

## TRANSFORMING ETHNIC IDENTITY THROUGH STATE INTERVENTIONS: INTER-ETHNIC CONFLICT MANAGEMENT IN BUNGOMA COUNTY, KENYA

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### ABSTRACT

Intra and inter-ethnic identities, built over time buttress ethnic conflicts globally. In Kenya, Bungoma in particular, the conflicts experienced in 1963, including unparalleled violence in 1992 were underpinned by socio-historical, cultural, ethnic and geographical identity factors. Specific objective of the study was to examine the statist inter-ethnic integration of ethnic identity issues in management of inter-ethnic conflicts in Bungoma County. The study was guided by a conceptual framework anchored on Galtung's Conflict Triangle and Lederach's Conflict Transformation theories. A descriptive research design was used, while the study was conducted in Bungoma County. Simple Random and Purposive were applied to determine participants. A sample size of 394, derived from 26581 population using Yamane formula was used. Questionnaires, interviews, FGD and document analysis were instruments used. Data was quantitatively and qualitatively analyzed. The study findings which wobbled from inter-communal stereotyping to misunderstandings to lack of information and politics showed that, first, ethnic differences which emanated from varying inter-ethnic histories scored 50% responses, cultural differences 40% and varied geographical location 10% responses. Second, inter-communal social differences ranged from in-born hatred 17% responses, value differences 18%, cultural dissimilarity 17%, unfair distribution of education 17%, varying norms 17% and religious rivalry 14% responses. Finally, negative ethnicity response scores demonstrated that, except for inter-communal politics' driving negative ethnicity, underscored in politicians using ethnic differences for political expediency which scored 16% responses, the rest, inter-communal perceptions, ethnic majority-minority contests, ethnic fear of survival, inter-communal inequitable access to power, historical injustices and ethnic chauvinism scored 14% responses each in accounting for identity issues in influencing conflicts in Bungoma County. Statist interventions against inter-ethnic hatred over ethnic values, culture and religion are underpinned in 2010 constitution. However, in furtherance to curing inter-communal stereotypes, drives of negative ethnicity like politics and enhance understanding and tolerance, the study recommends translation of peacebuilding process in Bungoma into creative art and documentary. This will increase awareness and integration of identity issues in management of ethnic conflicts in Bungoma County.

**Key words:** Ethnic identity, Conflict transformation, State intervention, Peacebuilding, Bungoma, Kenya.

### INTRODUCTION

Intra or inter-ethnic identity issues underpins ethnic conflicts globally. In Britain, religious identity defined Protestant-Catholic conflicts recorded as early as 1534. It was historical-religious identity factors which sharpened ethnic identity in Bosnia-Herzegovina, leading to the collapse of a nation, (Vesna, 1996). Canada has registered linguistic identity contests between the English-speaking and French-speaking Canadians. USA, is yet to overcome racial identity conflicts, (Sandra, 2003). Moreover, conflicts between Israel and Palestine has immense Islamic- Jewish religious cum cultural identity issues, (Yannis, 2018).

In Africa, ethnic identity contests underpinned Congo, Mozambique, Angola, Ethiopia including Uganda and Rwanda's conflict. Efforts to federate Eritrea to Ethiopia failed leading to the split of the Ethiopian nation and state (Ghebrehwet, 2009). While Rwanda's, peace-building strategies sought to reconcile inter-ethnic identity issues between the Hutu and Tutsi by falling back to indigenous peace-building strategies *umuganda* (community work) and *girinka* (donating one cow to each needy family) as means of coexistence after 1994 genocide.

In Kenya, Bungoma in particular, the influence of statist transformation of inter-ethnic identity issues in management of inter-ethnic conflict has been ineffectively long. From independence in 1963, the conflicts acquired both national and violent inter-ethnic dimension in the region when KANU and KADU, the then two major political party contests situated communities' identity issues against each, (Kiliku, 1992, kiwumi Report of Judicial Commission, 1999). In 1992, instead of the newly introduced multiparty democracy breaking down volatile in inter-ethnic identity issues, the County lapsed into yet another unprecedented violence (Kiliku, 1992). This background contradicts the conventional approach which argues that statist inter-ethnic integration of inter-ethnic identity issues including politics or political leadership has a stake in inter-ethnic cohesion. It is from the foregoing that the study examined the statist transformation of inter-ethnic identity issues in the management of inter-ethnic conflicts in Bungoma County. Specific objective of study was to examine the statist inter-ethnic integration of ethnic identity issues in management of inter-ethnic conflicts in Bungoma County, while answering the question, what is the effect of statist inter-ethnic integration of inter-ethnic identity issues in management of inter-ethnic conflicts in Bungoma County.

The study, fills the knowledge gap on statist inter-ethnic integration of ethnic identity issues in the management of inter-ethnic conflict in Bungoma County. Additionally, it enriches the Ministry of Interior and National Coordination, the CSOs, NGOs, FBOs and CBOs. The study, underpins philosophical interpretivism approach to research, by underscoring the analysis of societal beliefs, norms and culture, and how it contributes to the understanding of statist inter-ethnic transformation of inter-ethnic identity issues in management of inter-ethnic conflict in Bungoma County.

