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Influence of Statist Inter-ethnic Economic Transformation in the Management of Inter-ethnic Conflicts in Bungoma County, Kenya

*Mulati Job Chebai & Crispinous Iteyo
Department of Peace and Conflict Studies,
Masinde Muliro University of Science and Technology,
P.O Box 190 – 50100 Kakamega, Kenya
job.mulati@yahoo.com; citeyo@mmust.ac.ke*

Abstract

Globally, disputes over economic resources often complicated inter-ethnic conflicts. In Kenya, specifically in Bungoma County inter-ethnic economic reasons underpinned 1963 including 1992 conflicts. Objective of the study was to examine the influence of statist inter-ethnic economic integration in management of inter-ethnic conflict in Bungoma. A conceptual framework underpinned by Lederach's Conflict Transformation and Gultang's Conflict Triangle guided the study. A descriptive research design was applied. The study was conducted in Bungoma County. Population was sampled by Simple Radom and Purposively. The sample size of 400 participants used was derived from 1375065 population using Yamane 1967 formula. Questionnaires, interviews, Focus Group Discussions and document analysis were instruments used. Microsoft Excel, thematisation, corroboration and verification analysed data. The findings were: Unlike eldership 42%, intermarriage 23% and culture 20%, 15% of respondents agreed that trade initially influenced inter-ethnic co-existence. Its role was alienated and differentiated by colonization. Statist inter-ethnic economic transformation mutated from inter-ethnic inequitable: Economic distribution and access to lack of resources and high population all rated at 16% to inter-ethnic economic political neglect 21%, economic stagnation 15% and competition over resources 17%. Inter-ethnic economic integration diversity policies identified were to be guided by economic equity, population spread and affirmative action. Challenges established were inter-ethnic iniquities in economic, education and development. The study recommends enforcement of inter-ethnic equity policies in resource distribution, jobs and in development.

Key words: Statist; inter-ethnic transformation; economic transformation; conflict management; inter-ethnic economic integration; equity

1. Introduction

Disputes over resources have often defined conflicts globally. For instance, Britain Protestant-Catholic conflict of 1534, had an economic dimension. Yugoslavia's inter-ethnic conflict with an economic dimension led to the collapse of a federal state and the establishment of other political units as a way of enhancing conflict management (Vesna, 1996). Canada's linguistic clashes between the English and French-speaking Canadians, had an economic and political dimension falling back to 1756 of the British-French economic imperialist expansionist contests. USA is yet to overcome overly racist economic inclined inequality conflicts between the people of colour and the white population (Sandra, 2003). Israel-Palestine territorial conflicts have been raging on notwithstanding regional and international peacebuilding efforts (Yannis, 2018).

In Africa, inter-ethnic economic contests underpinned Congo, Mozambique, Angola, Ethiopia including Uganda and Rwanda's conflicts. Federating Eritrea to Ethiopia by the United Nations Organization (UNO) as a means of settling inter-communal political hostility and enhancing conflict management failed (Ghebrehiwet, 2009). Ethiopia is yet again experiencing another politically motivated wave of conflicts in Tigray, (Michelle, 2021). Whereas, Mozambique peacebuilding involved integration of peacebuilding and state-building goals as a way of enhancing coexistence,



Rwanda's, peace-building fell back to indigenous economic inclined peace-building *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).

From the literature reviewed, Nitze (2011), argues that mounting economic iniquities lead to an escalation in conflict. Besides, Michael (1998) observes that high unemployment, inflation, and resource competition cause conflict. Moreover, Sylvia, C., Larry, D., Ramulo de la Rosa., Mara, S., (2003) noted that rivalry among communities with incompatible ideas over the territory often cause tribal, clan, military, family, and individual conflicts. Furthermore, Grusky & Jasmine. (2018), observes that differences in wealth between parties, communities, groups inject status considerations into conflict. Additionally, Choucri (2008), observes that unplanned population, particularly the youth may lead to competition for scarce resources since population exerts pressure increasing tension and conflicts. Similarly, Mweyang (2011), argues that the unemployed youths were the most vulnerable. Population pressure burdens the internal development agenda, frustrating investment (Choucri, 2008). Hence, Rummel (1979) observes that society characterized by economic growth has less probability of conflict and that economic diversity improves inter-group and inter-ethnic relationships. 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.

