ETHNIC CONFLICTS IN STABILITY AND DEVELOPMENT IN KENYA: ACASE STUDY OF KITALE TOWN, TRANS-NZOIA DISTRICT KENYA

A   Thesis

Presented to the School of

Postgraduate Studies and Research

Kampala International University

Kampala, Uganda

In Partial Fulfillment of the Requirements for Award of the Degree of

Master of Arts In Conflicts Resolution

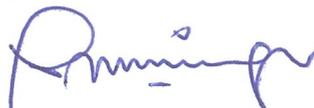and Peace Building

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By:

Rev. Jacob Asige Chavulimu

MCR/10009/81/DF

August, 2011.

DECLARATION A

"This dissertation is my original work and has not been presented for a Degree or any other academic award in any University or Institution of Learning".

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"I/We confirm that the work reported in this dissertation was carried out by the candidate under my/our supervision".

Dr. Mwariku Rosean

Name and Signature of Supervisor Name and Signature of Supervisor

_____ _____

Date Date

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This dissertation entitled"_____"
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examination with a grade of _____.

Dr. Mwaniki Roseann Mwaniki
Name and Sig. of Chairman

Dr. Mwaniki Roseann
Name and Signature of Supervisor

Dr. Aleey Thoho
Name and Signature of   Panelist

Dr. Abuga Moxono Isaac
Name and Signature of Panelist

_____
Name and Signature of Panelist

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Grade: _____

_____
Name and Signature of Director, SPGSR

_____
Name and Signature of DVC, SPGSR

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DEDICATION

This book is dedicated to my beloved wife Tabithah Simani Asige, my mother Loida Kadenyi Chavulimu and my children Alexander Asige, Edwin Asige and Chrispine Chavulimu for their patience and understanding during the period of the study.

ACKNOWLEDGEMENT

ABSTRACT

During the Past 10 years (2000 -2009) perennial conflicts involving the communities of Western Kenya have assumed an increasingly violent nature. In most cases the conflicts have resulted in the deaths of dozens of men, women and children and the theft of thousands of livestock. The purpose of the study was to investigate the implications of ethnic conflicts on stability and development in Trans-Nzoia District in Kenya. Objectives of the study were to investigate the historical causes of tribal conflicts in Kenya; establish the consequences of ethnic conflicts in Kenya; to establish the government response and other stakeholders to the ethnic conflicts in Kenya; and to identify strategies for conflict management to the ethnic clashes in Kenya. The methods used are questionnaires and interview guides for data collection. The study found out that Conflicts between Communities living in Trans-Nzoia were perennial since 2000.The Pokot were involved in fighting with the Marakwet, the Marakwet and Nandi and the Nandi could clash with the Sabawoot within the period while other non-Kalenjin tribes suffered as a result. The cause for some of these conflicts came as a result of what the government termed as equipping the pastoral communities with guns so that they retaliate over cattle rustlers which turned up to be weapons against one another. The study recommended that any person whether licensed or not who employs a fire-arm to gain undue advantage must be restrained. In this case we recommend that further studies be conducted to find ways and means by which the indignity that a victim of the illegal use of Small Arms and Light Weapons is subjected to could be termed as atrocity and/or a terrorist act punished under international law.

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CHAPTER ONE

THE PROBLEM AND ITS SCOPE

Background of the Study

It is a historical fact and current reality that most Kenyan districts are haunted by actual or potential ethnic conflicts. This is partly because of the fact that different communities continue to consciously or unconsciously rely on ethnicity to perpetuate their dominance and hegemony in an atmosphere characterized by scarce resources, fear and prejudice. The proliferation of ethnic conflicts in this country is so widespread that there is hardly any region where the problem has not reared it's ugly head: Western, Rift Valley, Nyanza, Coast, Central, North Eastern, Eastern and even Nairobi. Green, 1993.

The necessity for a new vision in approaching the issue of ethnic conflicts and their management cannot therefore be overemphasized in this context. From the recent experience as well as studies carried out on ethnic conflicts in Kenya and the Greater Horn of Africa, there is increasing evidence to suggest that even where it has been brought under control psychological trauma (i.e. fear and suspicion) left behind are seldom healed, especially among children and women. This research will offer some empirical evidence to confirm the psycho-social and other effects of ethnic conflicts as well as their implications to stability and developments in Kenya. Burrow & Infield, 2001.

Nothing raises so much fear and apprehension in Kenya as the spectre of fresh `ethnic conflicts'; similar to those that rocked the country in the build-up to the 1992 multi-party general elections and after. The wave of inter-ethnic conflicts in the Rift Valley, Nyanza, Western and some parts of the Coastal provinces went down in Kenya's history as the worst since independence. The notion that violence may arise prior to and after the 1997 General elections has made the issue of `ethnic conflicts'

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a very sensitive, yet important subject for discussion, aimed at formulating policy options for conflict management. Kenya Land Alliance, 2002. Indeed, whenever the issue is raised, there has often been panic, confusion and skepticism, within the government, opposition as well as within the entire public circles.

Statement of the Problem

During the Past 10 years (2000 -2009) perennial conflicts involving tribes have assumed an increasingly violent nature. In most cases the conflicts have resulted in the deaths of dozens of men, women and children and the theft of thousands of livestock. Law enforcement agents have also been among the dead and injured. All the raids and counter-raids are staged with modern day weaponry as opposed to the traditional spears, bows and arrows that have featured historically in the contests for dominance amongst these peoples

During the period under review, local and national initiatives have been undertaken as measures of peace building but have always not yielded the sustainable peace that is always the goal of the initiatives. At the core of the matter are questions of cultural and social practices that are internal to the communities and their allies and safety and peace enforcement imperatives that are overseen, if not imposed by the state. Unfortunately, apart from the gigantic waste, ethnic conflicts creates in terms of human and material resources, they cannot be resolved militarily. This study therefore seeks to establish the impact of past and potential ethnic conflicts on Kenyan's stability and development.

Purpose of the Study

The purpose of the study was to investigate ethnic conflicts, stability and development of Kitale Town, Trans-Nzoia District in Kenya

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Research Objectives

1. To investigate the historical causes of ethnic conflicts in Kenya
2. To establish the consequences of ethnic conflicts in Kenya
3. To establish the government response and other stakeholders to the ethnic conflicts in Kenya
4. To identify strategies for conflict management to the ethnic clashes in Kenya.

Research Questions

1. What are the historical causes of ethnic conflicts in Kenya?
2. What are the consequences of ethnic conflicts in Kenya?
3. What has been the government's response and other stakeholders to the ethnic conflicts in Kenya?
4. What are the strategies for conflict management to the ethnic clashes in Kenya?

Scope

The study generated pertinent information on the implications of past and potential ethnic conflicts on peace and sustainable development as well as strategies for mitigation as well as strategies for conflict management in Kenya. It was carried out in Kitale Town, Trans- Nzoia District. Kitale is an agricultural town in western Kenya situated between Mount Elgon and the Chereng'ani Hills at an elevation of around 7000 feet. Its urban population was estimated at 220,000 in 2007. It is the administrative centre of the Trans-Nzoia District of Rift Valley Province. The main cash crops grown in the area are sunflower, tea, coffee, seed beans and seed maize. Kitale is a market town for the local agricultural area and is known for the Kitale Museum and an agroforestry centre. Saiwa Swamp National Park lies near the town. The town was founded in 1908 by white settlers. A branch line of the Uganda Railway from Eldoret reached Kitale in 1926 which promoted growth of the town. Kitale is among the most diverse towns in the country. The study covered

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most parts of Kenya that were affected by the ethnic conflicts (or clashes) between 2000 and 2009. The study was carried out for a period of two months that is in March and May 2011.

Significance of the Study

The information contained in this Research should enable the government, policy makers, donor agencies like USAID, churches, non-governmental organizations, local and international civic institutions, traditional community institutions, and other interested parties to identify:- structural, legal, social, political, economic, cultural, religious and other impediments to national and regional stability as well as sustainable development. This is an enormous challenge to researchers, scholars, mitigators, policy makers, governments, conflict managers and development agencies in Kenya and the Greater Horn of Africa. However, it is a task which requires serious focus with great urgency to eliminate the creeping culture of violence in the entire Horn of Africa.

Operational Definitions of Key Terms

For the purpose of the study the following terms were defined.

Peace building as defined by the Former Secretary General of the United Nations Boutros-Boutros Ghali encompasses efforts aimed to cease violence, monitor compliance with agreements, and lay the foundation for a conflict-free future.

Conflict is actual or perceived opposition of needs, values and interests. A conflict can be internal (within oneself) to individuals.

Small arms and light weapons (SALW), or "conventional weapons", are those that can be operated by one or two individuals and include handguns, assault rifles, machine guns, grenades and landmine.