As regards the scope, study examined the influence of statist inter-ethnic transformation of socio-ethnic and regional identity issues in the management of inter-ethnic conflict in Bungoma from 1963. However, as postulated by Lederach (2003), the study had to fall back in time in order to identify the root causes of identity issues, growth and how they have been addressed over time. The study, addressed identity issues between Bukusu and Sabaot because inter-ethnic hostility and violence in Bungoma County followed the rivaling inter-ethnic identity issues including politics and political leadership issues of neighbouring communities. The year 1963 is significant to this study because it marked a new dawn of independence, under African leadership yet this was when inter-ethnic conflict specifically between the Bukusu and Sabaot took on a national political dimension and broadly affected other minority communities in the region. The year 2010 is a significant date to this study because it marks the promulgation of Kenya's new constitution, the peak of 'Change the Constitution' struggles in Kenya and sets the socio-political and economic foundation of legal structures of not only peace building but also conflict transformation.

In the literature reviewed, Magradze, (1996) sees culture as a uniting glue for identifying as well as distinguishing groups or individuals in terms of behavior, thinking, feelings, attitudes and trends. Culture binds together for or against conflict. Correspondingly, Rummel (1979) observes that varying values influence people's interaction either by straining or reinforcing co-existence. Lebaron (2003), advancing the same line of thought, observes that value differences held by different groups have often caused protracted conflicts resulting from a clash of worldviews among individuals, groups or communities. Michael (1998), observes that a country or a region with knead mingled ethnic groups is less susceptible to ethnic related conflict than one that has ethnic groups organized along regional lines. However, certain gaps regarding the present study come to the fore for interrogation, the extent to which different values, history, regionalization and culture weighed on inter-ethnic conflict and reconciliation in Bungoma County. This was particularly puzzling to the Bukusu and Sabaot where the cultures of the two communities have influenced each other a factor that should have united them. For instance, the male circumcision practice among the Bukusu is traditionally believed and accepted to

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

The study was guided by a conceptual framework underpinned by Galtung's theory of Conflict Triangle within the three aspects of emergence and growth of negative Attitude (A), Contradiction (C) and manifest Behaviour (B). Applied to the study, the theory underscores emergence of negative inter-ethnic identity attitudes, its growth and manifestation of conflict and points of interventions for peacebuilding. Lederach's Conflict Transformation which underscore transformation of conflicting inter-ethnic identity issues by using different players from grassroots, middle and top level military, religious or political leadership in inter-ethnic integration of identity issues in the management of inter-ethnic conflict by unearthing its root causes found in the conflict's history. (Galtung, 1996; Lederach, 2003).

## METHODOLOGY

This study employed a descriptive research design, which facilitated the collection and analysis of both quantitative and qualitative data. This design enabled the identification of underlying frequencies, trends, and patterns in social, historical ethnic, and geographical inter-ethnic identity issues among communities.

## Study Area

The research was conducted in Bungoma County, Kenya, which spans 2,206.9 km<sup>2</sup> with a population of 1,375,063, including approximately 172,377 Sabaot and 1,202,686 Bukusu (KNBS, 2009). The county comprises nine sub-counties, each corresponding to a constituency. Administrative divisions dominated by the Sabaot include Kapsokwony, Kaptama, Kopsiro, and Cheptais, while those dominated by the Bukusu and Tachoni include Nalondo, Bumula, Bungoma, Kimilili, Malakisi, Naitiri, Sirisia, Ndivisi, and Webuye. Unlike the agriculturally oriented Bukusu, the Sabaot are traditionally pastoralists. The county hosts major economic installations such as coffee factories in both Sabaot and Bukusu areas, the Nzoia Sugar Factory, and the now-defunct Pan African Paper Mills in Webuye. Bungoma was selected due to its history of recurrent inter-ethnic conflict and ongoing peacebuilding efforts by elders, state, and non-state actors across pre-colonial, colonial, and post-colonial periods.

## Target Population

The study targeted 26,581 individuals, comprising elders (25,070), civil society officials (690), clergy (600), IDP officials (20), senior police officers (20), county/sub-county commissioners (9), chiefs (44), and assistant chiefs (128) (Table 1 and 2).



**Sample Size Determination**

Using Yamane's (1967) formula for sample size calculation:

$$n = \frac{N}{1 + Ne^2}$$

where,

n= sample size

N= population size

(e) = significant error ( $\pm 0.05$ )

$$n = \frac{26581}{1 + 26581(0.0025)} \approx 394$$

The calculated sample size was 394, distributed proportionally across the population clusters (Table1).

**Sampling Techniques**

A combination of cluster random sampling and purposive sampling was used. Cluster random sampling ensured each respondent had an equal probability of selection. Purposive sampling targeted knowledgeable individuals (particularly elders) with historical insights on inter-ethnic identity issues.

