



## Land and the rise of Sabaot Land Defence Force from 1991 to 2010

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### Abstract

This research sought to assess the connection between land and the rise of the Sabaot Land Defence Force. This research was conducted in Mount Elgon Sub-county in Kapsokwony, Kaptama, Kopsiro, and Cheptais. This research utilised primary as well as secondary sources of data. Secondary data was procured from Kenyatta University Library, among other libraries. Primary data was gathered from the Kenya National Archives as well as from oral sources through interviewing the identified respondents in the field. Data instruments that were used include questionnaires and question guides. The procedures employed in collecting primary data included in-depth interviews and Focus Group Discussions. The primary oral data was analysed by first translating oral interviews from the Sabaot language to English, grouping data according to the objectives, and verifying any possible contradicting information. After that, the data was corroborated with archival and secondary data and then presented through descriptive narratives. The study identified the causes of SLDF as land scarcity, land as a birth right, leadership structure of SLDF for land claims, injustice on land leading to a sentiment of marginalisation and deplorable state presence in the region, the proliferation of weapons aiding in land protection, and finally collusion of politicians as well as government officials who had an interest in land. In conclusion, the research identified factors such as land scarcity, marginalisation, and inter-clan conflicts as the main reasons for the Sabaot Land Defence Force's emergence and rise among the people of Mount Elgon. This study recommends that the government should play a key role in dealing with land conflicts before they become a major issue leading to militia groups' formation in the future.

**Key terms:** Emergence, land allocation, land defence force, land issue, marginalisation.

## INTRODUCTION

The land was treasured since land ownership ensured an upper hand in territorial solidarity. In this regard, there is a close connection between land and the rise of the Sabaot Land Defence Force in Mt. Elgon is so pertinent that it can be challenging to distinguish between them.

Unjust land allocation in the Mount Elgon region resulted in the creation of the Sabaot Land Defence Force (OI, Kinjo, 2019). For instance, the land is a treasured resource that has seen the local community's creation and growth of wealth. It raises the economy's status quo and a basis for political and social power (Njuguna & Baya, 2001). The land conflict has existed worldwide, regionally, and locally for a long time. Underlying factors such as urbanisation, population, and agriculture have immensely contributed to increased land conflict (Cotula et al., 2004). The fact that strife and tribal rivalry existed among the local communities before the rise of the militia cannot be overlooked. Land scarcity and marginalisation in the region were also contributing factors due to other land use and the growing population of settlers within the region (Njuguna & Baya, 2001).

According to Njuguna and Baya (2001) and other primary sources of information, the main reason for the creation and eventual growth of the Sabaot Land Defence Force in Mount Elgon was the injustices of land allocation and ownership. Aspects that led to the growth and widespread of the SLDF in many regions of Mt. Elgon include uncertainty about ownership of land, history of conflicts regarding the sub-division or sharing of communal land, and inter-tribal warfare regarding settlement plans. Other factors that contributed indirectly to the militia group's growth are the increased unemployment rates among the youth, ethnic marginalisation by the ruling government, and the proliferation of weapons and firearms (O.I, Naibei, 2019; O.I, Amojong, 2019; O.I, Masundi, 2019, O.I, Cherotich, 2019).

Mount Elgon has experienced recurrent inter-ethnic clashes. Land remains the most challenged asset in the region of inter and intra-ethnic violence. The contention in the Mt. Elgon region has pulled researchers from various fields. The analysis

conducted in the region by Cotula et al. (2004) was objectified toward understanding why the conflicts were recurrent and severe each time. The Sabaot at the slopes of Mt. Elgon is the immediate Neighbour to the Bukusu of Trans Nzoia regions (KNA/PC/NZA/3/14/23:1944-49). With fertile land towards the mountain's slopes, many individuals purchase land near the Saboti constituency towards Mt. Elgon. To the Sabaot settlers, it seemed like new individuals from a different ethnic group were slowly invading their property, and they retaliated (Kipyonge, O.I. October 6, 2019). A focus group in Kapsokwony on 19th and 20th October 2019 ascribed retaliation from the Sabaot as a need to safeguard their private property from the Bukusu. These confrontations led to conflict between the two ethnic communities. While the Sabaots were fighting to reclaim their ancestral land, the Bukusu were fighting to withhold an asset they purchased legally in a foreign land. Inter-ethnic clash in the Mt. Elgon region has stood out among anthropologists, political researchers, sociologists, historians, and, for the most part, sociologists. This clarifies how inter-ethnic confrontation has turned out to be seen as a normal phenomenon among border tribes.

## LITERATURE REVIEW

The heightening of violence and representation of multiparty political agitation in the mid-1990s played a part in the strife. At that point, the contention was credited to ethno-patriotism concerning rivalry for the state's control. The Mount Elgon conflicts, at that point, depicted an overall example of ethnic cleansing conflicts that happened throughout the nation, including in Molo, Likoni, Burnt Forest and Olenguruone (Cotula et al., 2004). The ethnic tribes were passionate to the current ruling Kenya African National Union party, mainly the Kalenjin, to which President Moi had a place. The Sabaot of Mount Elgon is part of supposedly actuated ethnic conflicts in territories they overwhelmed to dispose of resistance supporters who would vote against the KANU party and President Moi in the 1992 general races.

The Sabaot were susceptible to political control, given their nearby connections to Kalenjin in Rift Valley complaints about land. Therefore, regarding the governmental politics of the time, the Sabaot turned vicious to President Moi's system and consequently

anticipated that they should reclaim the land for themselves. They likewise needed to recover their region from non-Sabaot by removing them. Numerous non-Sabaot, specifically the Bukusu, had moved into the zone looking for arable livestock and crop production land, which they bought from the Sabaot. In contrast, others originated from the neighbouring Trans-Nzoia County and bought land there or settled wrongfully along woodland borders (Cotula et al., 2004). In the contention that resulted, the Bukusu, a subgroup of the Luhya tribe network who upheld the Forum for the Restoration of Democracy-Kenya party, were the principal targets.