CHAPTER TWO

REVIEW OF RELATED LITERATURE

Introduction

This chapter reviews literature as an account of the knowledge and ideas that have been established by accredited scholars and experts in the field of study.

The Concepts of ethnic conflicts

The "ethnic conflict" is frequently used in the ethnology, psychology, political and social sciences and none of those disciplines provided the exact meaning of the phenomenon. Bruce Gilley of the Princeton University has provided the simple explanation of it, and said, "As a concept, corporatism needed to be defined so as to be identifiable, measurable and disprovable. At present the concept of ethnic conflict is none of these things. Definitions range from competing 'meta-narratives of meaning' to violent conflagrations where the combatants display different cultural symbols". Bruce, 2004. Apparently, though the parties involved into the ethnic conflict are identifiable, but it's not clear why the certain conflicts libeled as "ethnic", as the most conflicts between groups of people are mostly caused by social problems or straitened circumstances. That is why most of the experts try to distance from the "ethnic" aspect and try to concentrate on the real causes of the conflict.

Theoretical Perspective of ethnic conflict

The theoretical literature on the sociology of ethnic conflict identifies several causal factors, including contact, Forbes, 1997., internal colonialism, and split labour markets. Competition theory, perhaps the most empirically validated perspective, traces the origins of ethnic conflict to the struggle between ethnic

groups for scare resources, such as jobs, housing, or marriage partners. The theory proposes that when ethnic groups occupy the same ecological niche attempts at exclusion result and conflict ensues. Olzak, 1992. To test their theory, Olzak and colleagues have drawn upon newspaper accounts of ethnic conflicts. Based on event analysis, their work reveals that competition explains the timing and sequence of collective disputes between ethnic groups, such as rioting, lynching, and vigilantism.

Related Studies on Ethnic Conflicts

Historical Causes of Ethnic Conflicts

As earlier observed the causes as well as the consequences of ethnic conflicts that took place in Kenya may not render themselves easily to categorization. This is perhaps because of the fact that the practice of ethnicity is subterranean most of the time. Nevertheless, it is common knowledge that such causes and consequences must fall under broad categories such as social, economic, political, religious, environmental as well as psychological realms of life.

One of the long term causes of the clashes in Kenya is attributed to the colonial legacy, which is essentially historical but with ramifications in the post independence era. It is a historical fact that the indirect rule administered by the British colonialists later turned out to be the `divide and rule' strategy which polarized the various ethnic groups in Kenya. This in turn contributed to the subsequent incompatibility of these ethnic groups as actors on one nation-state called Kenya. It was unfortunate that the early political parties in Kenya that championed the nationalist struggle against colonial establishments were basically

`distinct ethnic unions'. The Kikuyu for instance, formed the Kikuyu Central Association (KCA), the Akamba formed the Ukambani Members Association (UMA), the Luhya formed the Luhya Union (LU), the Luo formed the Young Kavirondo Association (YKA), the Kalenjin formed the Kalenjin Political Alliance (KPA), the Coastal tribes formed the Mwambao Union Front (MUF), Taita formed the Taita Hills Association (THA), in that order of ethnic conglomerations. Diamond, 1999. As a result of the foregoing ethnic trends, a situation prevailed in this country in which a common political voice was not possible.

At the dawn of independence, African leaders ascended to governmental structures which had been intended to preserve the colonial administrative legacy. These leaders were armed with the Western Constitution and ill-trained manpower to soldier on and make provisions for the enlarged nation-state, now encompassing diverse ethnic groups with variegated interests. As if this was not enough, Kenya, like most other African countries, inherited from the colonialist's scarce national resources, inadequate infrastructure, inadequate human resource capacity, inadequate capital, inadequate education and health facilities, among others. The scramble for the scarce national resources and facilities intensified and ethnicity became the main vehicle through which the dominance and preservation of power as well as resources could be achieved. Nyukuri, 1995. Indeed, leadership (i.e. ruling elites) in post colonial Kenya has often relied heavily on ethnicity to remain in leadership positions or settle a dispute with their perceived enemies.

Land is yet another source of ethnic conflicts in Kenya, both in the long term and in the short term. For a long time in the history of this country, land has remained a thorny economic and political issue. Various scholars like Christopher Leo and Mwangi wa Githumo, have attempted to provide some explanations as to why land has been a major source of ethnic/political conflicts. Leo, 1984. The land issue has it's origin in the colonial history of Kenya, where the colonialists dreamed of making this part of Africa a white man's country. The colonialists established the

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Kenya protectorate and later on the Kenya colony with the finance that was to be generated from the white settler plantations which covered the highly potential areas of the country. History has it that large tracts of agriculturally potential land (i.e. white highlands) were alienated by the British colonial administration.

As a result of the massive land alienation activities in the early period of colonialism, many of the hitherto cultivating populations were pushed into the `infertile' native reserves that were not conducive for arable farming. The displaced populations lived as farm laborers, casual workers, tenants as well as squatters. The process of land alienation was also extended to the pastoral ethnic groups like the Maasai, Samburu, Nandi, Pokot and other Kalenjin speaking communities.

Like their agricultural counterparts, the pastoralists were pushed to the less conducive reserves. During the period of nationalism and decolonization, land grievances were central to all ethnic groups that actively participated in the struggle for independence. In fact the land question is one of the main factors for the MAU MAU rebellion of 1952 to 1956 in Kenya and the subsequent declaration of the state of emergence by the British. After this historic resistance of land alienation by the Africans, the British became very conscious in dealing with the issue of transferring power to the Kenyans at independence. Indeed, the colonialists were afraid that if the land issue was not handled properly, it could degenerate to civil strife as numerous ethnic groups engaged in the scramble to recover their alienated pieces of land.

The British administration, on the eve of independence, worked out a formula of handing over land to the indigenous ethnic groups in Kenya. The British government established a special grant that was aimed at facilitating the re-distribution of land, particularly in the former white highlands. The transfer on land took various forms, starting from small holdings to medium and large holdings. The obvious expectation during the struggle for independence was that the land would

be freely distributed to the people since it had in the first place, been forcefully taken away from them. But this was not to be the case because under the independence agreement with Britain, the Kenya government was to buy it from the settlers. In fact, the British advanced a loan to Kenya to facilitate this purchase. Nelson & Harold, 1984. That in turn meant that there was no free land for distribution. The price-tag made land very scarce. This is the critical point at which the subsequent; land-tenure became a factor of ethnicity and hence ethnic animosity intensified.

The recent and potential ethnic conflict in Kenya could be attributed to the following trigger factors:

First, although mystery still surrounds the root causes of the recent clashes, one fact that is clear from numerous reports newspaper articles, press statements and other documents is that leadership played a crucial role in fueling these clashes. Indeed, such of what has been written or pronounced in the fore mentioned literature implicates the leadership of the day (i.e. top government officials) top ranking members of the ruling party and opposition parties, some church leaders and other high ranking members of society. Daily Nation, 1992; Kiliku parliamentary Report, 1992; Human Rights Watch, 1993; Murungi Report, 1995; Nyukuri, 1996.

Secondly, the misunderstanding of pluralism and *majimboism* is also a source of ethnic conflicts in Kenya. The re-introduction of multi-party politics in Kenya in the early 1990s had a number of far reaching consequences one of which was the eruption of ethnic clashes in Western, Rift Valley, Nyanza and Coast provinces. This was partially a fulfillment of President Moi's earlier prediction that a return of his country to a multi party system would result in an outbreak of tribal violence that would destroy the nation. Human Rights Watch/Africa November, 1993. It was also because of the misconception of pluralism and *majimboism* by leaders from the ruling party and opposition parties as well as the general public. Beginning with the late 1980s, after the 1988 rigged elections and early 1990s many Kenyan political elites started questioning the quo perpetuated by the one party political

system in the name of Kenya Africa National Union (KANU). They begun to view multiparty political system (pluralism) as a panacea to democratic governance which was and was not the case! It was the case because pluralism could offer a forum for competitive politics and hence guarantee freedom of choice. It was not the case because multi-partism is not synonymous to democracy and single partism is not synonymous to autocracy.

The advent of pluralism in Kenya was misconceived as the advent for democracy as implied in some of the political slogans and ideologies propagated by the various pressure groups and political parties that were formed in the early, 1990s. For instance, FORD was dubbed as the Forum for the Restoration of Democracy, implying that democracy was once full realized, but later destroyed and now pluralism had given the orchestrators a forum to re-capture or reconstruct it. This is misleading in the sense that although the intended meaning may have been good but the apparent implication was questionable. One is triggered to raise a critical question as to when did Kenya ever witness full democracy since her independence in 1963. The same analogy applies to other political parties like DP - dubbed as the Democratic Party of Kenya, SDP - which are the initials for the social Democratic Party of Kenya. The so called champions of these political parties and pressure groups never took enough time to explain to their euphoric supporter the meaning and practice of pluralism, and hence the subsequent confusion, conflict as well as instability.

