundaries from political demarcation. Suggestion for further research to examine the post-2010 inter-ethnic legal implementation of inter-ethnic integration of politics in management of inter-ethnic conflict in Bungoma County.

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