The initial conflict between the Bukusu and the Sabaot happened in November 1991 (Human Rights Watch, 1993). By mid-1993, Sabaot fighters, assisted by their Sebei relatives recruited from Uganda, had completed a few assaults against Bukusu, including burning their homes, assuming control over their region, murdering more than 24 individuals and harming some more, and uprooting more than 2000 individuals (Human Rights Watch, 1993). In zones where the Bukusu commanded, they responded with vengeance assaults against the Sabaot. By mid-1995, 6500 families containing an expected 40000 individuals had been dislodged (Kenya Human Rights Commission, 1996). The viciousness and its outcomes represent the idea of the state in Africa. The sheer intensity of state apparatus and the absence of natural channels of communicating special assessments discovered articulation in brutality (KNA/DC/EN/3/1/3 Political Records and Ethnicity). Mount Elgon as a district has a past filled with strife unmistakably inserted among the Sabaot. It includes different networks that prioritise Sabaot Land Defence power in Mount Elgon Sub-county, Bungoma County, from 1963-2010 (O.I, Ndiwa, 2019).

The SLDF was primarily created because of the government's land allocation inequalities in its resettlement schemes. SLDF started by asking for a fair land allocation, citing that the previous relocation schemes by the government excluded genuine squatters. The land has been a controversial element and the origin of dispute in Kenya since the colonial days. The white settlers displaced many people in the Rift Valley, including the area around Mt Elgon. The political elites obtained land from white settlers after independence at the sacrifice of the initial displaced

owners. This left them out, making them squatters in their own country. The malpractices during the resettlement programs, such as ethnic groups being favoured at the cost of others, land grabbing by government officials, and forceful evictions, led to the establishment of the SLDF, whose true aim was to fight for their land and return the land to their rightful owners. The interaction of pre-existing factors, land ownership, politics, and a history of violence inflamed the conflict. The presence of multiple grievances, from the local to the national level, contributed to the duration of the conflict. Politics in the region caused a delay in the government's response to the armed conflict. Politicians who had selfish interests sponsored the SLDF.

## METHODOLOGY

The descriptive survey study strategy was chosen due to its potential for collecting huge amounts of data via the instrument. Additionally, the researchers used a qualitative method, collecting primary data from respondents via semi-structured questionnaires and interviews. Qualitative research is chosen in this study because it is well-suited for small-scale analysis, in-depth investigation, and exploring extremely confidential and sensitive topics (Creswell, 2005). This study was focused majorly on Mt. Elgon Sub-County found in Bungoma County. The study was explicitly confined to the divisions of Cheptais, Kopsiro, Kaptama, and Kapsokwony in Mt. Elgon because these were the areas that felt the wrath of both the Sabaot Land Defence Force (SLDF) and Kenya Defence Force (KDF). Secondary data was collected from Kenyatta University Library, among other online libraries, publications, articles, and oral sources. Data collection instruments included open-ended questionnaires, interview and question guides, audio recorders, and observation. The procedures used during data collection encompass in-depth interviews and focus group discussions where questions were posed. The respondents were allowed to provide personal viewpoints and a consensus was reached.

## RESULTS AND DISCUSSION

### Land Scarcity

The land shortage is a bone of contestation in Mt. Elgon and was brought about by two episodes. As an issue of first significance, when the Mosop was first moved from Chepkitale to Chepyuk, no contentions

were accounted for among them and the Soys. After the foundation of the Chepyuk settlement, conspiracies and the Mosop's movement to the region resulted in land disputes. The Mosop welcomed their Soy partners (around 300 families at first) to the region with the goal that they could together guarantee the entire domain (KNA/PC/NZA/4/4/78: Annual Report, Elgon Nyanza 1961). The older folks of the two sub-groups concurred on the limit between the two networks. Deliberations from gatherings held with the older and other regulatory pioneers from Kapsokwony and Kapsiro on 22/10/2019 and 16/10/2019 separately distinguished relations among Sabaot and non-Sabaot were not agreeable. There was good land in the underlying phases of the Chepyuk settlement; however, numerous Sabaot relatives welcomed non-Sabaot to help with farming the timberland for settlement, for which many got a portion of the cleared land. Land shortage as a factor in the contention has shown in different ways. However, the unjust circulation of land was the element that took care of most significantly within and between network rivalry, pressures, and possible clashes.

The shortage of land can be seen as far as the administration's job as the 'monopoliser' and 'allocator' just as the 'guardian' of access. For example, the foundation of the game park at Chepkitale consumed a considerable piece of the trust land, lessening the accessible livestock grazing region of the Mosop and limiting their entrance to woodland assets. According to Focus Group Discussions held on 5/10/2019, 11/10/2019, 14/10/2019, and 18/10/2019, this activity by the legislature is the thing that started fights and fomentation from the Mosop. In the long run, coming full circle in their down-incline movement that at the appointed time brought about strains among them and the Soy and souring of the two gatherings' friendly relations. It is essential to note that the legislature moved the Mosop from 35,000-hectare Land in Chepkitale to a 6,500-hectare conspiracy (United Nations, 2012).

It is believed that contention from land shortage comes from the state's choice to avoid non-Sabaot from the resettlement program and, on specific events, remove individuals who had purchased land in the district, leading to two impacts. It resulted in numerous families without land and down and out and

fortified the inclination among the Sabaot that Mt. Elgon had a place solely with them. Second, and identified with the principal point, it expanded Sabaot's assurance to evict non-Sabaot from their midst (United Nations, 2012). Then again, request actuated land shortage emerged from healthy populace development and movement. The fertile rural soils of Mount Elgon District pulled in cultivating populaces from particularly the more prominent Bungoma District. Likewise, this procedure was encouraged by the need concerning the Sabaot for work in cultivating forestland for settlement.

An expanded number of relatives among proposed land recipients brought genuine difficulties. The offspring of the relatives that were originally expected to profit from land assignments likewise began groups of their own (Human Rights Watch, 2011). The test originated from how the land was designated per family, yet the state consistently postponed finishing land assignment programs. As an immediate aftereffect of this segment procedure, confirming boards of trustees in every one of the three periods of the resettlement program were always overpowered with applications. Numerous individuals, including authentic petitioners, missed out all the while (Human Rights Watch, 2011).

