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THE GENESIS OF LAND-BASED VIOLENCE IN MT. ELGON FROM THE PRECOLONIAL PERIOD TO THE POSTCOLONIAL PERIOD

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Abstract
This study traces the genesis of land-based conflicts in Mt. Elgon from the precolonial period to the postcolonial period. 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 collected 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 coroborated with archival and secondary data and then presented through descriptive narratives. The families in the Mount Elgon area faced several difficulties, which called for the government to handle the issues, which undermined the significance of peace in the region. This study concludes that the land issue and the emergence of the Sabaot Land Defense Force in Mount Elgon, Bungoma, dates back to the pre-colonial and post-colonial periods and the post-colonial Government's inefficiency. The colonial Government's land ordinances, laws, and concessions played a significant part in the challenges facing the land issues in Kenya.

Key terms: Genesis, inter-ethnic conflicts, land-based violence, postcolonial period, precolonial period.

1.0 INTRODUCTION

The land question has been the primary cause of ethnic conflicts worldwide since immemorial. The fight among communities on land issues has targeted territorial boundaries, scarce natural resources, and influence from the political class. The cultural, economic value, and scarcity aspects of land worldwide have led to fierce inter-ethnic violence worldwide. The aftermath of the conflicts and clashes among the societies results in various negative impacts on the community (Murshed, 2002). The resultant effects of inter-ethnic conflicts are loss of human and livestock lives, displacements of people, and making it challenging to access social amenities.

Kenya, a country in East Africa, has experienced inter-ethnic conflicts arising from issues about land. Examples of such inter-ethnic conflicts are the Maasai and the Kipsigis, who, for a long time, have been fighting over land and livestock. The Pokomo and the Oromo have been having a long conflict emanating from land in the Tana River Delta. The Bukusu and Sabaot in Kimilili have had conflict over cattle and land (KNA/Bungoma District Annual Report, 1969). The land question and the emergence of the SLDF in Mount Elgon, Bungoma County, Kenya, dates back to migration and occupation between the Sabaot and the Bukusu in the Mt. Elgon region. The land issue was further deepened both by the colonial and post-colonial administrations via land policies (KNA/Bungoma District Annual Report, 1969).

In Kenya, the illegitimate and unlawful mechanisms of acquiring land from neighbouring communities, like the formation of local reserves by the colonial administration, occasioned the ousting of communities, namely the Pokot, Sabaot, Talai, and Turkana. Several other factors gave birth to on-the-spot and deep-rooted impacts on African communities. The colonial strategy, guidelines, and customs had instantaneous and continuing effects on Africans, which included the lasting supplanting of African communities from their land. The colonialist system led to tribal boundaries, suggesting that certain communities could only enjoy land rights within particular borders. Sadly, the effects of the highlighted ethnic ties are haunting Kenya today (TJRC, 2013, 4).

2.0 LITERATURE REVIEW

The Genesis of Land-Based Conflicts

Trans Nzoia and Mt. Elgon district are found on the slopes of Mount Elgon. Human Rights Watch (2008) explains that the Sabaot community mainly inhabits the area. However, other dwellers, such as the Teso, Bukusu, Ogiek, and other Kalenjin sub-groups, can be found there. The Kalenjin form less than 11 per cent of the Kenyan population and mainly inhabit the Rift Valley Province and the eastern part of Uganda.

The British colonial Government was liable for the displacement of many Sabaots from the cultivable parts of the Trans-Nzoia district. In its colonisation efforts, the British Government evicted the Sabaots from the arable land of Mt. Elgon and settled its citizens in the area. After the eviction, the Sabaots moved to the areas of Chepyuk and Chepkitale, from where they delivered their grievances to the Kenya Land Commission in 1932. The British set up the Kenya Land Commission to help examine and settle land conflicts. The British agreed with their cases and elaborated compensation procedures, which were never implemented.

After independence, the Government overlooked the problem, reduced the available area in Trans-Nzoia, and forced the residents to leave by designating the area as a game reserve (Human Rights Watch, 2008). The surrounding area was also unavailable for grazing and settlement since it was a forest reserve. The Kenyan Government chose this without consulting or compensating the residents (Human Rights Watch, 2008). The inhabitants of the areas selected to be the game reserve complained, and the Government launched a resettlement initiative for the evicted. Unfortunately, some of the land set aside for the resettlement program had already been unlawfully settled by the initially displaced families and people with land pressure. Due to this, the state tried to force the residents of the two villages to settle in an already occupied area.