On the other hand, leaders and supporters of the one party political system in the face of this misconception or confusion were compelled to think that pluralism was a seed bed to chaos and anarchy. Perhaps such fear was justified if we go back to the historical experience of some countries that failed to promote democratic governance in an atmosphere of pluralism. Joinet, 1991. In augmenting Joinet's point Samuel Kobia asserts that "...nor is pluralism a magic wade to introduce a new era of peace and stability. He goes ahead to identify some of the issues in society that can

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be intensified by a multiple - party system. These include corruption, tribalism, and ungovernability. Kobia, 1993.

On Kobia's list we can add nepotism, favouritism, unhealthy competition, hatred, animosity, ethnic conflict, among others. However, we re-emphasize our earlier point that pluralism is not synonymous to democracy. It is neither a root cause of tribal animosity and retardation in development, a thesis advanced by President Daniel Arap Moi and other single party die-hard during the re-introduction of pluralism in Kenya.

The recent ethnic conflicts in Kenya could also be attributed to the calls by high ranking KANU officials for the re-introduction of a *majimbo* (federal) system of government based on ethnicity. Federalism (*majimboism*) as a political system in which a Union of states or regions leave foreign affairs and defence to the central government but retain powers over some internal affairs is not necessarily undemocratic but the federalism system of governance that is based on ethnicity is a threat to any country's unity , stability, and development. In Kenya federalism or *majimboism* has a long history which has been greatly documented. Ochieng, 1985; Ogot, 1976. However, we hasten to assert that the advocates of *majimboism* in the built up for the 1992 elections and after, often called for the expulsion of all other ethnic groups from land occupied before colonialism by the Kalenjins and other pastoral ethnic groups. Weekly Review, 1993; Kenya Times, 1993; Daily Nation, 1993. It is fair to assert that the recent *majimbo* debate was recipe of chaos, ethnic animosity and conflict that be fell Kenya between 1991 and 1995. The country's political history has it that the clashes began shortly after the infamous Kapsabet and Kericho *majimbo* conventions held by prominent Kalenjin and KANU politicians like Hon Dr. Joseph Misoi, Hon. Nicholas Biwott, Hon. Kipkalya Kones, Hon. Henry Kosgey, Hon. Ezekiel Barngetuny, Hon. Wilberforce Kisiero, among others. The *majimbo* meetings were conducted later on in numerous places in the Rift Valley and Coast provinces and it took President Daniel Arap Moi such among time to comment

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on this disastrous and loop-sided debate.

The recent debate on *majimboism* was sparked off in late 1991 by Rift Valley Kalenjins KANU leaders. A part from the fore mentioned, other prominent advocates of *majimboism* were Hon. Timothy Mibei, Nathaniel Chebylon, Hon. Julius ole Sunkuli, Hon. Bishop Daniel Tanui, Hon. Francis Lotodo, Hon. William Ole Ntimama and Hon. Sharrif Nasir of the Coast province. The debate on *majimboism* was deliberately initiated to counter the calls for the re-introduction of pluralism in Kenya. None of the above mentioned leaders of the *majimbo* debate however came on as strongly in defence of the interests of the Kalenjin community as Hon. Nicholas Biwott. Implying that the Kikuyu had threatened the interest of the Kalenjins, a charged Biwot stated that the Kalenjins were there to stay even after president Moi tenure has expired. Weekly Review, 1994.

He was quoted to have said that, "the Kalenjins would not succumb to threats and harassment from any quarter and would fight for equal rights with other Kenyans. The Kikuyus were playing the camel and tent game whereby they now wanted to dominate the same people who had welcomed them in the Rift Valley. He added that it was the Kikuyu community which had instigated the ethnic clashes in the Rift Valley province in order to tarnish the name of the president. He asserted that only *majimbo* could ensure the end of economics exploitation of the minority ethnic groups by the bigger ones. He claimed that Kenyans were for the re-introduction of *majimbo* and predicted that those few who were opposed to the system would be swept aside by the current". Weekly Review, 1994.

Consequences of Ethnic Conflicts in Kenya

Ethnic conflicts often involve serious costs and consequences. Many analysts fear that ethnic conflict is contagious under certain circumstances; meaning that a "bandwagon" can produce ethnic dissimilation within one country by drawing in neighbours and outside opportunists, which in turn can create a "super bandwagon" that heightens the role of ethnicity in successive others, inevitably destabilizing whole regions. Lake and Rothchild, 1998. Indeed, almost half of the 61 ethnic conflicts that began between 1955 and 1998 either preceded or coincided with some other state-failure episode. Some ethnic conflicts instigate a surge of additional ethnic conflicts; others cause governments to collapse; and still others prompt governments to initiate large-scale, indiscriminate killings (genocides or politicides).

However, ethnic conflict only seems to be contagious under certain circumstances. Unless local conditions are ripe for its transmission (for example where states are weak and have not developed effective solutions to their strategic dilemmas, the balance of ethnic power is precarious or the demands made by each side are large and the costs of conflict are small), the spread of ethnic conflict is unlikely. Lake and Rothchild,1998. These conditions seem to apply to much of Africa and in the newly independent states of Eastern Europe and the former Soviet Union. Lake and Rothchild,1998. Additionally, they also apply to the Asia/Pacific region, which has suffered from the largest number of "major armed conflicts" of any region in every year between 1989 and 1997. Reilly and Graham, 2004. Such conflicts can have devastating consequences. Lake and Rothchild, 1998.

Government Response to the conflicts

According to available evidence, the Government made little or no effort to house or assist the victims who were unable to return to their former lands. In an official statement to Parliament in March 1992, six months after the clashes broke

out; Vice President Prof. George Saitoti announced that the Government would provide food and other relief supplies amounting to Ksh. 10 million (US$ 125,000) to the displaced clashes victims. Weekly Review, 1992.

This amount of money was inadequate to resettle and compensate the thousands of victims who had been rendered homeless and without property. There is increasing evidence to suggest that even the above mentioned money was never distributed to the genuine victims of the clashes. In the course of its investigation, the NCCK research team was able to trace the distribution of only a small portion of the quoted sum. Indeed, most of the interviewees denied receiving any relief assistance from the Government. The distribution of relief assistance seemed to depend solely on the transparency, accountability and efficiency of the local government officials and Provincial Administration in the affected areas. Where did the large portion of the money go? Some interviewees were quick to claim that much of the relief assistance went only to those who were well connected to the Provincial Administration, especially the District Commissioners, District Officers, chiefs and their assistants.

Another aspect of the Government's negative response to the clashes was its consistent attack and obstruction of relief agencies and individuals as they attempted to assist the victims. The Central and Local Government authorities, for political reasons best known to them, harassed church and NGO officials who had permitted victims to stay in their premises. For instance, in Burnt Forest, the local Catholic Priest, Fr. Peter Elungata, was summoned to the local police station for questioning by the District Officer, after he had allowed approximately 15,000 people (predominantly Kikuyu, Luhya and Turkana) to stay in his Church compound. Africa Watch, 1993.

The Government also harassed the Tribal Clashes Resettlement Volunteer Service (TCRVS) formed by a prominent environmentalist Prof. Wangari Maathai.

The Government responded to the formation of TCRVS by accusing Prof. Maathai of inciting the clashes. Kenya Times, 1993. The organization intended to initiate a resettlement programme and a reconciliation seminar for clash victims. The Government, however, immediately mobilized its security forces to block off the church where the seminar was scheduled, preventing the victims from gathering.

Moses Ote, the then NCCK relief co-ordinator, faced harassment several times while organising food distribution in the clash areas. In Bungoma District, he was detained overnight on November 18th, 1992, for `instigating the clashes'. On another occasion at Kapkateny, Bungoma District, he was arrested for protesting over the forced dispersal of displaced victims by the then District Commissioner, Mr. Kibiti Rintari.

In May 1993, the police impounded about 6000 copies of Jitegemea magazine, a monthly publication of the Presbyterian Church of East Africa (PCEA). This was done without explanation from its distribution offices and street vendors. Daily Nation, 1993.

Freelance and individual journalists or newspaper contributors who reported on the clashes were not spared police harassment. For instance, Cathy Majtenyi, a Canadian journalist who was doing feature stories on the clashes for the Daily Nation, was attacked by `unknown assailants' in Nairobi after returning with information from the clashes areas on 22nd May, 1993. Daily Nation, 1993.