The Mount Elgon struggle is attributed to unjust land acquisition and possession (O.I, Esamai, 2019). These happened because government activities frequently had fundamental force relations and support elements. During his administration, Daniel Arap Moi apportioned land and even repealed past assignments relying upon network agents' political influence and different nearby groups. This frequently happened with no target review and examination of petitions from the various networks and natural ramifications of such activities (Opala, 2008). Youth gatherings from Mt. Elgon think defilement charges, political obstruction, and nepotism have been defaced during the resettlement program. A few people have profited from land portions to the detriment of others, while some genuine land inquirers have been expelled, adding to the hatred and strains. There was various politicisation of land as neighbourhood government officials misused the land issue in Mt. Elgon for the political increase to safeguard their kin's property rights.

The procedure of land allotment itself and the unlawful possession all added to the contention. The legislature took too long to even think about allocating land in the wake of allotting bundles along network lines and settling on the number of recipients and size of portions per family with no straightforward confirming procedure. The government failed to account for the components for forestalling the unlawful utilisation of land and rebuffing the culprits without an arrangement to check the status of land reserved for resettlement. Proposes that the administration delay made space for individuals to proceed onward to the land, dispense plots to themselves and even exchange them. Because of the time passed since the inception of the settlement plan, there has been an increase in family size, leading to a shortage of planned land. These procedures had different outcomes recreated in every three periods of land allotment.

When the state began the distribution of land, there were more qualified households than originally thought of. Then again, land designation implied that a few households, such as those (from the Soy and Mosop factions, just as non-inhabitants who should not profit but had either distributed themselves land or bought or rented land from before pioneers, were ousted. This delivered numerous landless and destitute, expanding the number of vagrants in the district. The outcome was pressure, disloyalty, harshness, and treachery from the administration (O.I., Nakoko, 2019). Ultimately, the local people and different evictees connected the excursion with allegations of partiality, which increased intra-and inter-network strains among evictees and last distributed. It turned into a standard for the squatters to attack the land and dispense themselves land illicitly, further confusing the ensuing area designation procedure. The land distribution procedure in Mount Elgon and the imbalances coming about because of it exhibit the African state's inconsistency. In this situation, rivalry among pioneers from a similar area becomes a wellspring of contention, adding to the provocation that should be settled (Obi, 1999).

One of the Mount Elgon sub-district issues is the instability or vulnerability of the land acquisition process. The relocation of the Soy and the Mosop in Chepyuk I and II was not quickly followed by land title

deeds' issuance, making the possession questionable and revocable. The circumstance was aggravated when the parcels exchanged possessions (sometimes ordinarily) without the meaningful exchanges being recorded and formalised. In this manner, at whatever point cancellation of the portion was affected, or removals did, the underlying allottees and individuals who had purchased land from them endured or were confiscated (Weatherby, 1962). The removal of Soy has just been referenced and likewise happened in the mid-1990s when numerous non-Sabaot were ousted and lost their properties. Most of them could hardly recover their property since they could not demonstrate possession.

Instability and vulnerability of land acquisition forms have likewise assumed a role in politicising the land issue in the area (O.I., Kipyeko, 2019). As Mushtaq (2008) watched, 'land residency stayed questionable and subject to an official audit done in each political race year, prompting Chepyuk turning into a political tool in possession of neighbourhood legislators and government workers. This circumstance gives the foundation to the job of the Soy in the supposed ancestral brutality, prompting the 1992 general outcome. President Moi's ensuing passive consent to Soy's requests for land distribution and an authoritative locale in 1993, just as Soy's late consideration in Chepyuk I and II, intended for the Mosop (Human Rights Watch, 2011). It likewise clarifies the review of the Mosop in Chepyuk III, which had been proposed for Soy after the 2005 submission. The political manner of speaking of 2002 sustained the circumstance. It served to convolute the relocation program in Chepyuk III, as did the 2007 political setting, which prompted a heightening of the current clash.

### **Land as a Birthright**

The many unemployed youths resort to farming or cattle keeping for upkeep, as land is of utmost importance. Unemployment among the youth who perceived land as their birth right during conflicts could be used negatively because they can be paid or recruited in opposing military pacts (O.I., Naibei, 2019). The small payment and incitement to defend their land (which is their primary income) may readily lead the youth to offer their services as vigilantes or other task facilitators. Based on the focus group interviews and

discussions, all the respondents agreed that the Mt. Elgon region has a wide gap between the affluent and the poor. The percentage of affluent individuals in the area is minimal. Most of the population lives in poor conditions, with most people being the youth with a firm claim on land as their birth right. The only way to sustain their daily livelihood is by farming crops and animals (O.I, Kiboi; O.I, Kukuindet & O.I, Sirkoi, 2019). Be that as it may, land unavailability, which they view as their birth right, would mean that their primary source of income is taken away, leading to a group of idle youths who may fight to get back, which facilitates their survival mechanism.

Most male youths used it to herd huge flocks of cattle over the readily available grazing land, which is perceived as their birth right (KNA/PC/NZA/2/1/54:1931-51) Native Tribes and their customs). When new settlers bought or self-allocated parcels of Land, the grazing Land was limited, and farmland was reduced per household. The already high number of unemployed youths were quickly recruited into the militia group and promised they would restore their regular land before the new settlement. According to Osamba (2000), the youths play a critical role in a war system, mainly in the context of cattle rustling and banditry in north-western Kenya. Since they are poverty-stricken and separated by economic realities, the youths are structurally present and ready for mobilisation, just like when they were quickly recruited by the SLDF (Osamba, 2000). In general, the youth are most exempted from society's economic, political and social order. They are compliant and easy to manipulate.