According to Human Rights Watch (2008), the Government tried a second relocation program in 1989 whereby people relocated from both areas were designated to settle in the Chepyuk II land. The attempt by the Government was also controversial as there were individuals from Chepkitale who did not attain their allotment. In 1993, the government nullified the Chepyuk settlement scheme and directed the formation of a third scheme, referred to as Chepyuk III. By the time of the formation of the third scheme, the population grew even further, and individuals had been residing on land whose status had not been ratified for more than a generation. This led to complications and controversies that prevented the third scheme from being fully implemented. The third phase was fully implemented after the 2005 referendum. The implementation was characterised by massive irregularities—those who posed as political threats were not allocated land at the time.

According to Waithaka (2013), most Soy clan members were forced to relocate during the finalisation of the land allocation process. They went on to form the Sabaot Land Defense Force to fight the unfair access and distribution of land resources. They felt that the Government had cheated them of their land.

Kenyan non-governmental organisation Western Kenya Human Rights Watch (WKHRW) recorded that the SLDF was formed as an illegal armed organisation after the 2002 general elections. WKHRW further asserts that enrolment into the group started in March 2003, followed by training in camps located in the forests in July 2003. The group wore jungle camouflage regimentals and had access to firearms. Guns such as the AK47s were easily accessible from the bordering nations. Each gun cost about 13000, while ammunition was much harder to find. The militia was funded by illegal taxation of Mt. Elgon's inhabitants and had an administration system parallel to the government's system.

Human Rights Watch (2008) states that the politics and corruption involved in settling the land question after the 2005 referendum led to the emergence of the SLDF. The conflict over land was pitted against two major clans of the Sabaot, the Mosop and the Soy. The armed group resorted to violence in 2006 after implementing the third phase of the relocation program. The SLDF fought the relocation attempt. The journal is very informative on the history of land disputes in Sabaot and what contributed to the development and emergency of the SLDF.

Simiyu (2008) explains that the local tradition considered it good for a man to have as many young as possible since children were viewed as a source of wealth. Simiyu (2008) asserts that the international aid agencies in the area that receive funding from the United States federal administration had been

forbidden from offering families information on family planning. This led to a fast-growing population that stressed the available agricultural resources Simiyu (2008). This further led to the creation of the SLDF to claim ownership over ancestral land and fight the rising poverty levels of the local communities in Mt. Elgon.

3.0 METHODOLOGY

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 collected 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 coroborated with archival and secondary data and then presented through descriptive narratives.

4.0 RESULTS AND DISCUSSION

The Land Question in Kenya and the Production Forces

According to Nasimiyu (1984), indigenous Kenyans in the early nineteenth century were engaged mainly in the production of mutual proprietorship. This was an ancient characteristic land tenure structure. In the precolonial era, the land was deemed to be held by the clan, and land matters were subjected to a clan governance system. The land was subdivided and allocated to individual families. Men were mostly given the authority to own land. In the precolonial period, they deemed land to be community property.

In the precolonial era, land was the primary factor for production. The people in Mount Elgon practised subsistence farming on a low scale for sustainability reasons; they stocked the surplus for future use (Nasimiyu, 1984, p. 39). By then, the population was sparse, and there was enough land to produce adequate food for the inhabitants. The population growth in Kenya has contributed to land scarcity. Population pressure in a region forces some people to go out and secure another land to grow food and rear their animals. The migration of people to other regions in search of land for cultivation and pasture for their livestock leads to land conflicts among communities (O.I, Masai, 2019). When Kenya gained independence, the Kenyan population was approximately 8 million, but now the population is approximately 40 million. According to Simiyu (2008), these factors played into the conflicts and community crashes experienced at Mt. Elgon.