*Table 1: Summary of Study population Units*

Population Cluster	Population Size (X)	Sampling Strategy	Sample Size Determination (X/26581) × 394	Data Collection Method
Elders	25070	Simple random sampling & Purposive	371	Questionnaire (260), FGD (18) & Interview (93)
CSO officials	690	Simple random sampling	10	Questionnaire
Clergy	600	Purposive	8	Questionnaire
IDP officials	20	Purposive	1	Interview
Senior Police	20	Purposive	1	Interview
Chiefs	44	Purposive	1	Interview
Assistant Chiefs	128	Purposive	1	Interview
<b>Total</b>	<b>26581</b>		<b>394</b>	

*Table 2: Proportionate Distribution of Elders questionnaires and Interviews*

SUB-COUNTY	+65 years	Questionnaires Distribution	Interviews
Kimilili	2944	31	11
Bungoma North	3129	32	12
Bumula	3696	38	14
Bungoma Central	2718	28	10
Bungoma South	3288	34	12
Bungoma West	2014	21	8
Webuye East	1975	21	7
Webuye West	2221	23	8
Mt. Elgon -Kapsokwony-Kopsiro and Cheptais	3085	32	11
<b>Total</b>	<b>25070</b>	<b>260</b>	<b>93</b>

FGDs consisted of three groups of six elders each from Kimilili, Kapsokwony, and Cheptais.

### Data Collection Instruments

Primary data for the study was collected through questionnaires, structured interviews, and Focus Group Discussions (FGDs). These tools were administered to a range of key informants, including elders, clergy, civil society organization (CSO) officials, chiefs, assistant chiefs, internally displaced persons (IDP) officials, and senior police officers. These sources provided first-hand insights into the dynamics of inter-ethnic identity issues and conflict transformation efforts in Bungoma County.

In addition to the primary sources, secondary data was extensively reviewed to corroborate and enrich the findings. This included both published and unpublished records. Among the critical historical documents consulted were the Carter Land Commission Report of 1934, the Constitutions of Kenya (1963 and 2010), and reports from various commissions such as the Constitution of Kenya Review Commission (CKRC), Kiliku Report, Akiwumi Report, the Truth, Justice and Reconciliation Commission (TJRC) Report, the Kriegler Report, and the Waki Report. Furthermore, Acts of Parliament, national census data dating back to 1969, and a range of ministerial and departmental annual reports were examined. Private documentation such as civil society reports and organizational minutes, including board resolutions, were also analyzed to provide a holistic understanding of the historical and contemporary context of ethnic relations in the region.

### Data Analysis

Quantitative data were analyzed using MS Excel, which allowed for sorting, filtering, and generating statistical abstracts. Qualitative data were thematically analyzed by identifying cross-cutting themes, patterns, and corroborating various data points.

### Limitations

The study encountered several key limitations. Firstly, logistical challenges arose due to the vastness of Bungoma County and the ethnic diversity of its population, which increased the complexity and cost of fieldwork. Additionally, language barriers posed a significant obstacle, necessitating the use of interpreters to facilitate effective communication with respondents from different linguistic backgrounds. A further limitation was the initial suspicion and reluctance expressed by internally displaced persons (IDPs), many of whom had suffered the loss of property, land, and loved ones due to previous episodes of ethnic violence.

To address these challenges, the researcher implemented several mitigation strategies. Translators were engaged to overcome language barriers and ensure accurate data collection. Ethical clearance was secured from the University Board of Postgraduate Studies, the National Commission for Science, Technology and Innovation (NACOSTI), and the Bungoma County Commissioner, lending credibility and legitimacy to the study. Participants were assured of confidentiality and informed of the study's purpose and potential contribution to long-term

peacebuilding in the region, in accordance with ethical guidelines outlined by Okoth (2012) and the National Commission for the Protection of Human Subjects (1979).

## RESULTS AND DISCUSSIONS

### Integration of Administrative Identity Units and contests in the Nature of Inter-ethnic Conflict in Bungoma

A respondent observed that;

the colonial aligning of Bukusu-Sabaot administrative units along ethnic lines but under the unitary colonial over lordship alongside colonial education not only undermined and disrupted traditional inter-ethnic pillars of unity but eventually created new yet incompatible Bukusu-Sabaot unique administrative community needs which went beyond the ability of Bukusu and Sabaot traditional elders. This necessitated the emergence of a new crop of elite elders to deal with emerging issues. .... this background set the roots of Bukusu-Sabaot elite identity contests which jeopardized inter-ethnic co-existence and paved the way for systemic inter-communal demand and contest over self-administrative unit since the colonial period up to 1993 in independent Kenya and beyond (Respondent 7:2018).

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



Though, the colonialists, from the very beginning had thought that the Sabaot (Elgoonyi) was a dying 'tribe' partly because of their initial small numerical strength and their dual citizenry, of being in Kenya and Uganda but instead it strengthened their struggle for their self identity and resistance to disintegration or assimilation, (CKRC), 2005, Respondent 21:2018, The KLC Report, 1934).

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

Additionally, the need for a separate administrative unit followed the gradual shifting of the centre of power from traditional elders to the new center of power of the mission-educated elites of earlier the Bukusu and later the Sabaot, (Respondent 2:2018). This inter-communal competitive identity was fueled more by the colonial administrative units which housed communities in one unit but with unregulated competition over, for example, education and economic spheres which found its way in independent Kenya and Bungoma in particular, (Respondent 8:2018). Initially, this was in response to the new colonial socio-political and economic organization of the North Kavirondo particularly when the mission educated elites realized that their respective communities were disadvantaged when competing for an entirely new yet important colonial education, agricultural revenue and even administratively within the first North Kavirondo District, later Elgon Nyansa and Bungoma districts, (Respondent 29:2018, Kakai, 2000).