### **Leadership Structure of SLDF Fighting for Land Claims**

According to Focus group discussions held on 7/10/2019, 11/10/2019, 16/10/2019 and 22/10/2019, Mt. Elgon's clashes were attributed to the state's move to force the eviction of the squatters in the region from the land that they claim to be lawfully theirs'. The Sabaot, who lived within the Chepyuk region since 1971, faced eviction led by the Kenyan government over allegations that they were inhabiting land that belonged to the Mt. Elgon Forest. Another reason for the evacuation of individuals from the area was that the families failed to fulfil the legal requirements, leading to the allotment of the land they occupied. The notice of eviction hardly considered that the

individuals in the area had been settlers of the region since their ancestry and that there was no other place where they would go for shelter or housing. The individuals who were to lose their land included prominent individuals within the community, political leaders, and other local individuals who owned large tracts of land. These groups would later mobilise to seek justice or legal aid to prevent the state from forcefully repossessing their land. Nevertheless, the court cases took too long due to many formalities and requirements to provide legal documents (O.I, Otwane, 2019). The young individuals and other community members mobilised to defend what they thought would be their land in all possible ways.

They mobilised individuals who formed the militia group. Inside its positions are previous armed force personnel and cops, including individuals such as David Sichei. Sichei had been connected to the first-class presidential security unit during President Moi's rule and is said to have experienced military preparation in Israel. Sichei was allegedly answerable for the military preparation for the Sabaot Land Defence Force militiamen (Human Rights Watch, 2008). Matakwei led the military wing of the state army despite having better-trained previous military and cops (Opala, 2008). In this manner, even though he was supposedly the Sabaot Land Defence Force representative pioneer and the army authority and was responsible for practising military methodology, Matakwei was hardly in control of the group's general military activities (O.I, Kesis, 2019).

Matakwei once led the SLDF into an attack on a town in Trans-Nzoia just after a ceasefire was established by rigorous pioneers and sympathetic offices operating in the area. When questioned why he did so, Matakwei allegedly said that he was unable to handle the assault since it had been planned before the ceasefire, and he was unable to call his superiors (Muliru, 2011). Aside from the military wing, the SLDF had a sophisticated wing that was critical to its military approach. Manyiror, the administrator of oaths, piloted this wing. His popularity in the public arena indicated that he merited respect from the populace and so leveraged influence among members of the network interested in political office (Opala, 2008; Muliru, 2011). The deep wing played a critical part in Sabaot Land Defence Force operations by motivating youth to join the

militia, encouraging them of spiritualist certainty and security, and rallying the network and legislators to the SLDF cause (Osamba, 2000). This wing of the Sabaot Land Defence Force would also enjoy the militiamen's highest regard since they were expected to foresee activities and devise ways to avoid danger (O.I, Kipkut, 2019).

The SLDF's third wing was politically active. It was accepted as the primary motivation for the uprising. Politics proved to be the most perplexing aspect of the rebellion. Aside from its self-acclaimed spokesperson, John Kanai, several legislators allegedly have ties to the SLDF. However, no conclusive proof as to who the lawmakers or ideologues behind the Sabaot Land Defence Force were. The political wing was also regarded as the organisation that raised funds for the SLDF militia (Muliru, 2011). Such financial assistance, if it existed, was very certainly limited, forcing the civilian-military to participate in looting, extortion, and illegal tax collection against residents. If any political proclamation was issued to elucidate its purpose, the political wing was the wing that made it (Human Rights Watch, 2008). Apart from attempts to conjure genuine humiliating actions to motivate the Sabaot and extend their geographical scope of operations, there hardly seems to be any explicit ideological acting or propagation, and the Sabaot Land Defence Force's political goal was never dependable or well-planned.

### **Land Injustice, Marginalisation and Deplorable State Presence**

After the formation of the militia group, aspects such as marginalisation were some of the issues that came to light and further propelled the militia's increased strategies. The farmers in the area could not transport their produce and animals to nearby markets, leading to significant losses (O.I, Kororia, 2019). The infrastructure of the sub-county and social amenities, such as housing, roads, well-being, and training facilities, were inadequate, which features the Sub-County's remote nature and constrains its reconciliation into the national standard (Opala, 2008). This elevated occupants' feeling of disconnection and marginalisation adversely impacts state network relations and expands network vulnerability to political control. A possible impact was that the legislature had not built up successful authoritative

power in the Mt. Elgon area. A further implication of the helpless foundation and absence of comfort is that the state's quality in individual pieces of the area does not stretch out past the ordinary authority working days and hours. Government officials leave for ideal provisioned urban focuses in neighbouring sub-regions, eminently Kimilili (Bungoma North), (Bungoma South), Webuye (Bungoma East), and Chwele (Bungoma West) (KNA/Bungoma District, Annual Report 1969).

The circumstance empowered the Sabaot Land Defence Force to build up its governing framework, complete with a system for imposing unlawful expenses and casual courts. The state army's legal framework was promptly opened to local people. The SLDF formed their government focused on those suspected of procuring land corruptly, disciplined fighting couples, followed awful indebted individuals, and rebuffed hoodlums and boozers (Human Rights Watch, 2011). For their security, state managerial officials (chiefs and respective assistants) in the territory were likewise required to allude to cases and debates with the SLDF just as they gathered charges for the volunteer army to indicate their accommodation to the SLDF militia's position. The individuals who did not consent were either murdered or compelled to escape the territory (O.I, Psese, 2019). A boss – Bramwell Kiso Kiboi of the Chepkube area – was snatched and held by SLDF minute men for three days. However, he could not report the issue to the police upon discharge of dread that doing so would have prompted his demise (Human Rights Watch, 2011). The unlawful tax assessment added to the production of a 'revolt economy.' Even though the geological area has assumed a job in the financial and socio-political circumstance of the Mount Elgon sub-district, the emergency, to an enormous degree, comes from mismanagement in that the specialists do not coordinate their advantaged position of intensity with the correlative commitment of involving these individuals for their administration obligations.

The motivation for contention about land has been brought about by misappropriating land through individuals who have networks within the government. It also makes one wonder how the territory, as a feature of the nation in general, is being administered (Human Rights Watch, 2011). This

prompts different inquiries, such as the purpose behind the distinction between perfect libertarianism and the act of preference. The Mount Elgon struggle additionally affirms that where the state consumes assets to the detriment of the populace and where shortages come from the state's appropriation procedure, the state is bound to finish the process with viciousness to force its will on the individuals (Opala, 2008). However, such dangers or genuine utilisation of brutality does not, on the whole, have exclusive control of resources, resulting in conflicts.