Religious Response to the conflicts

There was almost a consensus that the Christian faith, with its lofty claims of breaking ethnic and cultural barriers between the people had not made much difference in the way Kenyans live with each other and the Christian unity generally evident in Churches was more apparent than real. Thus, the Christian faith had not

really created genuine communities of faith free from ethnicity and hostilities.

It was observed that there were some variations with regard to how some Christians reacted to social issues like clashes, with most `Faith Mission Churches' such as the Africa Inland Church (AIC) and the Gospel Churches being more passive, while others such as Church Province of Kenya (CPK), Presbyterian Church of East Africa (PCEA) and the Catholics were seriously involved. This influence of various traditions was observable in the Kenyan context with some areas dominated by certain Churches being more pliable to the establishment, while others being prone to resistance activities. Many of the clash areas had been identified with the type of Christianity that tended to support the *status quo* and the establishment. During the clashes, it is true and indeed unfortunate that several Christians did not stand above ethnic conglomerations; others were even mentioned by informants as inciters of the violence. Many of the people interviewed felt that the Christian faith has had very little impact on the way Kenyans lived with each other, notwithstanding the popular notion of 80% of the population in the country being Christians. It was felt by most of the informants that many of the Christians preached water and took wine during the clashes. That they were hypocrites and that many did not practice what they preached to the congregations.

NGO'S and Donor Agencies' Response

One of the major responses of the NGO'S during the clashes apart from intervening with relief assistance was the formation of the NGO Council Ethnic Clashes Network. This network was, by September 1995, changed to Peace and Development Network, otherwise referred to as PEACE-NET. According to the vision statement of the network, the new forum sought to address many societal problems that required special strategies of resolving them other than leaving them till their explosion, as it happened before in Rwanda, Somalia, Burundi and other parts of Africa. The Network has thirty NGO'S affiliated to the Non Governmental Council of Kenya.

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It is recognized by PEACE-NET that it is the inability to negotiate and resolve tensions through legitimate structures and peaceful means that has given rise to persistent violence in Kenya. This has made Kenya a country with a legacy of conflict born out of an ignorance of rights and distortion of its past, culture, religion and identity by irresponsible leaders. According to the Network statement: "Unless Kenyans develop a rationale to address conflicts peacefully, many more Kenyans stand to fall victims of violence from their fellow Kenyans and adds that the major factors accelerating violence in the country are scarcity of land and resources in addition to the culture of irresponsible leadership and governance". The Clashes Update, 1995.

Among the NGO'S represented in this forum included the Federation of International Women Lawyers, People for Peace in Africa, the Catholic Diocese in Nakuru, the CPK Diocese of Eldoret, the NCCK, and the Kenya National Council of NGO'S, among others. The ethnic clashes network has always kept track of the events taking place in the clashes torn areas of the country. The network has so far published two major reports on ethnic strife related issues. In January 1994, the network came up with the Maela report, **Deception, Dispersal and Abandonment,** which questioned the Government decision to forcibly evict people from Maela camp where they had lived since October 1993, when they were evicted from their farms in Enosupukia through violence that saw more than 20 people killed and a lot of property destroyed.

In July, 1995, the network published a report revealing the silent evictions that took place in Enabelbel, Kisiriri and Oloikiri-kirai locations in Narok district, the home of one of the warlords in this country. The various Churches and NGO'S in Kenya have since the beginning of the clashes engaged in rehabilitation programmes for the victims in different parts of the country. The efforts have ranged from relief food handouts to large scale resettlement activities.

In Mt Elgon area, for instance, the NCCK, Catholic Church, Action Aid, Medicine San Frontiers (MSF), CPK and the Red Cross have played an important role in resettling the clash victims. Through their rehabilitation programmes, the Churches and NGO'S have assisted the displaced in every way possible to help them return to their land. In this particular region, the Western Province Co-coordinating Committee (WPCC) played an important role in creating a harmonious working relationship among all the agencies, churches and the Government which promoted cooperation in assisting the displaced persons to return to their homes.

The WPCC, Catholic Church and the NCCK'S Peace Task Force have actively been involved in the peace building activities in Bungoma, Mt Elgon and Trans Nzoia districts, apart from other parts of the clashes-affected areas in Kenya. Seminars, workshops and the launching of ball games in the troubled parts of the region have among others, constituted peace building activities. The newly constructed houses of the returnees spread in different parts of the country are as a result of the numerous NGO'S and Churches which contributed grass and iron sheets for thatching and roofing, posts, poles, nails, windows and doors to construct their houses. For instance, Action Aid Kenya alone, through their Resettlement Programme assisted 1,430 families from the Sabawoot, Bukusu and Teso communities to go back to their former homes and re-establish their lives.

As the clashes escalated in different parts of the country, the Law Society of Kenya and the Kenya Human Rights Organization, together with other local organizations, issued separate statements challenging the Government to use every machinery at its disposal to end the clashes. The sentiments were echoed by several international human rights organisations such as the Africa Watch, which published a candid book on the clashes "**Divide and Rule: State Orchestrated Violence in Kenya**", November, 1993. Amnesty International also published several articles condemning the menace and the Government's inability to stop them.

On Monday, 29th September, 1993, an English peer visited the clashes victims of Molo and expressed their concern about the escalating clashes in Kenya. Lord David Ennals, who went to Molo accompanied by FORD- Asili Chairman Mr. Kenneth Matiba, said he saw the horrors of ethnic clashes and would publicize the matter all over the world, but first through the United Nations. He said ethnic cleansing was a matter of international concern which needed concerted action. The peer said the violence was instigated by leaders in the Government to prove that democracy does not work. He said:

"It is a terrible indictment of Kenyan leaders that they are ready to instigate violence and death to prove that democracy does not work. None of the pretences that the violence was caused by the tribes or the opposition parties stand up to serious examination."

With all this international condemnation, Kenya's image was tainted abroad and many tourists feared visiting the country. The donor agencies began to tie their foreign aid to human rights conditions in Kenya as they began to demand explanations about the causes of the clashes. Some of the international human rights organizations expressed the fear of Kenya turning into another Rwanda, Burundi, Somalia or Bosnia. This negative publicity greatly affected Kenya's international relations, especially with the European countries, such as Norway, Denmark, Sweden, Britain and the United States.

Traditional Institutions: Gema-Kamatusa Talks

The acronym Gema stands for the Kikuyu, Embu and Meru alliance that was associated with the Kenyatta era. This association was formed for socio-economic and political reasons and was aimed at articulating the interests of the collaborating ethnic communities in the face of other Kenyan citizens. The acronym Kamatusa stands for the alliance between the Kalenjin, Maasai, Turkana and Samburu ethnic communities. The controversial talks had `reconciliation' of the clashes victims as the

underlying agenda, despite the various interpretations that came out later from the very people who initiated them and their critics.

The talks were seen by the critics as a `marriage of convenience' between the Gema chauvinists and the Kamatusa supporters who met in Molo towards the end of 1994. The talks had largely survived because of President Moi's support. Indeed, on more than one occasion when the talks tottered on the edge of collapse, it was the Head of State who saved the day by giving those involved the green light to continue, amidst protracted criticism from the Opposition politicians and the clergy. The most memorable of those occasions was in mid-August, 1994 when he told off critics in reaction to increased voices of the Opposition to the talks, from members of the Kamatusa side, notably a Minister of State in the Office of the President, Mr. Kipkalya Kones.

Mr. Kones, despite being on the forefront of the talks, was one of the few participants who did not hesitate to publicly state his disagreement over some of the issues raised during the often closed door meetings. According to him, Kamatusa did not exist. It was a mere creation of opposition activists from Central Province who introduced it in the build-up to multi-partism in order to justify the revival of Gema. Behind the scenes of Gema were powerful personalities like Mr. Njenga Karume, Mr. Stanley Githunguri and Mr. Kihika Kimani.

On 13th October, 1995, the Weekly Review carried a story of President Moi putting the last nail in the Gema-Kamatusa talks, dashing the hopes of those who had high aspirations about the talks. The reason he gave was that there was participation by people who had little or nothing to do with issues under consideration. Referring to the ethnic clashes in the Rift Valley, President Moi was quoted as having expressed surprise that Kikuyus from Central Province had been involved in matters that should have been sorted out by elders from the Kalenjin and Kikuyu communities living in the Rift Valley Province. He said: "There is no reason

why Kikuyus should hire the services of leaders from Central Province to speak on their behalf as if there were no elders here."

It was an interesting move considering that the talks went that far because of the President's personal and intimate support as expressed in various fora. Like Gema, Kamatusa seemed to have been an elitist grouping whose creation had little or nothing to do with the rank and file of the affected ethnic communities. These talks were widely believed to be between politicians who had selfish economic interests and could not compromise on most pertinent issues under consideration, particularly those related to land and resettlement of the displaced victims.