It can thus be argued that, the expansion of colonialists' administrative units brought on board new areas of inter-ethnic incompatibilities which blurred inter-ethnic identity as independent units which initially

separated communities, to demanding for their administrative self-determination in agriculture, education, health, and revenue removed from being administered under one unit, for the case of the Bukusu and Sabaot under North Kavirondo district. However, later the same ethnic hegemonic tendencies antagonized the Bukusu and Sabaot in independent Kenya, as the Sabaot equally demanded for their own administrative unit removed from that of Bungoma which was dominantly inhabited by the Bukusu (Respondent 6:2018).

The initial area of inter-ethnic contest between for example, the Bukusu-Sabaot against other communities, the Wanga and Maragoli in particular, while under North Kavirondo was in education particularly the use of *Wanga* and *Oluologoli* as a language of instruction in schools (Respondent 8:2018). Though, both the Bukusu and Sabaot argued that their children were disadvantaged in colonial education where the language of instruction was Luhya *Oluologoli* and *Wanga* which neither the Bukusu nor Sabaot were fully conversant with yet their children were required to equally compete at par with children from the two communities *Maragoli* and *Wanga*, additionally was the threat of loss of their ethnic identity (Kakai, 2000). The Sabaot were worse off since unlike the Bukusu who could either hear or quickly learn Wanga and Maragoli classified under Luhya and Bantu, they belonged to a different linguistic group of the Nilotes and they were a minority community. As earlier alluded to, it was from this background that dominantly both Bukusu and Sabaot united and came up with Kitosh Education Society (KES) in 1936 which demanded for their own administrative unit in order to determine their own affairs, just as it had been in pre-colonial period, (Respondent 4:2018). Fourteen years later the Elgon Nyansa District was granted and later Bungoma (Respondent 8:2018).

Subsequently therefore since the Sabaot had not only witnessed but supported the creation of what they (Sabaot) later referred to as 'Bukusu District' which came later, Bungoma it rightly prompted them to demand for their district (Respondent 2:2018).

In essence thus though in pre-colonial Kenya Bukusu and Sabaot lived in relative harmony with mutual respect for each other however colonialism caused a major socio-economic and political inter-ethnic paradigm shift which became an anchor for politicization of ethnic identity, breakdown of the pillars of peacebuilding, creation of inter-ethnic tension and conflict. The Bukusu-Sabaot ethnic identity degenerated further when the independent government treated ethnicity as a threat to nationhood while using the same to entrench inter-ethnic tension and conflict, (CKRC, 2005).

To date, the Sabaot in particular, argue that the colonial demarcations of administrative boundaries deprived them of their property and land which consisted of the present Bungoma and Trans-Nzoia County, (RCNECNCL, 2008). They further claim that their neighbours were not the present Bukusu

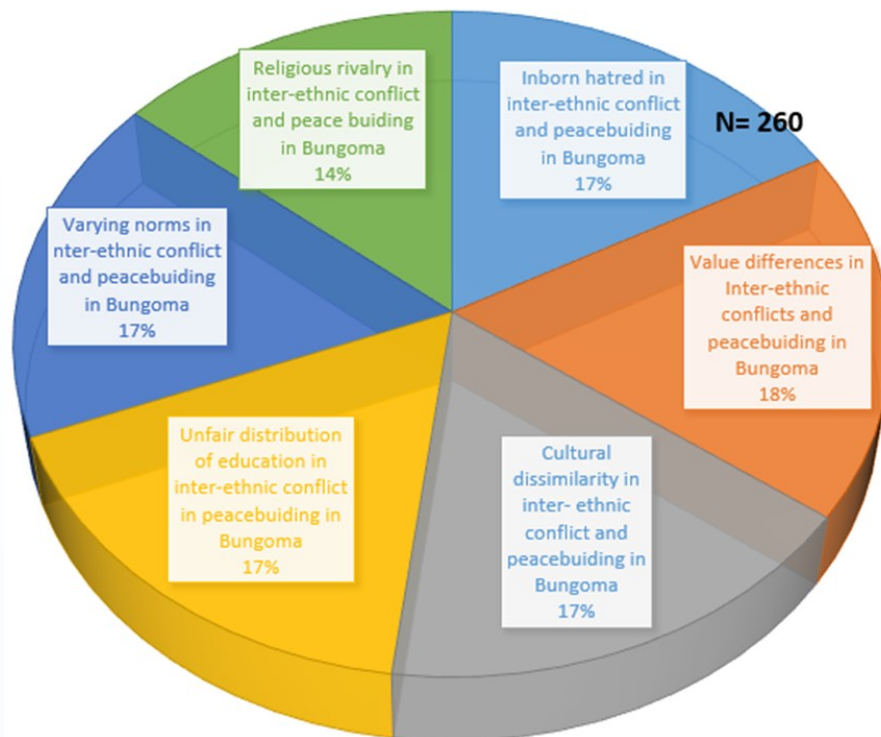
but the Nandi, Tachoni, Kabras, Teso, and Wagishu of Uganda meaning the Sabaot lay claim on all the land settled on by the Bukusu, (RCNECNCL, 2008). They still wonder why after independence their land was not reverted back to them. These were the fissures that have enhancing inter-ethnic contests and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

wonder why after independence their land was not reverted back to them. These were the fissures that have enhancing inter-ethnic contests and conflict and subsequently peacebuilding.