### **The Proliferation of Weapons and Firearms Aiding in the Protection of Land**

For the militia group to be able to defend their land following the eviction notices, they had to find a way to acquire weapons and firearms. The land aspect was a significant concern, and the militia had recruited the majority of the population either through incitement or coercion with threats. In the case of the SLDF, most of their weaponry was acquired from the neighbouring country, Uganda, among other areas (Human Rights Watch, 2011). Namunyu (2019) opines that the SLDF's militarisation was boosted by the prevalence of weapons along the Kenya-Uganda border. The extended clash in northern Uganda between the Lord's Resistance Army, headed by Joseph Kony, and the Uganda government powers imply that the weapons they utilised are, for the most part, available for use. The Sabaot Land Defence Forces could gain the weapon into the Mount Elgon locale due to the porous Kenya-Uganda border (O.I, Kangi, 2019). The permeable Kenya-Uganda limit and family ties between family and community members on either side of the border brought about the contention of getting a transnationalism component (KNA/Bungoma District Annual Report, 1965). Mount Elgon's adjacent to eastern Uganda enables the exchange of illegal arms, resulting in inter-conflict escalation within the region. According to Namunyu (2019), the border points of Suam in the Kwanza district and Bungoma West district were the avenues for bringing illegal weapons into the Mt. Kenya region. The border points of Lwakhakha were also a common trespassing juncture to the black market.

Based on focus group discussions on 11/10/2019, 15/10/2019, and 22/10/2019, the state has been embroiled in expanding small arms and light weapons

in the territory. In the mid-1990s, the government gave 1000 firearms to individuals from the Sabaot people group selected as Kenya Police Reservists (Human Rights Watch, 2011). These reservists are said to have favoured one side in the conflicts and utilised their weapons against non-Sabaot. The suggestion is that any contention circumstance in the zone can arise because of the weapons of battle were promptly accessible. The expansion of little arms and light weapons is both a circumstance and a logical result of the contention. The oppression motivated the securing of firearms. Whether or not the inspiration was offence or resistance, the result was that it broadened the contention.

The accessibility of little arms and light weapons puts forth a contention that brutality and sabotage attempt to determine it through discourse and other tranquil methods (Human Rights Watch, 2008, KNA/Bungoma District Annual Report, 1965). For this report, the investigation cannot overemphasise the connection between ethnonationalism, accessibility of weapons, and the most significant asset in the area. However, the land gave the thought process to the contention of the very space wherein the dispute is played out and the attempted endeavours.

### **Politicians and Government Officials' Involvement Land Conflict**

The reluctance of the Mosop People to relocate out of their ancestral land was the dominant form of concern that the politicians in the region used to increase the intensity of the clashes (O.I, Kisiro, 2019). The Mosop accused the Soy MPs of having political dominance within the area, which led to the formation of the Mosop settlement within the Chepkitala region (United Nations, 2012). As they regarded the area as their ancestral land, the area locals were not ready to relocate. They had support from the local politicians who were also against the eviction notice. Based on the data and findings from the field exercise, many respondents were familiar with the leadership structure of the SLDF, which Wycliffe Matakwei held. Accordingly, he was assisted by John Sichei Chemaimak, John Kanai, Patrick Komon, and Cllr. Nathan Wasama, Jason Psongywo, and Cllr. Benson Chesikaki. Together, they could recruit, organise raids, and terrorise the local community with conflicts and violence (Human Rights Watch, 2008). Wycliffe

Matakwei was a self-proclaimed leader of the SLDF, and he coordinated all the operations that the militia group was engaged in.

The militia group also had direct co-conspiracy claims with a local politician such as John Kanai. The politicians were mainly involved through their seditious messages and telling the residents to fight for what belonged to them. According to the respondents, most of the land in question was grabbed by two prominent individuals, Psongywo and Komon, in phase one of the Chepyuk settlement scheme (United Nations, 2012). The land was believed to be their ancestral land, and grabbing it from them would render them homeless, but they would have to relocate from their localities to find shelter elsewhere. The insurgency was aimed at creating tension and claiming the grabbed land for repossession (O.I Amojong, 2019). The SLDF's leader had, for quite some time, fought with authorities and inflicted harm on the land grabbers and those who did not want to join in the fight. However, after the military intervention, a crackdown was initiated that led to the death of the then-leader Wycliffe Matakwei in May 2008 (Human Rights Watch, 2011). The police paraded his body, which was positively identified by his wife.

Benson Chesikaki, a member of the slain militia group who was widely considered one of the leading figures, used to traverse the various regions in Mt. Elgon searching for youth to recruit into the Sabaot Land Defence Force (O.I, Sirkoj, 2019). The recruitment process was more of a forced ordeal than a voluntary presentation of interest since Matakwei and Chesikaki used to spread fear and tension and required all male youths of age to go for the training (Opala, 2008; United Nations, 2012). Many youths declined to attend the training, which prompted the militia group to attack and chop off the ear lobes of those who declined the SLDF's invitation and went to train. Consequently, some opted to join the insurgence for fear of their lives, and others decided to flee the region into other areas for safety (Human Rights Watch, 2011).

Wilberforce Kisiero, who served as a Member of Parliament from 1982 to 1997, was often cited in interviews as one of the district's proponents of violence. He was charged with involvement in state-

sponsored conflicts between 1991 and 1993 and mentioned in the Akiwumi report, a parliamentary inquiry into the 1990s political violence. Human rights groups named Kisiero and John Serut, who served as MPs from 2002 to 2007, and Fred Kapondi, who was elected in 2007, as a recruit, train, and fund militia that opponents were intimidated throughout the 1997, 2002, and 2007 elections. After initially cooperating (Kapondi was the district's KANU party chairman), Serut and Kapondi had fallen out by the time of the 2007 election (Human Rights Watch, 2011). Following that, the Sabaot Land Defence Force started an assassination campaign against Serut and his followers.