The study's knowledge gaps established were: How inter-ethnic mounting economic inequalities, discriminatory economic conditions, disputed territories, inter-ethnic economic rivalry, fluctuations in national trade and unplanned population growth both influenced inter-ethnic conflicts and statist peacebuilding strategies in Bungoma. Specifically, in Bungoma, statist inter-ethnic economic transformation in the management of inter-ethnic conflict in Bungoma County has been ineffectively long. Despite independence in 1963, the conflicts acquired both national and violent inter-ethnic economic and socio-political dimension. KANU and KADU political party contests situated communities against each other in Bungoma. In 1992 instead of anchoring inter-ethnic economic structures in newly introduced multiparty democracy, the County lapsed into unparalleled violence. Though the disputes revolved at land and inter-ethnic socio-economic inequalities but it remained elusive to statist peacebuilding strategies. This background contradicts the conventional approach which argues that statist inter-ethnic economic integration has a stake in inter-ethnic social, political and economic integration and cohesion. The objective was to examine the influence of statist inter-ethnic economic integration in management of inter-ethnic conflict in Bungoma County, while accounting for the question: -What is the effect of statist inter-ethnic economic integration in management of inter-ethnic conflict in Bungoma County.

The study's findings fill the knowledge gap as it enriches Ministry of Interior and National Coordination, the Non-Governmental Organizations (NGOs), Faith Based Organizations (FBO) and Community Based Organizations (CBOs). The study integrates interpretivism philosophical approach which underscore that reality can be accessed through social perceptions including language, shared meanings and consciousness. The study was guided by a conceptual framework underpinned by two complementary theories, Lederach's Conflict Transformation, explores transformation of conflict to peacebuilding by taking into account the role played by different people from grassroots, middle to top level military, religious or political leadership. While, Galtung's theory of Conflict Triangle underscores emergency of conflicting Attitude (A) Contradiction (C), to manifest Behaviour (B), but conversely pinpoints areas of interventions (Galtung, 1996, Lederach, 2003).

2. Methodology

The study used descriptive research design hence accurately ascertained the influence of statist inter-ethnic economic transformation in management of inter-ethnic conflict in Bungoma, describes the state of affairs as it existed as well as formulates important principles of statist inter-ethnic economic integration (Kombo & Tromp, 2006, Orodho, 2003).

The study was conducted in Bungoma County, Kenya. The County covers 2206.9 km² with total population of 1,375,063 consisting of 172, 377 Sabao and about 1202686 Bukusu Census of (KNBS 2010). For many years, the area has witnessed recurrence of economic cum political inclined conflict coupled by statist and non-statist peace building initiatives.



The study population was the entire Bungoma County 1375065 (KNBS 2010). The sample size was calculated using Yamane formula of sample sizes, (Yamane, 1967).

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

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 which gave each respondent equal chance of inclusion in the population, (Kothari, 2004). Additionally, purposive sampling captured information rich cases (Kombo & Tromp, 2006). As recommended by Mugenda & Mugenda, (2003), using 10-30% of each targeted population category the researcher was able to obtain the desired information from respondents as shown in the Table 1.1

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 PURPOSIVE 113	Questionnaire (263) FGD Interview (113)
CSo 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

Table 2: Distribution of Elders 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

The 10 questionnaires for Civil Society Organizations (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 (Cohen & Swerdlik, 2005). Secondary data, interrogated 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, Census reports since 1969, ministerial and departmental annual reports including civil society organization reports.

Validation of research instruments involved: piloting to pretest accuracy of instrument, expert judgment which improved content of questions, wording and sequence, (Gall, M. D, 1996, Mugenda & Mugenda, 1999). In line with Weiner, (2007), reliability of instrument was determined on recommended scale of 0.7. Furthermore, prolonged field interviews, triangulation of data sources, methods, consensual validation and corroboration increased the reliability of instruments, (Whittemore, 2001, Lincoln & Guba, 1985, Creswell & Poth 2013).

Studying collected notes, checking for cross-cutting and emerging patterns, trends and corroboration, verifying and networking various parts of data and Microsoft Excel enabled the researcher to analyse data including preparing statistical abstracts. Limitation to the study were expenses, vast region, diverse languages and suspicion from IDPs however the researcher, engaged translator, detailed introductory procedures and assurance of confidentiality to respondents (Okoth, 2012, The National Commission for the Protection of Human of Biomedical and Behavioral Subjects Research, 1979).