According to Boone et al. (2021), prime agricultural sections of Rift Valley were referred to as white highlands or scheduled areas demarcated and alienated to white settlers who attained ownership rights or private leaseholds to vast tracks of land. Viet (2019) asserts that the Maasai lost most of their ancestral land to the colonial administration and settlers. In 1904, the British shifted the Maasai to two reserves. In 1913, the Maasai were limited to 40000 km2 of the southern Loieta plains. In 1941, the British led a resettlement series of schemes encompassing vigorous repatriation and eviction of Kalenjin, Kikuyu, Maasai and other ethnic groups back and forth between the central highlands and Rift Valley. After independence, there was intensified agitation by human rights activists and the political class to return

African land to the initial owners. In the struggle, some political elites grabbed the lands and either took the land for themselves or gave the land to their ethnic relatives; these contributed to the ethnic conflicts and have contributed to the land question (Simiyu, 2008, p. 5).

The land clause stated that all ethnic groups were to forego land taken away by the colonialists either to be treated as crown government land or given to white settlers. Kenyans could only acquire that land through purchase. The land clause stated above was the leading cause of inter-ethnic conflicts after independence since the government did not provide a clear roadmap for resolving historical land injustices. The post-colonial Government in Kenya was seen to intensify the historical land injustices through the policies they had enacted on land redistribution (Kariuki, 2004, p. 6). The successive governments in Kenya have used land issues as a means to gain political support and control. Politicians have dished out public land to individuals with power and influence on voting patterns and some groups in exchange for political support.

Conflicts in Mt. Elgon have been majorly occasioned by the land policies formed by the colonial government and successive post-colonial governments. The land policies brought about the negative effect of Bukusu on Sabaots' ancestral land (O.I, Kinjo, 2019). The resettlement program by the colonial Government on the Chebyuk settlements scheme was marred by favouritism, political interference, and corruption. These acts of corruption and favouritism created land crises and conflicts. Colonialists occupying Mt. Elgon brought about ethnic differences through colonial policies (Obi, 1999, p. 58; Mwasserah, 2008, p. 9). The ethnic territory between the Bukusu and the Sabaot in Mount Elgon is portrayed by residential segregation, living in separate villages; this ethnic territory has been an instrument of animosity between the Bukusu and the Sabaot.

In 1965, the serving member of parliament, Daniel Moss, compelled the National Government to settle and integrate the Ndorobo into the Chebyuk Settlement scheme. The Government was compelled to settle the Ndorobo at the Chebyuk settlement scheme since the Government wanted to conserve the Mt. Elgon Forest where the Ndorobo were living. The Government of Finland was the primary sponsor (KNA/Bungoma District, Annual Report 1965). The Ndorobo people were to be settled in Nakuru and Uasin Gishu, where the land was identified, but they refused to settle there; they were finally settled at lower Mt. Elgon in 1971. The Bukusu-Sabaot violence in 1968 was a result of the claim that Bukusu had encroached on the Sabaots' land in Chesokwa (Kirong, 2019). The Chesokwa land was part of the land meant to settle the Ndorobo.

In the early 1970s, the Ndorobo traded their land to the Bukusu and the Soy communities. When the land was surveyed, allotment letters were given to the Ndorobo in 1988-1989, who initially had sold the same land to the Soy and Bukusu; the Ndorobo adamantly refused to vacate the land (KNA/Bungoma District, Annual Report 1985). The refusal of the Ndorobo to vacate the land after they were issued with allotment letters left many of the Soy landless. The Soy intimidated the Bukusu to displace them from their land. This was the major factor that resulted in the Bukusu-Sabaot conflict in 1991 and 1992 in Mt. Elgon. Finally, the Bukusu were displaced, their properties vandalised and burnt down, and their cattle were taken away by the Sabaot (O.I, Ptoek, 2019).

The Bukusu profited from land allotment via fraudulent means or purchased land from the Soy or Ndorobo. The Sabaot accuse the Bukusu of infiltrating their land. This has been one of the primary triggers of the Bukusu-Sabaot violence in Mount Elgon (O.I, Kororia, 2019). The allegations have been the cause of inter-tribal violence between the Bukusu and Sabaot in the years 1991-1992 and 2006 and 2007. How the government handled the Sabaots' intra-ethnic settlement exercise has contributed majorly to the land disputes experienced in the Mount Elgon region. The Sabaots felt left out and decided to form their army, 'Sabaot Land Defence Forces,' to contest for their possessed land in Mount Elgon held by the Bukusu.