Additionally, the colonial appointment of Headmen and African Chiefs was done arbitrarily, such that the British created their own community leaders who not only readily obeyed them but also were ready to disregard traditionally accepted elders, (RCNECNCL, 2011). The colonial appointed Chiefs enhanced the welfare of, first the colonial appointing authority the British, then their community but by drawing an ethnic wedge as it happened between the Bukusu and Sabaot. Colonial chieftdom had expanded and housed more than one community like the Bukusu and Sabaot unlike pre-colonial Bungoma. Such administrative arrangement appeared to favour one community, the Bukusu over the other, the Sabaot who felt secluded and oppressed particularly in regions that had a majority and minority community like the Bukusu and Sabaot respectively hence it increased inter-communal incompatibility. The Sabaot largely felt left out in colonial administrative arrangements (Imbuye, 2016). The perceived and actual favouritism divided ethnic communities pitting one against the other.

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

It was equally unfortunate that, the adoption of the colonial commodity production between the Bukusu and Sabaot regions did not occur at par because the Sabaot were located away from colonial urbanization, trade, communication, education including missionary activity, thus marginalized. It is this background that came to haunt Bukusu- Sabaot peacebuilding and conflict management, particularly in independent Kenya.



*Figure 1: Social Influences in Inter-ethnic Conflict and Peace Building in Bungoma County*



**Inter-ethnic Intrinsic Hatred, Value Differences, Cultural Dissimilarity, Unfair Distribution of Education, Varying Norms and Religious Rivalry in Inter-ethnic Conflict and Peace building in Bungoma County**

Forth with therefore, by independence ethnic identity issues had not only grown but expanded in breadth to cover inter-ethnic (in-born hatred, value differences, cultural dissimilarity, education, varying norms and religious rivalry). Inter-ethnic intrinsic hatred rated at 17% (44) amongst communities was among highest under the social factors which influenced peacebuilding and conflict management. Corroborated by the responses at FGD: 3 in 2018, the study found that the inter-ethnic dissimilarity was a problem of socialization from childhood (FGD:3 2018). To the Sabaot, for example, the 'Bukusu were classified as intruders while on the other hand, the Bukusu believed that the Sabaot were naturally militant (FGD: 3: 2018). The factors that constitute social influences between the Bukusu and Sabaot and the responses derived thereof cover the entire social life of the two communities from when the child is born, socialized up to adulthood. This meant that Bukusu-Sabaot integration was disjointed against peacebuilding right from birth to adulthood unlike traditional society which had structures that nurtured inter and intra-communal coexistence from childhood as earlier alluded to.

Both cultural dissimilarity and disagreement over norms were equally rated at 17% (44) as having affected inter-ethnic conflict and peacebuilding. Corroborated by respondent 8 in 2018, inter-ethnic differences on philosophical principles identified by the study as influencing Bukusu-Sabaot conflict and peacebuilding were grounded on the dissimilarity of cultural beliefs, varying norms, and value differences rated at 17% (44) (Respondent8:2018). Religious dissimilarity was rated lowest from the study at 14% (36).

Education, which could be expected to help neutralize in-built hatred among communities, was identified by the study as having degenerated because inter-ethnic education opportunities starting in colonial Kenya were either unfairly shared between the Bukusu against the Sabaot nor were there inter-ethnic equity or equality educational structures, its influence was rated at 17% (44). The study found that the disharmony in education was further enhanced by lack of ethnic diversity in the learning institutions from primary, secondary, colleges and even in the former municipal and today county government, that is, in terms of employment. The FGD at Cheptais, found that the Sabaot complaint of having been 'discriminated against' from the Bungoma County Council up to Bungoma County government exemplified by lack of ethnic diversity in employment between the Bukusu and Sabaot, (FGD:3:2018).

A respondent observed that;  
Bukusu – Sabaot  
socio-cultural

rivalry in independent Kenya was centered on resource allocation measured in terms of distribution of development opportunities 'in education, roads, electricity and water connectivity including employment' (Respondent 8:2018).

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

In essence, thus though the Bukusu and Sabaot, for example, shared some traditions like circumcision as a rite of passage, the social influences were identified by the study as having affected peacebuilding. The FGD established that 'Sabaot had their circumcision songs, type of dance, and their unique period of circumcision (FGD 1:2018). As the Bukusu circumcised their male initiates in August of an even year the Sabaot circumcised though in an even year but in December'. The Sabaot unlike the Bukusu circumcises girls as well. The rite of the passage thus drew a distinction. Besides, the Sabaot had a 'well established and refereed institution of Oloibon' unlike the Bukusu, though they had their 'seers', 'but they were not as institutionalized and as unchanged as was the case with the Sabaot' (FGD 1:2018). To date, the Oloibon institution among the Sabaot remains strong and functional. A long-time peace practitioner in the Mt Elgon region was emphatic that 'traditional elders' institution among the Sabaot was highly respected than church leaders', yet among the Bukusu, the eldership had comparatively waned (Respondent 18:2018). Equally important, the Bukusu were agriculturalists while the Sabaot valued pastoral lifestyle alongside agriculture. It was from this background that the study found that 'Bukusu-Sabaot disagreed over values underscored in customs, traditions, rituals, and even beliefs'. A respondent at an FGD at Kapsokwony observed that though the Bukusu argued that the Sabaot voluntarily moved away and abandoned their farms whenever their animals died, however the Sabaot on their part blamed their misfortune on the Bukusu, (FGD 2:2018).