3. Findings and Discussion

3.1 Nature of Inter-ethnic Conflict, Peacebuilding and Economic Transformation in Bungoma County

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)



3.1.1 The Nature of Inter-ethnic Communal Structures and Inter-ethnic Conflict in Bungoma

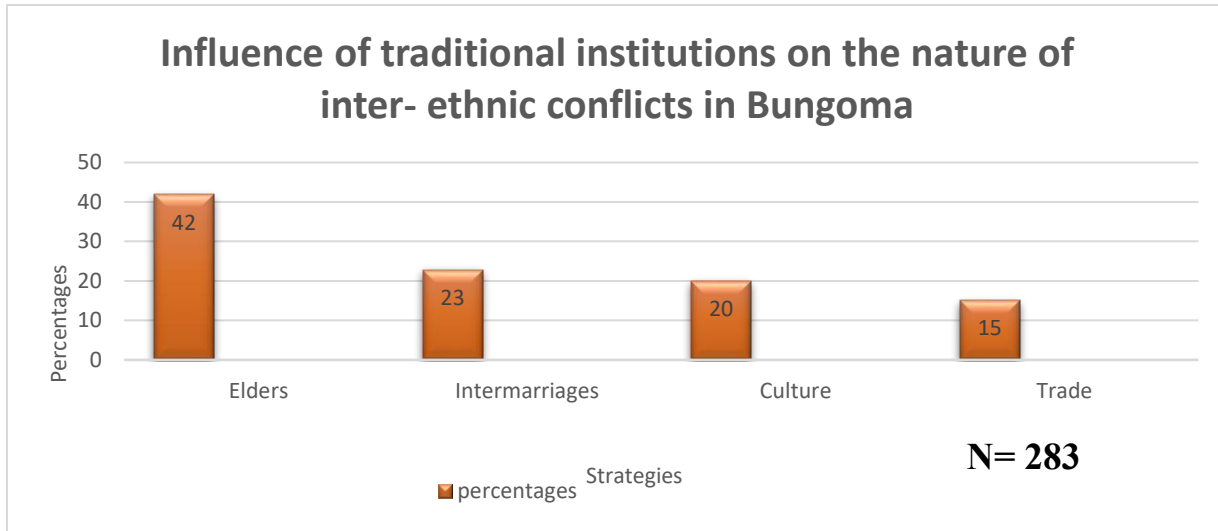


Fig.1: Influence of Traditional Institutions on the Nature of Inter-ethnic Conflict

3.1.2 Influence of Inter-ethnic Trade on the nature of inter-ethnic conflict in Bungoma County

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 largely because of trade as its scores were comparatively low from the elders interviewed as shown figure 3.1. 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). 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. Earlier, 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 and reinforced.

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

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 (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 (Kisembe, 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). As noted by respondent 8 in 2018: '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 (Respondent 7:2018, Kisembe, 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 from Cheptais 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 in this region 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 contestation 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 Bongomek who had interacted with the Luhya for long and some had been assimilated into Luhya could have contributed to the presence of some names though not all of them (Wandiba, 1996 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, 1992). 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 and peacebuilding in Bungoma County several decades later.

3.3 Integration of Colonial 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 (Respondent 21:2018). 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.

3.4 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, 2011). 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, though a limited resource yet it was the key economic resource which conferred wealth and strategic advantage to the Bukusu, Tachoni and Sabaot and hence ethnic identity. 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. For example, 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). IBEA Company was allowed to use land for all agricultural purposes including grazing land. The 1897 East Africa Land Regulation allowed European 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 (Wafula, 1981). In 1913, the colonialist recognized Africa settled areas as Africa reserves. By 1915, land lease for the Europeans was made more lucrative by increasing the lease from 99 years to 999 (Wafula, 1981).

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). 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 (Anderson, 2005). By mid-1930 a



fifth of usable land, largely including Trans-Nzoia, 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 in Bungoma.

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 for 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 (Makila, 2004). *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, 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 them (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.