The Bukusu-Sabaot Conflict

The land issue in Mount Elgon cannot be answered wholesomely without discussing how the ethnicity card was played into the land-related conflicts. Lynch (2011) posits that a homogeneous group of descent forms the centre for bringing together members of the same descent and builds up a defence to deal with different ethnic groups who encroach on their land. In 1963, the Sabaots and the Bukususus alleged that Mount Elgon was their ancestral land. The National Government commissioned a district commissioner from Kakamega to adjudicate the case between the Bukusu and the Sabaot. The Sabaot vehemently claimed that Mount Elgon was their ancestral land, and the Bukusu were just but intruders (KNA/Bungoma District, Annual Report 1965). They reinforce their aspersion to the Sabaots tabled instruments of power handed over by their Senei leader, the ruler of the Vastly Mt. Elgon region. The items (file, rungu, and Crown) were kept by Enos Kiberenge- a warrior (O.I, Sobet, 2019). In 1963, the Sabaot strived to displace the Bukusu from Cheptasis and Chesikaki because they believed those areas were their ancestral land, leading to the inter-ethnic conflict that happened in 1963 between the Sabaot and the Bukusu (Lynch, 2011).

Colonial Land Ordinances

The land injustices in Kenya date back to the invasion by British colonialists. The British created laws and concessions to discriminate against the coastal and mainland people from accessing and using their ancestral land. The laws and concessions that were made include the Crown Lands Ordinance (1915), Land Acquisition Act (1894), Kenya Native Areas Ordinance (1926), and Crown Lands Ordinance (1902) (KNA/ The official gazette of the colony and Protectorate of Kenya, 1928).

The laws and concessions were the leading causes of eviction of individuals to make way for the Kenya-Uganda Railway. The laws and ordinances led to leasing the 20 per cent fertile highlands to European settlers and international companies for 99 years (Coray, 1978). This was made possible because the Kenya land had been made the Crown. In 1897, the British announced that all unoccupied wastelands in the East African Protectorate would be Crown land vested in the imperial power (Veit, 2019). In 1899, the colonial power announced all land had been amassed to the imperial authority by the assumption of administration, thus making land accessible for alienation to white settlers.

Those who resisted encroachment and bad laws by the colonialists were conquered and forcefully evicted from their lands, which affected all Kenyans, including those who lived in Mt. Elgon (O.I, Kitiyo, 2019). The British colonialists maliciously signed land surrender agreements with illiterate community elders to enable them to occupy their lands (Thuo, 2013).

a. **Foreign Jurisdiction Act of 1890**

The 1890 Foreign Jurisdiction Act allowed the monarch to create and manage an uninhabited territory that was not subject to government settlement. To address the concept of land ownership in the territory, the Crown's law officers advised in 1899 that the Foreign Jurisdiction Act 1890 empowered the Crown to control and get rid of waste and deserted land in posts without established forms of Government and where land had been appropriated to aboriginal self-governed individuals (KNA/The official gazette of the colony and Protectorate of Kenya, 1928). In 1901, the East African (Lands) statute-in-council was passed, negotiating on the underling of the Protectorate (after that named Governor) authority to get rid of all public lands on such terms and conditions as he might suppose suitable (Kariuki & Ng'etich, 2016). The Foreign Jurisdiction Act further stated that if a foreign country did not have a form of Government from which jurisdiction could be derived in the manner described above, Her Majesty should have jurisdiction over her people in that foreign nation.

b. **Crowns Lands Ordinance (1902)**

The land ordinance of 1902 established the processes by which lands in the East Africa Protectorate would be given to the European settlers (KNA/The Official Gazette of the Colony and Protectorate of Kenya, 1928). The ordinance assumed that Africans had no express rights to titled land under the following status: unoccupied, uncultivated, and wasteland. The few rights Africans were accorded revolved around rights that were to be exhibited through the direct use of land. Kenya's colonial land ordinances, laws, and concessions led to discrimination against land use and generated ethnic suspicion, tension, and conflicts. Upon independence in 1963, section 205 of the Constitution stated that all crown land was transferred to the President's Office to be held on the Government's behalf (Thuo, 2013). The immediate Government took advantage of this clause. It allocated large tracts of land to themselves and their cronies, which set precedence for land injustice and contestation to which people living in Mt Elgon have fallen victim (O.I, Masibai, 2019). The people who were the legitimate owners of those lands were still held in settlement schemes, and this generated many animosities among the Sabaot and Bukusu ethnic groups.