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

### **Inter-ethnic, Historical, Cultural and Geographical Identity Issues and Peacebuilding in Bungoma County**

Inter-ethnic identity issues elicited responses in the affirmative that it influenced conflict and peacebuilding. Inter-ethnic different histories had the highest responses in the affirmative accounting for 50% (130). Varying cultural identities accounted for 40% (104) of responses in the affirmative. Geographical locations of communities went a long way to strengthen identity issues rated at 10% (26). Different geographical locations of the Bukusu and Sabaot for example, meant that the identity issues remained intact and volatile since distance-limited interaction and largely maintained the status quo. The in-depth interview as well as FGD concurred that the Sabaot were largely labeled as 'people of the mountain' (FGD 2:2018). This was further reinforced by the fact that other than topographical demarcation between the two communities, there was a clear-cut ethnic aligned administrative and electoral division or boundary between the two communities, dividing them into ethnic administrative units as well as into mountains inhabited dominantly Sabaot, and lowland Bukusu (Respondent 7:2018). The administrative boundary dividing Mt Elgon from the larger Bungoma was drawn based on Bukusu – Sabaot ethnicities (Respondent 66:2019). As a result, the border of the two is not only 'administrative but cultural hence emotive'. The fact that the political demarcation of Mt Elgon constituency, dominantly Sabaot falls at the same border has more often than not been converted into a battlefield, (FGD 3:2018).

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

The Bukusu – Sabaot border was not only drawn or designed to suit individual and community interest but it was also congruent to the terrain of land dividing mountain Sabaot and lowland Bukusu (Respondent 2:2018). At the time of demarcating the

two communities, people at the border were asked whether they wished to belong either to Mt. Elgon side Sabaot or the lowland side among the Bukusu (Respondent 66:2019). This arrangement largely explains why the border-line between the Bukusu and Sabaot is 'zigzag and ethnic', dividing the Bukusu from the Sabaot (Respondent 66:2019).

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

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

We (the Bukusu) in Mt. Elgon have to move to lower Bungoma Sub- Counties to get bursaries including our children getting selected into public colleges or join the police' or armed forces (Respondent 48:2019).

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



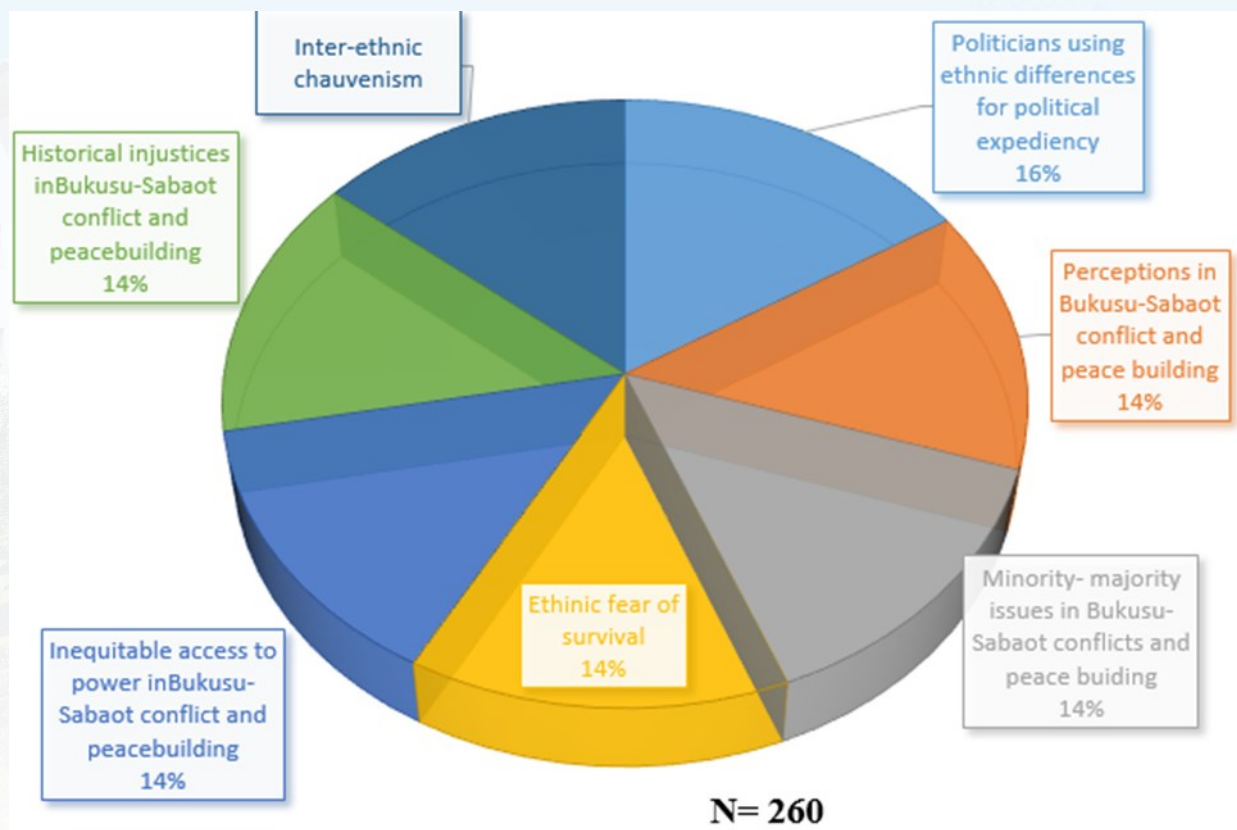


Figure 2: Ethnicity and Inter-Ethnic Conflict and Peacebuilding in Bungoma County