CHAPTER THREE

METHODOLOGY

Research Design

1. This study was a co-relational. The researcher sought to shed light on implications of past and potential ethnic conflicts on peace and sustainable development as well as strategies for mitigation and conflict management. The research has the components of desk work and field work.

Research Population

Between 1999 and 2008 conflict between the Pokot, Turkana, Marakwet, Elgeyo's, Nandi and Tugen – all of them pastoralist communities living in Rift Valley Province of Kenya within and also surround Trans-Nzoia District have been reported in the Kenyan print Media. In all these communities bearing of arms – formerly spears, bows, arrows, and rungus and now lethal light weapons and small arms – is a right of passage. Acquiring these arms illegally is part of the boyhood fantasy and the maintenance of and capacity to use the arms is a source of communal pride.

Sample and Sampling Procedure

The Desk work was complemented by Field work in which key informants and respondents were interviewed. Primary data was gathered from a sample population of 100 respondents in Trans- Nzoia District in Kitale Town – which is one of the North-Rift Districts in Kenya.

The sampling procedure used was purposive sampling. The Population was broken into two categories of Respondents and Key Informants. The Key Informants consisted of 10 Social and public Institutions including Public Service, the Media(10), 10 Faith-Based Organizations (FBOs), 5 Representative bodies and Civil Society Organization (CSOs). The remaining 65 respondents were local people in

the community who were interviewed through a focus group discussion.

Respondents	Sample
Social and public Institutions	10
Media personalities	10
Faith-Based Organizations	10
Representative bodies and Civil Society Organization	5
Local community members	65
Total	100

The primary targets in this category were the top leaderships – although in most cases, the responsibility to take part in the interviews was passed down to lower leaderships. The Respondents formed the second category and were clustered into their ethnic communities for purely administrative purposes. A Questionnaire was designed with the capacity to collect information from both categories and pre-tested in Focus Group Discussion with members of the Kitale Interreligious Council at the Kitale Friends Church and with the Kitale opinion leaders through a face-to face interview on the same date.

Information gathering Tools and population

Site

Kitale Town was selected to provide the case study for this topic. Information was gathered from 100 Respondents and 20 Key Informants interviewed by Research Assistants on the basis of Semi Structured Questionnaires. The respondents are part of the original purposive population of 100 while the key informants were deliberately selected in recognition of their standing in the Society and potential knowledge and interests in the Topic of study as it affected the District. The field work was conducted over 3 days within Kitale

Town. While the main catchment population was all members of the major Communities residing in Kitale Town while some of the Key informants may not be members of those communities.

Questionnaires

Thirty questionnaires were produced for administration to the Key informants and were duly distributed by the Lead Research Assistants. For Respondents, 100 Questionnaires were designed and allocated to each of the Communities. A Team of Support Research Assistants was deployed to randomly administer them to each of the Communities.

Information gathering procedures

The Questionnaires were similar in respect to the Respondent and Key Informant information and sought in this part to establish the following attributes from both:

1. Age categories (19 and under), (20-29), (30-39), (40- 49), (50-59) and (60+)
2. Gender (Male – Female)
3. Form of Education (Formal, Informal, non-Formal)
4. Residence Status (Permanent, Temporary, Full-time, Part time, None of the Above)
5. Home Division
6. Highest Level of Education (Primary, Secondary, Tertiary, Graduate, Post-Graduate)

7. Occupation (Civil Servant, Academician, Businessman, Farmer, Elected official, Administrator/Manager, Professional, Technical expert, Journalist, Student, Other)

Data Analysis

Data from each questionnaire was categorized and edited for accuracy and completeness of information. This was to ensure that all questions are answered.

Analyzed data from the questionnaires was presented in form of tables showing frequency counts and percentages and annexed to this report. This information was further triangulated from different sources for meaningful interpretation and discussion.

Validity and Reliability

Validity, according to Sekaran (2003), attests to whether an instrument measures what it was supposed to and is justified by the evidence. Essentially, it entails the extent to which an instrument actually measures the aspects that it was intended to measure. According to Sekaran (2003), reliability refers to whether an instrument is consistent, stable and free from error, despite fluctuations in test taker, administrator or conditions under which the test is administered. For this study the Validity and reliability of the instruments will be heightened by the fact that the Researcher and his Research Assistants will personally administer the questionnaires ensuring that they are appropriately filled. Further, they will observe the Respondents, Key Informants and the environment and will weigh the responses appropriately.

Ethical considerations

All key informants and Respondents were informed of the purpose of the research and how the information gathered was to be used. Their consent was sought before the exercise and confidentiality of their responses guaranteed.

Limitations and Challenges to the study

Efforts to reach all targeted respondents were hampered by distances to specific localities which was of key concern to the researcher this might prolong the study period.

CHAPTER FOUR

PRESENTATION, ANALYSIS AND INTERPRETATION OF DATA

Introduction

This chapter is a presentation, interpretation and discussion of the field results. The results are presented in tables and in form of frequency counts and percentages. The results and discussions are centered on the set objectives of the study.

Profile of the respondents

The ratio of female to Male Respondents stood at 37 to 48 translating to 41 and 59 percent of the Population respectively. This is illustrated in the figure below:
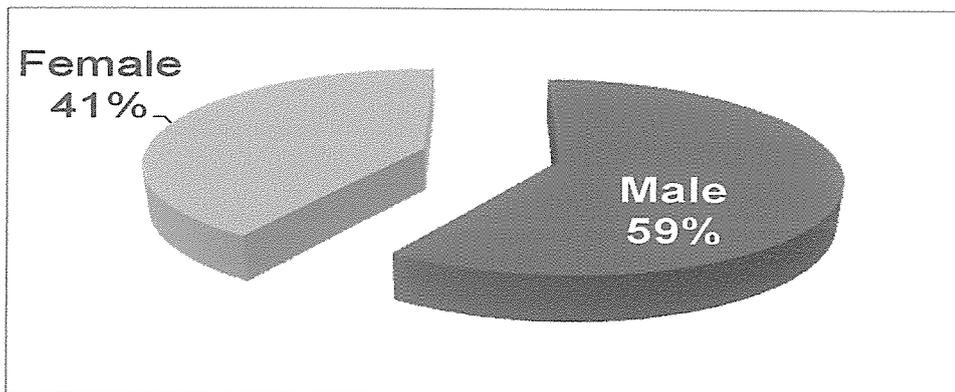
Figure 1: Sex of respondents

They were represented in all the 5 age categories of (19 and below), (20-29), (30-39), (40-49) and (60+), In the first category were 3 person representing about4%, 32 persons representing about 37% identified themselves with category 2, 18 persons representing about 21% in category 3 while category 4 was represented by 20 persons forming about 28%. The 60+ category had 12 persons

representing about 10% of the sample population. This is represented by the figure 2:
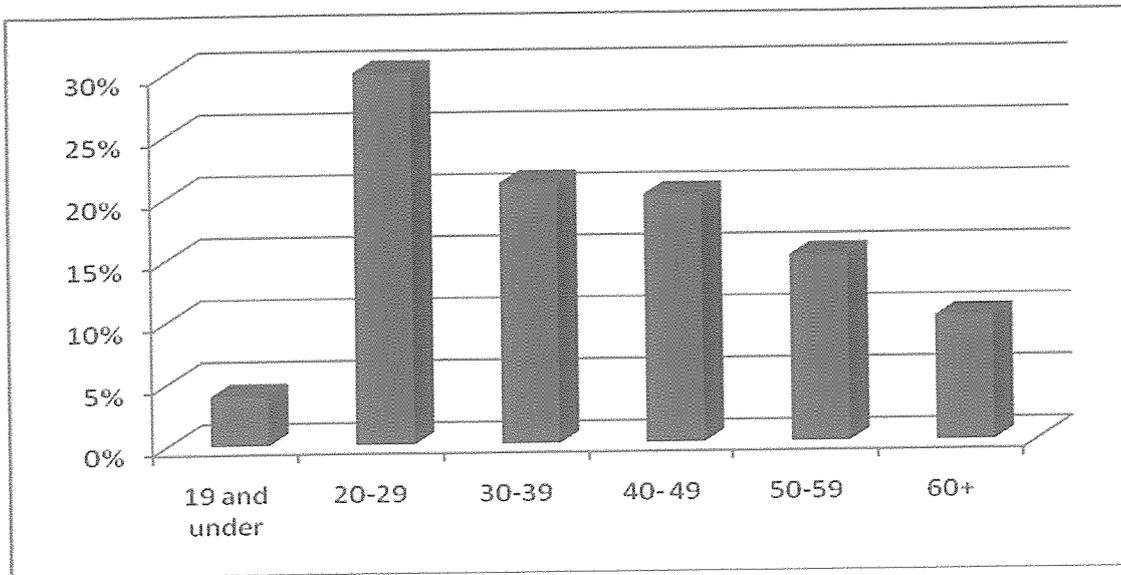
Figure 2: Age categories of respondents

The occupation of respondents was represented by Table I below;

Table 3: occupation of Respondents

Occupation	Respondents	Percentage (%)
Academics	3	3%
Businesspersons	15	15%
Community Development Workers	1	1%
Farmers	41	41%
Herdsmen	1	1%
House wives	7	7%
Managers	4	4%
Masons	1	1%
Pastoralists	12	12%
Professionals	9	9%

	1	
Students		1%
Teachers	1	1%
technical Experts	1	1%
Inactive	3	3%
Total	100	100

They represented Academics (3 – 3%), Businesspersons (15-15%), Community Development Workers (1-1%), Farmers (31 – 41%), Herdsmen (1 – 1%) and House wives (7 – 7%). Some simply chose to be known as inactive or none (3 – 3%) – in respect of their occupations. Others were managers (4 - 4%), Masons, (1 – 1%) and Pastoralists (12 -12%), Professionals (9 – 9%). Students (1– 1%), Teachers (1– 1%) and technical Experts (1 –1%) closed the list.