c. **The Change from Protectorate to Colonial Status**

What is presently known as Kenya was established as a British Protectorate on June 15, 1895 (KNA/The Official Gazette of the Colony and Protectorate of Kenya, 1928). The declaration's legal effect was to cede political authority over the region to the British Crown, even though it remained under foreign rule. Apart from that, the Protectorate's declaration did not negotiate any rights in the territorial region. Any land rights would have to be established via negotiations, conquests, or selling of the original tenants' property (Kitching, 1980). In 1897, it expanded the Indian Land Act to the Protectorate, enabling public usage of properties beyond Mombasa.

Nonetheless, this allocation was limited to property within one mile on each side of the railway line (Alden, 2018). The Colony of Kenya were formed on June 11, 1920, when the United Kingdom annexed the old East Africa Protectorate's territory (excluding those areas over which His Majesty the Sultan of Zanzibar exercised authority). They created the Kenya Protectorate on August 13, 1920, when the U.K. established a British Protectorate over the areas of the old East Africa Protectorate that the U.K. had not annexed by

virtue of an agreement signed on December 14, 1895, between the United Kingdom, which ruled as part of the Colony of Kenya, the Protectorate of Kenya, and the Sultan.

d. **Land Ordinance of 1938**

The creation of indigenous reserves and the land alienation from indigenous people resulted in a large migration of indigenous people from their ancestral lands to the reserves. In 1904, the British enacted a land policy to settle Africans on native reserves (Veit, 2019). Alienation and concurrent displacement of indigenous peoples from communal land resulted in an increase in landlessness, a reduction in the quality of farming land as a result of fragmentation, overstocking, and soil waste, and the establishment of social and artistic institutions within reserves (Kariuki & Ng'etich, 2016).

The Carter Land Commission was formed in 1933 by the Colonial Government concerning the complaints. They appointed the panel to investigate land complaints, evaluate indigenous land requirements, ascertain the nature and scope of indigenous land claims, and define the White Highlands' position (Kitching, 1980). The Carter Land Commission was responsible for the 1938 passage of the Native Land Ordinance, which resulted in the release of more land for native cultivation. It is worth noting that although English law regulated property ownership and access in regions supervised by White settlers, customary law remained to govern land ownership and access in native reserves. The new order reclassified all properties previously identified as native reserves as native lands, vesting them in the newly formed Native Lands Trust Board, chaired by the Chief Native Commissioner, and comprised of one European and three Africans (KNA/The official gazette of the colony and Protectorate of Kenya 1928).

Governmental Policies in the Bukusu-Sabaot Violence

During the transition period in Kenya, Kenya's independent Government did not change the discriminatory colonial land tenure policies. By 1956, the colonial Government had identified private land registration and changed customary land laws and rights (KNA/PC/NZA/3/14/23: 1944-46: Section NO. 15 land boundaries). Jomo Kenyatta's post-colonial administration exploited settlers' land for philanthropy reasons to consolidate support and forge alliances. This propensity persisted and became more pronounced under the Moi regimes that followed (Osamba, 2001). The Jomo Kenyatta Government, instead of formulating policies that were to enable communities to get back their ancestral land, used the land previously held by the white settlers to strengthen its support by allocating large tracts of land to his cronies.

The Sabaot community had anticipated regaining their land after independence, which was taken away during the colonial period. The Government resettled the Bukusu and other Luhya ethnicities to the lands initially held by the Sabaot. This turn of events made the Sabaot feel shortchanged and enraged toward the Bukusu (O.I, Chesakam, 2019). The inadequate and unfair land policies in the post-colonial phase to address land inequalities triggered inter-ethnic conflicts. People with no land, particularly the squatters, displaced by the colonialists to set up white farms and could not repossess their lands after independence, resorted to using violence to get them to repossess their land. Only the family members were registered to be given land, sideling women whose male kins were in prison or were freedom fighters (O.I, Manyiror, 2019).