Ethnicity by itself according to the study was a label that gave identity without rating of communities. Worth note however, is that, it drew the dividing line of identity between the Bukusu and Sabaot. As regards inter-ethnic conflicts in Bungoma County, the study established that politicians gave ethnicity not only a negative usage rated at 16% (42), but also a driving force for inter-ethnic perceptions, majority-minority, ethnic survival, inequitable access to power, historical injustice and chauvinism. It is this dynamic yet maneuverable ethnicity particularly among the Bukusu and Sabaot that the study sought to establish the forces that worked for and against peacebuilding.

First, negative ethnicity was identified by the respondents as having been behind Bukusu-Sabaot conflict and peacebuilding. The order of influence from the highest-ranked influence to the least shows that; the use of ethnic differences as mobilizing factor for the pursuit of political power was rated highest from the respondents. Next which appeared to answer the first question 'how?' the study discovered that the political elites tilted the perceptions of ethnic communities including the Sabaot against the Bukusu and vice versa. The tilt gave ethnicity direction and therefore motion and momentum for or against conflict. While in motion, ethnicity as a tool was used to acquire some things but not others depending on its strength inherent in ethnic communi-

ty's numbers hence the ethnic motion gave the significance of minority-majority issues between the Bukusu and Sabaot which therefore became a point of contention because numerical strength disadvantage minority interests. Mutual exclusive perception between the Bukusu and Sabaot was built along minority-majority respectively because of varying abilities inherent in numbers present in two ethnic communities. Ethnic political parties formed by the Bukusu and Sabaot largely came out as built on mutual exclusive perception and thus enhanced ethnic collective fear of survival.

Accordingly thus, Bukusu-Sabaot negative ethnicity was wheeled on ethnic political tilt, minority-majority issues, mutual exclusive perception, and Sabaot collective fear of survival; the three factors came in second after scoring equal percentage in rating on influencing Bukusu-Sabaot conflict and peacebuilding as demonstrated on figure 2. The peak of negative ethnicity between the Bukusu and Sabaot was fully realized at the electioneering contest. Politicians and those who wanted to become politicians raised ethnic sentiments which exacerbated communities into conflict. In essence ethnicity between the Bukusu and Sabaot was used as the quickest political tool for conflict than peacebuilding, (NSC, 2011).

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

### **Statist Influence in Inter-ethnic Transformation of Ethnicity, Social, Historical, Cultural and Geographical Identities in Bungoma County**

Though it disallowed discrimination based on one's tribe, Kenya's 1963 constitution did not treat ethnicity as a threat to inter-communal harmony, (The Constitution of The Republic of Kenya, 1963, Article 82 Sec. 3). Fundamentally the independence Constitution did not guard against negative ethnicity. The Constitution of Kenya Review Commissioners report of 2005, established lack of proper linkage between traditional kinship based political arrangement and the state machinery which made ethnicity become a focus for political life for majority of the people in Kenya as was reflected in Bungoma County. (CKRC, 2005).

Consequently, unlike the 1963 Constitution, the 2010 Constitution treats negative ethnicity as threat to nationhood in various aspects and in turn it protects nationhood as well as inter-communal harmony by providing a legal framework for inter-ethnic interaction. As regards political parties, the constitution provides that each political party's list of membership reflects the regional and ethnic diversity. It disallows ethnicity as a basis of establishing a political party and representation of minorities. The national as well as county executive organs of government to reflect the regional and ethnic diversity of a people of Kenya or county. The composition of defense force as well as police service, commission appointments including public service should reflect regional and ethnic diversity (The Constitution of Kenya, 2010, Articles, 90(2), 91(2)a, 100(d), 130(2), 232(1)i, 241(4), 246, 250). In employment, both national and county government employment must

represent the diversity of the people of Kenya and by extension Bungoma for the County government. Henceforth, the constitution makes it illegal for a public establishment to have more than one-third of its staff from one ethnic community, (National and Integration Act No. 12 of 2008 Article 7 (2). Discrimination, harassment, unlawful dismissal that was inclined to ethnicity is prohibited (National Cohesion and Integration Act, Article 7).

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

Inter-communal hatred is factored in National Cohesion and Integration Act 2008. According to the Act, hate demonstrated verbally through threat, abusive or insulting words or behavior or through the display of any written material is an offense punishable in law (National Cohesion and Integration Act No.12 of 2008, article 13 (1) (a). Similarly, the Constitution protects individuals, communities against hatred perpetrated through written material, art, performance, visual images, or through programmes that are abusive or insulting one community by the other, (The National Cohesion and Integration Act No.12 2008, Article 13 sec (1) (b and c). The 2010 constitution provides for national values which are binding to everybody, including, state organs, state officers, and public officers. National values underscore patriotism, national unity, sharing and devolution including working within the framework of the law, observance of human dignity, equality, and non-discriminatory activities (The Constitution of Kenya, 2010, Article 10).