Each form of education (Formal, Informal and non-formal were represented at 60 (60%), 10 (10%) and 26 (30%) respectively. 2 (2%) did not fill in their level of education. 4 (4%) were Graduates, 1 (1%) Post-graduates, 9 (9%) had completed Primary, 23 (23%) Secondary, and 9 (9%) Tertiary. A bout 20 (20%) felt that a level of education was not applicable to them.

Table 4: level of education

Level of education	Respondents	Percentage (%)
Formal education	60	60
Informal education	30	30
Non-formal education	10	10
Total	100	100
Post graduate	1	1
Graduate	6	6
Tertiary	12	12

Secondary	35	35
Primary	17	17
Levels irrelevant	27	27
Did not fill	2	2
Total	**100**	**100**

The respondents saw Trans-Nzoia as a home and lived in Kwanza, Chereng'ani, and Saboti Divisions in the following proportions: 84 (84%) saw Trans-Nzoia as their permanent home and 16 (16%) as their temporary home.

Table 5: Residence

Residence	Respondents	Percentage (%)
Permanent home	84	84
Temporally home	16	16
Total	**100**	**100**

All the Respondents had interacted with Small Arms and Light Weapons in varying concentrations. 29 (29%) had interacted with the AK7, 12 (12%) with AK47 and G3, 12 (12%) with AK47, G3, Patchet, Hand Grenades, Spears, Bows and Arrows, Knives, Rungus, and 35 (35%), Pistols 6 (6%), others 6 (6%).

Table 6: Interaction with small arms

Interaction with small arms	Respondents	Percentage (%)
AK47	29	29
AK47 and G3	12	12
AK47, G3, Patchet and others	12	12
Spears, Bows and Arrows, grenades etc	35	35

Pistols	6		6
Others	6		6
Total	**100**		**100**

Historical causes of ethnic conflicts in Kenya

The respondents of this study identified some of the historical causes of conflict in Kenya as summarized in the table 7 below;

Table 7: **Historical causes of ethnic conflicts in Kenya**

Item	Strongly agree	Agree	Disagree	Strongly disagree	Total
colonial legacy of divide and rule	60	30	5	5	100
Land is yet another source of ethnic conflicts in Kenya	70	20	10	-	100
The issue of unequal distribution of resources is another source of potential instability in Kenya	56	24	15	5	100
Africanization of the civil service is also an issue in conflicts in Kenya	90	5	5	-	100
Leadership played a crucial role in fueling conflicts in Kenya	50	50	-	-	100

The findings of the study show that 60% of the respondents agreed that colonial

legacy of divide and rule was the major historical cause of conflict in Kenya. It is a historical fact that the indirect rule administered by the British colonialists later turned out to be the `divide and rule' strategy which polarized the various ethnic groups in Kenya. This in turn contributed to the subsequent incompatibility of these ethnic groups as actors on one nation-state called Kenya.

The other major factor mentioned by the respondents was land (70). According to the findings, the land issue has it's origin in the colonial history of Kenya, where the colonialists dreamed of making this part of Africa a white man's country. The colonialists established the Kenya protectorate and later on the Kenya colony with the finance that was to be generated from the white settler plantations which covered the highly potential areas of the country.

The study further came to the conclusion that 90% of the respondents responded that Africanization of the civil service is also an issue in conflicts in Kenya. Just as there was immediate need to `Africanise' the land, the government moved equally fast to give jobs in the civil service and para-government sector to the Africans. Understandably, the government came up with a policy, first described as `Africanization', then `Kenyanization', and eventually, by some unofficial baptism `Kikuyunization' and Kalenjinization'. This terminological mutation succinctly explains how a policy, otherwise well-conceived, deteriorated into the ethnicization of employment in the civil service.

Consequences of ethnic conflicts in Kenya

The findings of the study revealed that the consequences of the clashes in Kenya were enormous and cannot be easily quantified, especially the psycho-social ones. Most of the victims of these clashes were left homeless, landless, destitute, injured, dead, abused, to mention but a few of the atrocities resulting from the menace. The table below summarizes the respondents' responses on the consequences of ethnic

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conflicts

Table 8: The Consequences of ethnic conflicts in Kenya

Item	Strongly agree	Agree	Disagree	Strongly disagree	Total
Families lost possessions such as their houses and business premises went down in flames	50	50	-	-	100
Transport system stopped their operations in the affected areas	70	20	10	-	100
thousands of school going children were displaced	66	34	-	-	100
Decline in economic activities	80	5	5	10	100
The conflicts led to loss of lives	60	35	5	-	100

The majority of the sampled respondents agreed with the statements that Families lost possessions such as their houses and business premises went down in flames (50%); Transport system stopped their operations in the affected areas (70%); thousands of school going children were displaced (66%); the conflicts led to loss of lives (60%); and Decline in economic activities (80%). Although 10% of the respondents did not agree that there was a decline in economic activities

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because the majority of the people living in this area are farmers and thus depending on farming and do not experience direct economic hardships because they only have to buy fewer items from the shops as opposed to non-farmers who buy every thing including food staffs.

The government response and other stakeholders to the ethnic conflicts in Kenya

Table 9: The government response and other stakeholders to the tribal conflicts

Item	Strongly agree	Agree	Disagree	Strongly disagree	Total
Training communities on dangers of illegal Small Arms	80	20	-	-	100
Re-arming of the Kenya Police Reserve (KPR)	50	5	20	25	100
dialogue between communities	60	25	15	-	100
intensified security along borders to reduce cross-border conflicts	65	30	5	-	100

This paucity of awareness of what 'is' was however more than adequately compensated for by proposal on what could contribute to successful monitoring and control of Small Arms and Light Weapons in the District and other Pastoral areas of northern Kenya. Training communities on dangers of possession and

interacting with illegal Small Arms and Light Weapons (80%), enhancing community based policing in order that communities assist in fighting insecurity and development of human security policies and ensure their effective implementation would, together with the joint implementation of the National action Plan (NAP) on Small Arms and Light Weapons would form a solid foundation for addressing the proliferation of illegal Small Arms and Light Weapons   .

The government could also consider licensing local Neighborhood Security Committees to carry arms and supplement the efforts of the Uniformed Forces in withstanding attacks who are always inevitably armed.

Severe Punishments should be meted out to those found to possess Small Arms and Light Weapons illegally as a deterrent measure. The re-arming of the Kenya Police Reserve (KPR) officers on the ground and enhancing their capacity through training and superior arms together with intensified and vigilant Police checks and Roadblock should impede the otherwise unchallenged movements of the Bandit groups. These last measures however must be supported by strict application of the rules of operation for the KPR and control of armories in respect of the Police.

These measures can benefit from formal structures as well as supplementary ones such as District peace committees which are usually formed and staffed by members of the community themselves. Local Peace building measures that are undertaken on traditional bases and which are concluded with some declarations have also been known to reduce conflict – if not enhance sustainable peace all-together. This is especially so where dialogue between communities is enhanced during the periods succeeding the declaration. The introduction and /or enhancement of Community-based policing continued to attract very positive reviews from the consumers of security – more so in Trans-Nzoia. All these are important elements in the National Action plan.

Strategies for conflict management to the ethnic clashes in Trans-Nzoia District

The Government interventions in Trans-Nzoia during or following conflicts in which Small Arms and Light Weapons featured and the resultant fall-outs was explained in the context of the old age 'the road to hell is paved by good intentions.