3.5 Influence of Independent Statist Inter-ethnic Economic Transformation in management of Inter-ethnic Conflict in Bungoma County

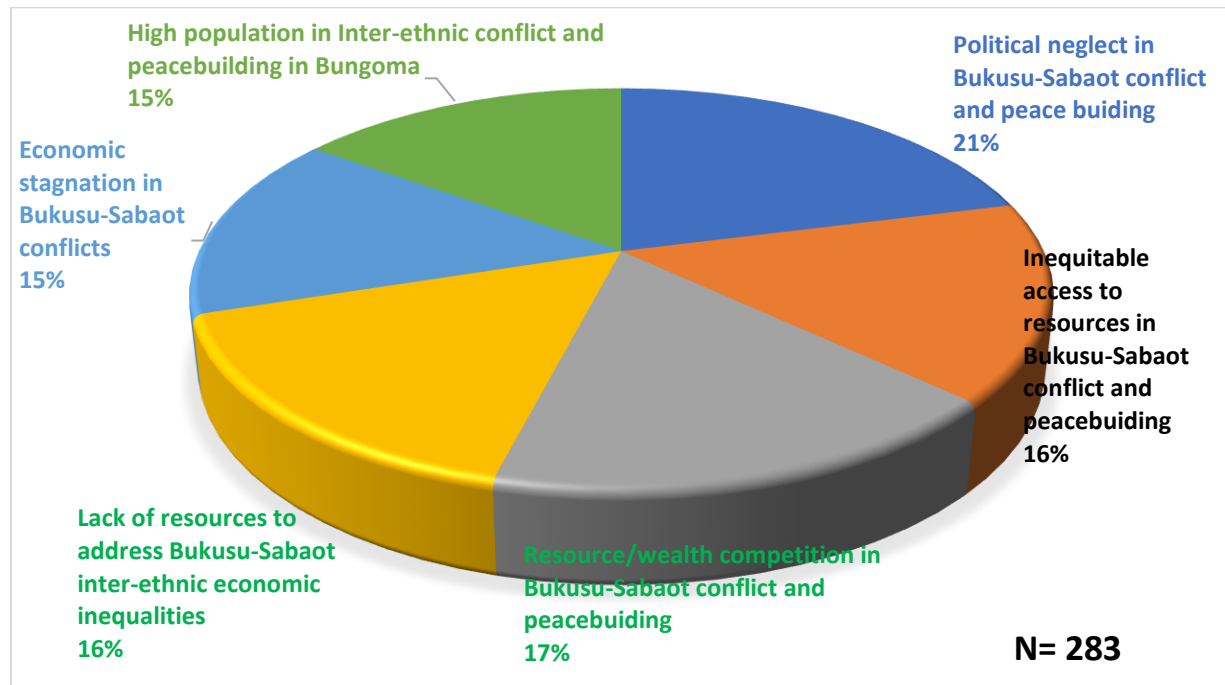


Fig 2: Economic Factors in Inter-ethnic Conflict and Peace building

It follows therefore, that economic resources influenced inter-ethnic conflict and peacebuilding starting from pre-colonial, colonial to independent contrasting development between the Bukusu-dominated lower Bungoma and upper Mt Elgon of the Sabaot. 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.

3.5.1 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 inter-ethnic economic development particularly 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.

3.5.2 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 regions 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, Sabaot, Teso, Tachoni and other smaller communities in Bungoma County (National Cohesion and Integration Act no.12 of 2018).

4. Conclusion and Recommendations

4.1 Conclusion

Colonial and post-colonial government's socio-political and economic structures worked at cross purpose with indigenous inter-ethnic economic and subsequent inter-ethnic economic integration. Evolved traditional economic pillars of inter-ethnic integration exemplified in inter-ethnic trade and ethnic land tenure and use was alienated, differentiated and clipped by the Colonial and Post-colonial governance. As a result, skewed inter-ethnic inequitable resource allocation specifically in Bungoma polarized communities along ethnic lines and by extension compromised peacebuilding and inter-ethnic conflict management. Equitable inter-ethnic economic development including affirmative action are prerequisite for inter-ethnic economic integration.

4.2 Recommendation

The study recommends enforcement of inter-ethnic economic equity policies in resource distribution, jobs and development. The government survey and register all land in Bungoma County and detach Bukusu-Sabaot inter-ethnic boundary from political cum administrative boundary. Further research, to examine the statist inter-ethnic legal implementation of post 2010 socio-political and economic integration of communities in Bungoma County.

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