With regard to cultural dissimilarity and varying norms, the constitution promotes cultural diversity and tolerance. It recognizes culture as the foundation of the nation and as the cumulative civilization of the people. It promotes cultural diversity expressed through literature, traditional celebration, or cultural heritage (The Constitution of Kenya, 2010, Article 10). The affirmative action embedded in the constitution is to ensure that inter-communal discrepancy in development is limited or gradually neutralized so that the marginalized and minorities access education facilities, health services, infrastructural development, employment including the development of their culture (The Constitution of Kenya, 2010, Article 56 subsection (a-e). Annually, the president is constitutionally mandated to give a report on the status of national values and by extension the level of inter-ethnic national integration and nationhood (The Constitution of Kenya, 2010, Article 132 sec. (1). As regards the Bukusu- Sabaot historical land injustices and geographical location the constitution has a provision for National Land Commission charged with the responsibility of voluntarily or on basis of aggrieved party initiate investigation into present or historical land injustices and recommend appropriate action (The Constitution of Kenya, 2010, Article 67 (2) (e). In essence, the Sabaot-Bukusu complaints about boundary have constitutional provision for redress instead of resorting to inter-communal violence.

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

At an Inter-community Conference held in October 2011 at Mabanga Farmers Training Centre which involved elders from the Bukusu, Sabaot, and Iteso, issues of stereotype and prejudice were discussed and resolved that each community has a duty to respect the legitimacy of each other's history and rightful status as equal members of both Bungoma

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

## CONCLUSION AND RECOMMENDATION

### Conclusion

Statist inter-ethnic transformation of identity issues was anchored in the transformation of, inter-communal hatred, value differences, cultural dissimilarity, varying norms, religious rivalry, and negative ethnicity. However, peacebuilding remained an elusive ongoing process as it mutated with dynamic man and society. Affirmative action, inter-ethnic inter-generational cultural hybridization and regional and national integration of inter-ethnic diversity policies were critical safety valves identified for continued inter-ethnic integration in Bungoma County.

### Recommendation

The study recommends for the designing of an integrated inter-communal peacebuilding manual involving peacebuilding practitioners the CSOs, traditional elders, religious groups, the County Government of Bungoma, the community and link it up to the national government in order to achieve clear legal framework of stakeholders co-ordination, engagement, monitoring, evaluation, financing and diversity in addressing underlying socio-economic factors that contribute to inter-ethnic incompatibilities in Bungoma County.

### Suggestion for further research

Investigate, the post-2010 inter-ethnic socio-cultural and legal implementation of inter-ethnic integration of identity issues in the management of inter-communal coexistence in Bungoma County.

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

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### ABSTRACT

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

**Key words:** Statist, Politics, Inter-ethnic transformation of politics, Inter-ethnic conflict management, Peacebuilding

### INTRODUCTION

Globally, inter-communal political disputes have been the main cause of conflicts in a growing number of countries. For instance in Britain for example, Protestant-Catholic conflicts, recorded as early as 1534, though, overly religious it had a political angle as it occurred within a nation state. On the hand, in Yugoslavia, the inter-ethnic conflict overly mired in politics, led to the collapse of the federal state and the establishment of yet other political units as a way of enhancing conflict management (Vesna, 1996). Furthermore, there is Canada which has registered linguistic clashes between the English-speaking and French-speaking Canadians, also with a political dimension falling back to 1756 in the imperialist war between the British and French, the USA is yet to overcome racial conflicts amidst peacebuilding efforts in an advanced political democracy (Sandra, 2003). Conflicts between Israel and Palestine, with immense political connotations over political determination have been raging for decades necessitating the involvement of regional and international community in unending conflict and peacebuilding process (Yannis, 2018).

In Sub-Saharan Africa, Mozambique, Angola, Ethiopia including Uganda and Rwanda have had a history of not only politics influenced conflicts but accompanied by deaths and massive displacement of the population. It was suprising that, efforts to federate Eritrea to Ethiopia, for example, by the United Nations Organisation (UNO) as a means of settling inter-communal political hostility and enhancing conflict management failed hence leading to the split of Ethiopia (Ghebrehwet, 2009). Moreover, Ethio-

pia is yet again under intense politically motivated wave of conflict in Tigray, (Michelle, 2021). On the other hand in Mozambique peacebuilding was legislatively modeled along integration of peacebuilding and state-building goals as a way of enhancing coexistence in a politically divided country (Lisa et al, 2016, WFP, 2021), in Rwanda, peace-building strategies necessitated the political leadership to fall back to indigenous peace-building strategies such as *umuganda* (community work) and *girinka* (donating one cow to each needy family) as means of coexistence after the 1994 Genocide which has largely muted the hostility, (Sandra, 2003). Inter-ethnic inclined political conflicts are thus a global reality.

The literature reviewed further confirms the core role that politics plays in influencing inter-ethnic conflict. Sandra (2003), while writing on the British-French linguistic misunderstanding in Canada demonstrates how political legislation solved the competing interests between English speaking and French-speaking Canadians in Quebec Province through language legislation which allowed the use of French in education and business and tried to enforce equality in the civil service as a way of managing competing interests of the two nationalities. Lisa et al (2016), demonstrates how peacebuilding in Mozambique was an integrated process of joining state-building goals and peacebuilding, underscored in the 'New Deal for Engagement in the Fragile States. In the document, politics was pointed to as an avenue for enhancing inter-ethnic integration alongside improved security, economic growth and inter-ethnic justice. .