The government was simultaneously accused of doing too little or too much to the detriment of specific communities. Small Arms and Light Weapons in the hands of Law Enforcement Agents within the District were deemed to be excessive in relation to those held illegally by some members of the Communities living there. Never-the-less there was a feeling among them that other than disciplined Forces, Private investors, Private Security Personnel and Kenya Police Reservists and neighborhood Security committees in the pastoralist areas with heightened insecurity should legitimately bear Small Arms and Light Weapons.

It was suggested that the good intentions could be translated into good actions if the steps the government took were practical and with a high likelihood of success based on history. As stated in the preceding paragraph, Good Governance remained at the core of the proposed steps and they are:

1. Constitution amendments in relation to the mitigation of conflicts and proliferation of SALW
2. Legislation into law of the Madogashe Declaration to deter cattle rustling
3. Formulation and implementation of more definite and effective policies
4. Equitable distribution of resources
5. Timely, effective, efficient and appropriate deployment of security agents
6. Effective implementation of security policies
7. Control of porous borders

8. Proactive security monitoring and disarmament of armed communities within the region

9. Develop community Peace Building Action Plans

10. Empowered district peace committees

11. Refresher courses for community elders, provincial administration, police officers and all peace actors in the region

12. Provide materials to enhance communities participate in keeping law and order

13. Involvement of herders from all the communities in peace building activities in the district.

14. Introduce peace tours

15. Propagation of alternative rites of passage

16. Affirmative action

CHAPTER FIVE

SUMMARY OF FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

Summary of Findings

Small Arms and Light Weapons pose a grave security problem in Kenya especially when in the possession of persons willing to commit crimes. They have increasingly replaced the traditional arsenal that almost always consisted of nothing deadlier than spear, bows, arrows and rungus among the Pastoralist communities in Kenya. The geographical location of Trans-Nzoia Town coupled with its demographic character of a cosmopolitan population bordering another Country, Provinces and Districts, makes it a conducive transitory or even permanent route for the Small Arms and Light Weapons. This geographic advantage that Trans-Nzoia has over other towns within North-Rift Kenya also attracts migrant communities from without piling pressure onto resources and in turn heightening competition. The heightened completion usually ignites the latent conflicts and easily spurs it into skirmishes, battles and sometimes full scale wars between the communities. Small Arms and Light Weapons inevitably feature with fatal outcome and inevitably invite interventions from the state through its security apparatus. As covered in the Nation, East African and the Standard Newspapers reports between 2000 and June 2009, the incidences of violence were highest in 2009 in spite of the fact that it was still within its first half. The Media reports highlighted the major role played by Small Arms and Light Weapons in the conflicts with the attendant costs in human and material costs. The papers also discussed – albeit briefly the causes of the conflicts and suggested possible steps towards containment. They also highlighted the interventions by the state and the local communities themselves in restoring and nurturing peace.

The proliferation of Small Arms and Light Weapons in Trans-Nzoia District has its logic on the national climate in respect of the regulation and control of illicit

weapons. Although a license legitimizes the possession of Small Arms and Light Weapons, illicit ownership is not deterred by existing legislation and policies. This may however change if proposals to effect changes in law are passed by parliament. A draft Bill tabled in Parliament provides for a custodial sentence of up to 15 years for the offence of illicit possession of Small Arms And Light Weapons Even without the passage of the proposed new law, there are indictors of enhancing police surveillance − if the recent arrest of a prison Warder in connection with the selling of ammunition is anything to go by.

Conclusions

The Findings show that ethnic conflicts are a problem known as such by different categories of people living in Trans-Nzoia. It has also shown that the conflicts between the Pastoralist Communities living in Trans-Nzoia and in the neighbouring Districts, their Causes and the role of Weapons in them are known to many of the people living there regardless of their station. The Data generated has corroborated in some instances the mistrust that the common Kenyan has on some of the Security agencies in the country which leads to some of them seeking for supplementary security from non- state actors.

The Findings show that people are willing to employ local solutions to local problems and wish to be involved at all levels in matters affecting their livelihoods. Indeed some of the recommendations given in respect of controlling the illegal inflow and proliferation of arms are comprehensive and practical since they have as their basis the human resource available at the community level.

Agriculture − the mainstay of the communities' way of life is a resource like any other which has to be prudently managed. The management and distribution of farm inputs is a key function of the classical state. While the resources available

to the communities in Trans-Nzoia are anything but a surplus, the Kenya government is still the legitimate state which must manage and distribute resources in a way seen by all its citizens, as equitable. In the absence of material resources to distribute equitably or otherwise, information can be a very empowering and liberating resource.

If the communities in Trans-Nzoia are armed with forecasts that could help them plan ahead, they could avert calamities such as diseases that perennially attack and occasionally wipe out their herds and crops. They could design and adopt appropriate coping mechanisms that would see their products increase rather than decrease. This in turn would mitigate against the propensity to conflicts and instability.

While a revamped Kenya Police Reserve may do a good job of Peace – Keeping by deterrence, the role of peace making is still with the communities who must be assisted to see the dividend in a peaceful co-existence. Left on their own without political manipulation, the Elders always find the way to co-exist without resorting to violence as a means of resolving disputes that inevitably arise wherever there is human society. The respondents however pointed out to the role played by self-seeking politicians at all levels who manipulate situations to undermine peace at all times. This manipulation is manifested in the ethnic context in which any and all available resources are mobilized and distributed. In Trans-Nzoia District for example, Human capital is a key resource that mediates between the external world and the communities. A civil Service job given to an individual is immediately counted as belonging to the Community from which the individual hails. The Community expects the individual to do its bidding at all time while members of the other Communities will be hard pressed to even imagine that he could be impartial.

Any attempts to mitigate conflicts in Trans-Nzoia must be informed by this factor and strategies put in place to ally the fears of the Communities. The Study

found that the government has taken a long time to admit this phenomenon as a factor in peace building in Trans-Nzoia leading to condemnation of any government operation to flush-out and mop-up illegal fire-arms as targeting to finish a particular community. Filial affinities in Trans-Nzoia, like in any other communities are strong and binding. Enlisting community support to government programmes requires a long period of confidence building and establishment of a broad alliance. The District Peace Committee and Community policing have, according to some respondents played this role effectively.

Recommendations

Small Arms and Light Weapons challenge civilized living when illegally possessed. When used for the illegal acquisition of wealth they challenge the very basis of right and wrong tilting it towards the parody, might is right. If for no other reason than to regain the social equilibrium that makes us human and rational, Small Arms and Light Weapons must be removed from illegal possession. The assumption that only Small Arms and Light Weapons possessed without a valid license or by a person not with the Armed Forces pose a security and safety risk is wrong. Any person whether licensed or not who employs a fire-arm to gain undue advantage must be restrained. In this case we recommend that further studies be conducted to find ways and means by which the indignity that a victim of the illegal use of Small Arms and Light Weapons is subjected to punishment under international law. In this regard, we recommend further that studies be carried out to determine the mechanisms by which states in the First World can be made accountable for the calamities in which Small Arms and Light Weapons procured from them have caused.

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Weekly Review, 20th March, 1992. Kenya: The Politics of Participation and Control.

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APPENDICES

APPENDIX I: TRANSMITTAL LETTER

KAMPALA INTERNATIONAL UNIVERSITY

Ggaba Road - Kansanga
P.O. Box 20000, Kampala, Uganda
Tel: +256- 41- 266813 / +256- 41-267634
Fax: +256- 41- 501974
E- mail: admin@kiu.ac.ug,
Website: www.kiu.ac.ug

OFFICE OF THE ASSOCIATE DEAN, SOCIAL SCIENCES
SCHOOL OF POSTGRADUATE STUDIES AND RESEARCH (SPGSR)

March 1, 2011,

Dear Sir/Madam,

RE: REQUEST FOR JACOB ASIGE CHAVULIMU MCR/10009/81/DF
TO CONDUCT RESEARCH IN YOUR ORGANIZATION

The above mentioned is a bonafide student of Kampala International University pursuing a Masters of Arts in Conflicts He is currently conducting a field research of which the title is **"Ethical Conflicts, Stability and development in Kenya: A case Study of kitale Town in Trans-nzoia District, Kenya"**. As part of his research work; he has to collect relevant information through questionnaires, interviews and other relevant reading materials.

Your organization has been identified as a valuable source of information pertaining to his research project. The purpose of this letter is to request you to avail him with the pertinent information he may need.

Any information shared with him from your organization shall be treated with utmost confidentiality.

Any assistance rendered to him will be highly appreciated.

Yours truly,
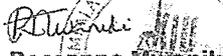
Dr. Roseanne Mwaniki
Associate Dean Social Sciences, SPGSR)
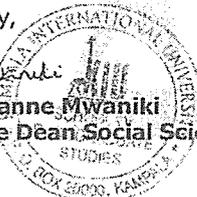
APPENDIX II: AUTHORITY LETTER

MINISTRY OF EDUCATION

Telegrams:.....................
Telephone: Kitale 054-31653
Fax: 054-31109
When replying please quote
Ref and date:

District Education Office,
Trans Nzoia District,
P.O. Box 659,
KITALE.