Member of Parliament by then John Serut pushed for having Mosop in the allotment program for resettlement. The main reason John Serut pushed for the addition of the Mosop in the allotment program was to discipline the Soy in voting against the 2005 constitution. The act by Member of Parliament John Serut pushing Mosop to be included in the allotment program to discipline the Soy is a clear indication of the role played by the political class to instigate violence and hate among the ethnicity residing in Mt. Elgon (O.I, Ndiwa, 2019).

Small and Light Arms' Infiltration into Mt. Elgon

The infiltration of weapons into Mt. Elgon is one factor that can answer the land issue and the emergence of the Sabaot Land Defense Force in Mount Elgon, Bungoma (O.I, Chebeni, 2019). The Lord's Resistance Army and Militia presence in Eastern Uganda is of great concern since Eastern Uganda is near Mt. Elgon. The porous border shared between Eastern Uganda and Mt. Elgon makes it possible for small-weight weapons to be smuggled into Mt. Elgon. The entry of illicit firearms into Mt. Elgon through the black market escalates the inter-ethnic conflict in Mt. Elgon and other areas (Mkutu, 2006). The entry of small weapons in Mt. Elgon has given the power to Sabaots to arm against the Bukusu. The Sabaots Land Defence Force used illicit firearms to fight against the Bukusu from 2006 to 2008.

In 2005, the Sabaot formed the SLDF militia to counter State plans to displace squatters in the Chebyuk area in the Mount Elgon area. Evidence gathered from the ground shows that the Sabaot Land Defence forces killed 600 people (O.I, Psese, 2019) and displaced several families. The creation of the SLDF is a culmination of what they felt was unfair and unequal access treatment by the Government in various ways (Theisen, 2009). The Government reacted by initiating dialogues and a multi-pronged approach to find lasting solutions in Mt. Elgon, which failed. When dialogue did not bear any results, the Government used the Army military to combat the Sabaot Land defence militia, which overpowered the illegal armed group and restored peace and order in Mount Elgon.

Genealogy of Land-ownership and Management

a. **Precolonial Period**

In the precolonial period, African communities based the ownership and management of land on customary laws and practices (KNA/PC/NZA/2/1/54:1931-51 Native Tribes and their customs). During this phase, the land was owned by the whole community. Individuals only had user rights. The community leaders developed land user rights, which were extended to individuals depending on their needs (O.I, Kwenden, 2019). This customary land tenure system was practised everywhere in Kenya, with variations depending on different elements, such as cultural, geographical, socio-economic, and political.

b. **Colonial Period**

Thuo (2013) posits that during the colonial period, the British government unleashed a brutal counterinsurgency campaign and major land tenures to consolidate landholdings in an attempt to own the land; the colonisers came up with various land ordinances, laws, and concessions from 1902 to 1915. To generate order among the settlers, the Imperial British East Africa Protectorate Company, through legislation, gave an order titled 'East African Order-in-Council of 1897 (KNA/PC/NZA/3/14 23-1944-1949 Section No 16 land: Boundaries). The order was to start the modernisation procedure of land usage and ownership in Kenya. The order enabled the settlers to be given land certificates for a tenure of twenty-one

years, renewable for the same period after the expiration date. Through different legislations, the ownership period was increased to ninety-nine years for commercial land and nine hundred and ninety-nine years (Alden, 2018) for agricultural land; this was meant to allow the settlers to reap maximum benefits from the lands they were allocated.

The British enacted a land tenure system that awarded identification to land rights attained by independent freehold title. It was necessary for securing the settlers' private estate. However, the customary tenure encompassed a sophisticated system of overlapping individuals and group rights emanating from kinship connections that hardly lend themselves to ideas of complete individual ownership (Veit, 2019). In the process, numerous customary lands were left vulnerable and unregistered for transfer and appropriation to settlers.

One of the colonisation's objectives was to produce economic benefits for the colonising nation. Different sectors, such as farming and mining, played a crucial role in generating economic returns. The land was required for these activities to be possible; however, the land was already inhabited by various ethnic communities. It forced the deployment of different methods to attain land, including trickery, violence, and sometimes mutual agreement.