According to one area chief, Kapondi was the primary point man since Serut backed the Chepyuk III settlement plan despite the views of the majority of the SLDF. This gave him the political foundation necessary to win the election (Human Rights Watch, 2011). Kapondi was one of the recruiters in his region in 2006 but was caught in April 2007 and charged with robbery with violence at Webuye court, a non-bailable crime. He was nominated as the ODM candidate while incarcerated and was acquitted only days before the election on December 13, 2007. (Human Rights Watch, 2011). According to court authorities, the prosecution case crumbled as witnesses began to vanish and others altered their testimonies.

### **The Challenge of the Chepyuk Phase III Settlement Scheme**

The persistent contention impacted Chepyuk Phase III between the Sabaot clans of Soy and Mosop. The onset of the challenge was as follows: since the scheme's establishment, the Mosop demanded an equitable share, relying on the justification that the greater Chepyuk scheme was initially set to cater to them rather than the Soy (Ngulutu, 2013). In 2005, at a meeting chaired by the then Western Provincial Commissioner, Mr Abdul Mwasera, it was concluded that the plots in Phase III be divided the same between the two clans as demanded by the Mosop. The meeting proposed elders in every sub-location carry out a vetting exercise. Nevertheless, during the vetting procedure, the applicants for land allocation were 7000 (Simuyu, 2008). Only 2084 applicants qualified for allocation, while the available plots

comprised 1893. However, some of these plots were used for public activities.

According to Ngulutu (2013), the 1893 available plots were allocated as follows. Sixty-six were public utility plots, and 95 plots were for the Laibons. One thousand seven hundred thirty-two plots were available for allottees, and 352 applicants were left out. Generally, 1732 deserving applicants, including 866 Mosop and 866 Soy, were successful in the allocation. Out of 352 deserving cases who were not accommodated, 311 were from Soy clans and 41 from Mosop. The 352 cases required urgent attention to deal with dissatisfaction amongst the futile candidates from both clans (Ngulutu, 2013). The implication would have rehabilitated tranquillity among the Soy who felt unjustly treated in the Chepyuk Phase I and II. During the allotment of land in Chepyuk phase III, the Soy cited favouritism, while the Mosop claimed that the Soy had taken advantage of them since independence.

The Mosop believed that most of the challenges experienced in the Chepyuk Settlement Scheme from 1971 to 2006 were associated with the unjust treatment of the Mosop by Soy politician members, councillors, and chiefs who dominated the administration (Simiyu, 2008). Actions had been made to resettle the Mosop to Chepyuk Settlement Scheme, but Chepkitale's residents did not agree to the resettlement to Chepyuk in exchange for their Chepkitale ancestral land.

Mosop's decline to shift from their ancestral land indicated their robust attachment to it. The state failed to consider this factor during the relocation suggestion. The Mosop strongly believed migration toward the West was doomed (Simiyu, 2008). The Sabaot have a tradition that shifting should be toward where the sun comes from and where it sets to the West. Soy leaders opined that the Chepyuk settlement was to afford the Soy a settlement chance due to intimidation from the Bukusu assimilation.

The Kenyan government failed to consider that Mosop embraced a pastoral lifestyle and found themselves inadequate at Chepyuk as the new life needed cultivation and tree felling. The Mosop embraced the concept and became champions of cultivation, forest clearing, and settlement (Ngulutu, 2013). The political

leadership was strengthened by the appointment of chiefs, village elders, and assistant chiefs, who ensured authority by the Mosop. The Chepyuk settlement scheme was hardly de-gazetted as needed by law and concurrent arbitration to legalise land ownership. The committee that gave out land were similar individuals who misrepresented the Chepkitale individuals. Phase III had numerous conflicts emanating from the uprising noted as the SLDF. According to Simiyu (2008), the militia illustrated their objectives as safeguarding the Soy's land rights in Chepyuk III. However, SLDF widened its mission and geographical scale to encompass acquiring back the community land in the whole Trans-Nzoia that the colonialists had violently taken from the community. The new position drew the state's attention to the land disagreement in Chepyuk III, for which SLDF had originally taken up weapons. In a television interview with Wycliffe Kirui Matakwei in February 2007, he demanded that the government act fast in resettling authentic squatters who had been displaced from their farmland, or the illegal armed group would unleash conflict in the neighbouring districts to make the government attend to the woes (Simiyu, 2008). The militia's new position meant participating with a more authoritative narrative of historical inequalities embedded in the history of Sabaot land issues to attain bigger legitimacy for their cause among the Sabaot. The militia invoked historical injustices as a motive behind their struggles. The Sabaot Land Defence sought to rationalise and sanitise its scramble and establish it within the political and constitutional discourse on land.

The land issue, particularly matters pertaining to reimbursement for historical land disinheritance, was one of the debatable practices that resulted in the decline of the draft constitution during the national referendum held over a year, initially in November 2005 (Ngulutu, 2013). Absurdly, the SLDF's strive to underpin its objectives in national terms made their fights less justifiable because it concealed the Chepyuk III land dispute, in which there was a legitimate and instantaneous central grievance. Simiyu (2008) argues that if this was an intentional technique, there must have been more acquainted individuals behind the SLDF, for the issues were beyond Matakwei's understanding and his armed men. Most of the SLDF's members were young and without a sound education.

## **Coping Techniques of SLDF Violence Survivors**

Coping techniques refer to behavioural and cognitive mechanisms applied to solve challenges, manage emotions and disengage from strenuous events (Chemegemet et al., 2021). Coping encompasses various potential techniques, capabilities, and skills for efficiently managing stressful outcomes. The first coping strategy for some survivors of SLDF violence is silence. When individuals perceive that their community will hardly accommodate them as victims, they tend to be silent and withdraw. Some victims practice social withdrawal due to damaged relationships, while others run away from the violence source.