TN/ED/GEN/78/105

14th March, 2011

TO WHOM IT MAY CONCERN

**RE: RESEARCH AUTHORIZATION FOR JACOB ASIGE
CHAVULIMU MCR/10009/81/DF**

The above mentioned works with Friends University Kaimosi (proposed) and is a Master of Arts Student at Kampala International University. He is Researching on Ethnic Conflicts, Stability and Development in Kenyan basing on Trans Nzoia West District, Kenya.

Any assistance given to him will be appreciated.

DISTRICT EDUCATION OFFICER
TRANS - NZOIA WEST DISTRICT

SHITANDA M. STANLEY
**FOR: DISTRICT EDUCATION OFFICER
TRANS NZOIA WEST**

APPENDIX III: AUTHORITY LETTER

REPUBLIC OF KENYA
OFFICE OF THE PRESIDENT

Telegraphic Address:
Telephone: 054-30720
Fax No: 054 – 31617
E-MAIL: dctnzoiawest@gmail.com
When replying please quote

THE DISTRICT COMMISSIONER
TRANS NZOIA WEST
P.O. BOX 11
KITALE.

Ref. No. ADM.15/8/VOL.III/(137)

14th March, 2011

TO WHOM IT MAY CONCERN

RE: RESEARCH AUTHORIZATION
–JACOB ASIGE CHAVULIMU   MCR/10009/81/DF

The above named person works with Friends University Kaimosi (proposed) and is a Master of Arts student at Kampala International University. He is researching on Ethnic Conflicts, Stability and Development in Kenya basing on Trans-Nzoia West District, Kenya.

Any assistance accorded to him will be highly appreciated.

DISTRICT COMMISSIONER
TRANS-NZOIA WEST.

(DOREEN WAWIRE)
FOR: DISTRICT COMMISSIONER
TRANS-NZOIA WEST

APPENDIX IV: CURRICULUM VITAE

Name	:	Chavulimu, Jacob Asige
Date of Birth	:	20 May 1966
Sex	:	Male
Marital Status	:	Married
Citizenship	:	Kenyan
Religion	:	Christian
Identity Card (ID) No.	:	9301852
Pin No.	:	A001232102Q
Passport No.	:	A650075
Cell Phone Numbers	:	0723 624 757, 0733 959 730

EMPLOYMENT RECORD

2011	:	Friends University Kaimosi (Proposed) Acting Registrar (Academic Affairs)
2011	:	Chairman, Procurement Committee
2011	:	Chairman, Hostel Construction Committee and also heading the Maintenance Department.
2009 to-date	:	Friends University Kaimosi (Proposed) Dean of Students / Chaplain / Lecturer
2006 - 2009	:	Friends Theological College Dean of Students / Director of Field / Tutor
2006 – 2009	:	Tigoi Girls High School - Chaplain
1998 – 2006	:	Kisumu Friends Church - Pastor
2004 -	:	Friends Theological College – Intern Tutor
1998 – 2001	:	Songhor Secondary School – Chaplain

| 1995 – 1998 | : | East Africa Yearly Meeting of Friends |
| | | Youth Secretary |

EDUCATIONAL BACKGROUND

2008 – to-date	:	Masters Degree in Conflict Resolution and Peace Building Kampala International University
2001 – 2005	:	Bachelor of Arts Degree in Bible and Theology ICI University through Kima International School of Theology
2004 – 2005	:	The Bible Society of Kenya – Faith Comes by Hearing Course Certificate
2000	:	Certificate in Legal Education – Samaritan Development Programme
1995 – 1997	:	Diploma in Bible and Theology – Friends Theological College
1994	:	Lamp and Light Bible Course – Stage II Certificate
1993	:	Lamp and Light Bible Course – Stage I Certificate
1992	:	World Bible School (Correspondence) - Certificate
1983 – 1986	:	Kenya Certificate of Education – Passed. Devjibhai Hindocha Trust Secondary School
1976 - 1982	:	Certificate of Primary Education – Passed. Shiru Primary School

OTHER RESPONSIBILITIES

| 2009 – to-date | : | Member of the Management Committee St. Mark's Bethphage Academy |
| 2010 – to-date | : | Friends University Kaimosi (Proposed) Coordinating Secretaries |

2003 – to-date	: East Africa Yearly Meeting – Licensed Marriage Officer
1999 – 2002	: Board of Governors Member – Songhor Secondary School

HOBBIES	:Teaching and Preaching, Witnessing and Counselling, Reading Newspapers and Researching

REFEREES:

1. Rev. Lucas Mudoga
   Presiding Clerk – E.A.Y.M.
   P.O. Box 35 TIRIKI 50309
   Telephone: 0723 720 788 / 0734 313 096

2. Rev. Ephraim Konzolo
   General Secretary – E.A.Y.M.
   P.O. Box 35 TIRIKI 50309
   Telephone: 0722 – 920 503

3. John Muhanji
   Director – F.U.M. - AFRICA
   P.O. Box 478 KISUMU 40100
   Telephone: 0735 601 707

APPENDIX V: CLEARANCE FROM ETHICS COMMITTEE

Date_____

Candidate's Data

Name_____

Reg. #_____

Course_____

Title of Study

_____

_____

Ethical Review Checklist

The study reviewed considered the following:

- Physical Safety of Human Subjects
- Psychological Safety
- Emotional Security
- Privacy
- Written request for Author of Standardized Instrument
- Coding of Questionnaires/Anonymity/Confidentiality
- Permission to Conduct the Study
- Citations/Authors Recognized.

Results of Ethical Review

- Approved
- Conditional (to provide the Ethics Committee with corrections)
- Disapproved/Resubmit proposal.

Ethics Committee (Name and Signature)

Chairperson_____

Members_____

APPENDIX VI: INFORMED CONSENT

I am giving my consent to be part of the research study of Rev. Jacob Asige Chavulimu that will focus on ethnic conflicts, stability and development of Kitale Town, Trans-Nzoia District in Kenya. I shall be assured of privacy, anonymity and confidentiality and that I will be given the option to refuse participation and right to withdraw my participation any time.

I have been informed that the research is voluntary and that the results will be given to me if I ask for it.

Initials: _____

Date_____

APPENDIX VII: RESEARCH INSTRUMENTS

ETHNIC CONFLICTS IN STABILITY AND DEVELOPMENT IN KENYA

Dear respondent,

I am a student of Kampala International University carrying out an academic research on the implications of past and potential ethnic conflicts on peace. You have been randomly selected to participate in the study and are therefore kindly requested to provide an appropriate answer by either ticking the best option or give explanation where applicable. The answers provided will only be used for academic purposes and will be treated with utmost confidentiality.

NB: do not write your name anywhere on this paper.

A) Personal Information

1. GENDER

Male ☐   Female ☐

2. AGE

Below 30 years ☐   31- 40 ☐

41-50 ☐   51 and above ☐

3. Form of education

Formal ☐   Informal ☐   Non – formal ☐

4. Highest level of education

Primary ◯ Secondary ◯ Tertiary ◯ Graduate ◯
Post Graduate ◯   None of the above ◯

5. In which sector do you work?

Civil service ☐   Provincial administration ☐

Private sector ☐   Self Employment ☐
Other (specify)

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6. How long have you worked?

1 – 2 Years   ☐

3 - 5 years   ☐

6 – 7 years   ☐

8 – 10 years   ☐

11 and above   ☐

7. If not working what are you doing?

Conflicts within Trans-Nzoia in the past 10 years

1. What are the major conflicts that have taken place in Trans-Nzoia for the past 10 years?

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2. In your view, what was the major cause of the conflicts?

   a. ◯ Lax controls as regards Small Arms and Light Weapons

   b. ◯ Traditional justification of cattle rustling

   c. ◯ Ethnic Feuds

   d. ◯ I have no idea

3. What Role did Small Arms and Light Weapons play in the conflict?

   a. ◯ Major role. b. ◯ Minor Role.   c. ◯ No Role at all. d. ◯ I don't know

4. In your opinion what are the policy and/or capacity gaps that may have led to the conflicts you have listed in 1 above?

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Part 8: Interventions in the conflicts in Trans-Nzoia in the past 10 years

1. Kindly give a summarized account of various interventions to the conflicts discussed above

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2. Please give an assessment of the impact of the various interventions to the conflicts discussed above

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3.   Please list any steps that would have enhanced positive impact (if the impact is negative) of the interventions to the conflicts discussed above

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Thank you very much for your time