The second coping technique is identifying individuals and groups to be involved in planning violence eradication (Chemegemet et al., 2021). Following the violent conflict in Mt-Elgon, various NGOs, government institutions, and private initiatives intervened to support active, non-violent youth group movements. The process assisted in attaining reconciliation and peaceful coexistence in the region. Nongovernmental organisations like Peace Tree Network (PTN), via its youth network, organised training for other youths involved in violence and those behind bars. The re-integrating youth trained by the PTN continues with the mission to reach out to their colleagues, re-introducing them to society after being in the bush fighting with illegal armed groups or in jail. Women also partook in the peace actions in Mt. Elgon. Women started registering over six hundred females who lost their spouses in the war under the Rural Women Peace Link umbrella (Simiyu, 2008).

## **Inter- and Intra-Community Rivalry and Ethno-Nationalist Politics**

The hostile social relations have been a significant cause and impact of violent and intense competition over land in Mt. Elgon. The initial intra-community rivalry was between the Soy and Mosop clans. The second was an inter-community war that came from Sabaot ethno-nationalist politics, while the third was the rivalry between a faction of the Soy clan allied to various politicians.

The tension between the two Sabaot clans has rotated around allegations that the state favours one clan in land allotment, and both are accusing the other of the

same. The Mosop was not delighted with the state's choice to incorporate the Soy clan in the Chepyuk settlement scheme. The minority status of the Mosop means that Soy leaders made decisions related to land allocations. The Mosop did not have any political representation until 1997. By 2004, the Mosop had four assistant chiefs, one chief, and one counsellor in a district with a member of parliament (Simiyu, 2008). The Mosop was excluded during the representation to the state house to petition President Moi on land issues and has always been marginalised on land allotment committees. On the other hand, the Soy was displeased by the state's decision to incorporate the Mosop in Chepyuk III, which was formed for the Soy.

Historical injustices in line with the land question have driven Sabaot's ethno-nationalist politics. Besides Sabaot communal land's dispossession, marginalisation feelings and dominations have been exacerbated by inconsiderate administrative divisions. The Sabaot ethno-nationalist desires have adopted different methods. The initial was the Sabaot demand that an administrative district be formed solely for them. The Sabaot hoped that having a district of their own would rectify the inequitable in resource distribution and allow them to attain an equal share of state resources. They hoped that it would allow them to chart their development path. The aspiration for an administrative district was given in 1993 by the late President Daniel Moi. However, the district was hived solely from Bungoma District.

The Sabaot ethno-nationalist politics has been portrayed via dispute and disagreement directed towards non-Sabaots in the district with the view of decontaminating the district from non-Sabaots and the procedure for claiming back their land. After the Soys were evicted from Chepyuk II for afforestation and relocation of Mosop, they hardly vented their disappointment against the government or Mosop as much as against non-Sabaot. It constituted part of the tribal clashes linked with the 1992 elections. The Soy lamented their landless circumstance to the presence of non-Sabaot individuals in Mount Elgon who had political differences and occupied their ancestral land. According to Simiyu (2008), land is a fundamental livelihood for many Mt. Elgon residents, and landlessness depicts poverty and deprivation. It also

underpins that land violence can hardly be separated from economic struggles.

The politics of identification and identity have been operationalised to establish who is considered an Aborigine and ultimately welcomed and who is a newcomer who is unwelcome in the locality. The idea of ethnic, regional, and national boundaries has been a significant element in mapping the conflict's direction and efforts at its resolution.

## **Uncertainty/Insecurity of Land Tenure**

According to Simiyu (2008), it is evident that one of the challenges in Mount Elgon is insecurity or confusion of land tenure. The land title deeds' issuance did not immediately accompany the Soys' and Mosop's resettlement in Chepyuk I and II. It made ownership uncertain and reversible. The event was compounded when the land parcels altered possessions without formalising or recording proper transactions. Whenever the allocation's annulment was affected or evictions conducted, the original allottees and the individuals who had bought land from them suffered, and others were dispossessed. The Soy's eviction also happened in the early 1990s when most non-Sabaot were displaced and their land was grabbed. Simiyu (2008) asserts that most non-Sabaot were unable to reclaim their land due to their inability to show evidence of ownership.

Uncertainty and insecurity of land tenure have contributed to the politicisation of land matters in the region. Land tenure is subject to formal review, which was conducted in each election year, resulting in Chepyuk being a political element in the hands of civil servants and local politicians. The instance offers the background for the duty of the Soy clan in the tribal conflict leading to the 1992 general election. 2002's political rhetoric bolstered the conditions and complicated the relocation program in Chepyuk III, and the 2007 political context resulted in an upsurge of land war.

## **The Effect of Land Conflict on Mt. Elgon's Economy**

The Mt. Elgon land conflict resulted in a high level of instability in the region. The SLDF was the law of the land and continued to dominate the region. People had to abide by their laws or face severe ramifications as state laws were disregarded. The lawlessness

resulted in an environment where impunity could reign, and the economy was crippled. First, farming ceased in the Mt. Elgon region. Land conflict often broke out during harvest time, and the SLDF went around harvesting the farmers' crops to use in their camps. According to (Ryanga, 2013), any individual found harvesting crops for personal consumption was punished by death, which made farmers terrified to farm and abandon their farms. Secondly, the SLDF contributed to the closing off of the region to maintain a monopoly within the region. Nothing left or entered the region without their permission. The farmers had nothing to export due to the ailing farming sector, and most of the imported produce was barred.

Third, the land conflict disrupted and destroyed education progress in Mt. Elgon. Most of the learning institutions in the region were affected, and learners had nowhere to resume their education. Land conflicts have increased among uneducated youths (Ryanga, 2013). The land conflict crippled the society with learned people capable of developing their communities.

## **Mt. Elgon as of 2010**

The continuation of long-lasting tranquillity is majorly unpredictable, and thus, there is a need for the support of various peace initiatives. Even without a full-scale resurgence of war in recent days, instability and insecurity permeate most sections of the region. According to Wafula (2019), tension remains high due to the land allotment procedure coupled with major unemployment rates, poverty, and reduced economic growth. The SLDF group seems to have mastered new tactics to survive state crackdowns. However, the killings of its core members brought about the militia group becoming unable and inadequate to inflict the type of terror and hold it had over the local communities in the region (Wafula, 2019).

## **CONCLUSIONS**

The land question is at the centre of the conflict in Mt. Elgon. However, other factors led to the conflict but with a direct inclination to land. Conflicts with land allocation and settlement of local land conflict are the main reasons for the Sabaot Land Defence Force's rise. The high number of unemployed youths and the limited land to carry out agricultural activities and livestock rearing made many feel marginalised and opt

to retaliate. The leadership used the opportunity to recruit the youth into the militia groups and provide them with crude and modern weapons to protect themselves and intimidate new settlers or land grabbers. The interview outcome contends that the government delayed the land allocation process, and many people infiltrated the lands and moved their families. When the government decided to partition and allocate the land, the population increased, and new occupants also self-allocated land through purchases or trading activities. The area's violent past has led to militarisation, as people purchase guns for self-defence or to conduct their activities. This has been aided by the increase of weapons along the Kenya-Uganda border in the aftermath of Uganda's lengthy instability and conflict. This study identified that the SLDF's leader was Wycliffe Matakwei, assisted by John Sichei Chemaimak and John Kanai, Cllr. Nathan Wasama, Jason Psongywo, Patrick Komon, and Cllr. Benson Chesikaki. Together, they were able to recruit, organise raids, and terrorise the local community with conflicts and violence. At some point, the Sabaot Land Defence Force had varied reasons to rebel against the national government. The SLDF is a militia group that was formed in 2006 in an attempt to displace squatters in the Chepyuk region of Mt. Elgon. The militia had become more rowdy and excessively political. The SLDF supported particular political candidates and aimed at political opponents and their supporters. The Kenya National Commission on Human Rights indicated that more than 66000 people were displaced by the violent acts, and more than 600 individuals were tortured and kidnapped by the SLDF, who alleged that they had stolen their land.

### REFERENCES

- Chemegemet, R. M. ., Njonge, T. ., & Omulema, B. (2021). Forms of Violence by Sabaot Land Defence Force and its Effects on the Wellbeing of Women in Kopsiro Division, Mt. Elgon, Kenya. *Africa Environmental Review Journal*, 4(2), 28–40. <https://doi.org/10.2200/aerj.v4i2.144>
- Cotula, L., Toulmin, C., & Hesse, C. (2004). *Land Tenure and Administration in Africa: Lessons of Experience and Emerging Issues* (p. 51). International Institute for Environment and Development.
- Creswell, J. W. (2005). *Educational Research: Planning, Conducting, and Evaluating Quantitative and Qualitative Research*. Upper Saddle River, NJ: Pearson.
- Human Rights Watch. (2008). All-the-men-have-gone-war-crimes-in-kenyas-mt-elgon-conflict-july-2008-53-pp. *Human Rights Documents Online*. [https://doi.org/10.1163/2210-7975\\_hrd-2156-0547](https://doi.org/10.1163/2210-7975_hrd-2156-0547)
- Human Rights Watch. (2008). *Kenya: Army and Rebel Militia Commit War Crimes in Mt Elgon, 4 April*. <http://www.reliefweb.int/rw/rwb.nsf/db900sid/ASAZ-7DDCD5?opendocument>
- Human Rights Watch. (27 October 2011). *Kenya: Account for 'Disappeared' in Insurgency Crackdown*. <http://www.hrw.org/print/news/2011/10/27/kenyaaccount-disappeared-insurgency-crackdown>
- Human Rights Watch. (4 November 2011). *Kenya: Mt. Elgon Families Seeking Justice*. <http://www.hrw.org/print/news/2011/11/04/kenya-mtelgon-families-seeking-justice>
- KHRC (Kenya Human Rights Commission). (1996). *Ours by Right, theirs by Might: A Study of Land Clashes*. KHRC.
- KNA/Bungoma District Annual Report, 1965.
- KNA/Bungoma District, Annual Report, 1964.
- KNA/Bungoma District, Annual Report, 1969.
- Muliru, V. M. (2011). *Arms Control and Conflict Management, the Case of Kenya Defence Forces (KDF) in the Mt. Elgon Insurgency 2006-2008*. University of Nairobi.
- Mushtaq, N. (2008). *Politics - Kenya: An Intractable land Dispute Grinds on*. IPS [online], 19 March. <https://www.ipsnews.net/news.asp?idnews=41660>
- Namunyu, B. B. (2019). *Historical Analysis of the Land Question in Bukusu-Sabaot Inter-ethnic Conflict in Mount Elgon Area since 1850*. <https://api.semanticscholar.org/CorpusID:201085607>
- Ngulutu, M. B. (2013). *The Military in Post Conflict Reconstruction: The Case Study of Kenya Defence Forces in Mt. Elgon Conflict 2005-2012*. M.A Thesis. University of Nairobi.
- Njuguna, H. K., & Baya, M. M. (2001). Land reforms in Kenya: An institution of Surveyors of Kenya (ISK) Initiative. In *International Conference FIG Working Week*.

- Obi, C. I. (1999). Resources, population and conflicts: two African case studies. *Africa Development*, XXIV(3 & 4), pp. 47–69.
- Opala, K. (2008). Failed SLDF boss mere pawn in Elgon problem. *Daily Nation*, 20 May.
- Osamba, J. O. (2000). The sociology of insecurity: cattle rustling and banditry in Northern Kenya. *African Journal of Conflict Resolution*, 1(2):11–37.
- Ryanga, H. (2013). *Women and Conflict in Mt. Elgon: Assessing Rape as a Weapon in Armed Conflict*. M.A Thesis. University of Nairobi.
- Simiyu, R. R. (2008). Militianisation of resource conflicts: the case of land-based conflict in the Mount Elgon region of western Kenya. *Institute for Security Studies Monographs*, 2008(152), 80.
- United Nations (UN). (2012). Integrated Regional Information Networks (IRIN). Kenya: Salome Matakwei, Some People Still Hate Me. <http://www.irinnews.org/HOV/95367/KENYA-Salome-Matakwei-Some-people-still-hate-me> *Revivals and Violence*. Oxford publisher.
- Weatherby, J. M. (1962). Inter-tribal warfare on Mount Elgon in the 19th and 20th centuries: with particular reference to the part played by the Sebei-speaking groups. *Uganda Journal*, 26(2), 200–212.