According to Thuo (2013), settlement by white settlers occurred in an unorganised manner because there were hardly any national land laws. The white settlers had minimal or zero regard for pre-colonial land tenure systems. The British introduced the East African Order in Council 1897, administering Kenya during that period (Thuo, 2013). It was the start of the modernisation process, depending on Weber's purposive rationality. It strived to replace ancient African authority methods and belief systems. The order enabled white settlers to attain land ownership certificates for a 21-year term, which was renewable for the same period upon expiry. To evade land use conflict, the ordinance prohibited the settlers' land occupation under regular cultivation by native tribes.

Nevertheless, the clauses restricting settlers' dwelling on land cultivated by indigenous individuals and limiting the lease period to twenty-one years resulted in the order being contemplated by the settlers as a hindrance to long-term agricultural investment (Thuo, 2013). The settlers began lobbying to nullify the natives' rights to land ownership by implying that all land in Kenya be kept under the Crown's legal authority. The lobbying brought about the 1901 order in council proclamation, which was deliberated to allow settlers to attain freehold titles or prolonged leases in the protectorate.

According to Wasike (2018), different land ordinances that efficiently vested African land rights in the Crown and changed Africans into the Crown's tenants were promulgated. The ordinances comprised the Crown Lands Act 1901, the Crown Amendment Act 1915, and the Kenya Annexation of 1920. As the settlers attained a foundation in the local economy, amendments to the Crown Land Bill were pushed through in 1915, resulting in the rectification of the crown land to consist of all lands that the indigenous individuals occupied. The ordinance altered the leasing phase from twenty-one to ninety-nine years for town plots and nine hundred and ninety-nine years for rural livestock rearing and crop production land (Thuo, 2013). The land appropriation by the Crown resulted in land shortages for the natives and ultimately resulted in crises such as the land conflict in the reserves.

Among the laws embraced by English Common law was the English Property Law. The law was required to govern land ownership and usage. Embracing property law impacted land ownership by indigenous communities in different methods. First, the law entrenched land ownership in people instead of the community. The structure varied from the customary land tenure system. Secondly, the law resulted in a wave of settlers into communal grazing, forest, and cultivation land, which were initially used by native tribes. The colonial government introduced the Transfer of Property Act of India to strengthen practices comprising property transfer, mortgage, leases, and covenant undertakings. The activity was further boosted by enacting the Registration of Titles Ordinance in 1920 to secure land tenure of the settling proprietors, which allowed the issuance of title deeds. The law that gave tenure security was vital to support a cash crop economy that was meant to generate raw materials for metropolitan companies. The cash crops grown at the time were coffee, sisal, and wattle trees.

In spite of securing land tenure by the issuance of title deeds to landholders, it was still expensive to practice farming in the colony. It was because of the enormous capital needed to establish cash crop production. Cash crop farming needed extensive labour, which was unprocurable by the indigenous people participating in subsistence farming. There was also competition fear from the indigenous individuals who had the benefit of family labour. The settlers lobbied the colonial government to regulate production elements like labour and land to attain an upper hand over the indigenous peasants. The white settlers' lobby included several restrictions on the natives, which restricted their farming of cash crops, including coffee and tea. Taxes' introduction forced peasants in subsistence economies to pursue paying jobs to attain cash to pay taxes. The native reserves' establishment and land alienation from indigenous individuals resulted in huge relocation from native tribes, resulting in the huge reshuffle of indigenous groups from their initial land to the reserves. Subsequently, it resulted in an increase in landlessness and a reduction in agricultural land quality because of soil erosion, overstocking, and fragmentation. The natives responded to these alterations by expressing pleas to the colonial government. In response, the colonial government enacted the Carter Land Commission in 1933. The commission was tasked with investigating land grievances, determining the nature and extent of land claims by indigenous communities, the native's land needs, and defining the status of the white highlands. The Carter Land Commission's outcome was the establishment of the Native Land Ordinance in 1938, which resulted in the release of extra land for cultivation by indigenous individuals. Despite the legislative alteration, the challenges linked with land persisted, particularly in areas with huge population densities.

The Swynnerton Plan of 1954 aspired to commence land reforms in the native reserves. The Land Consolidation Act of 1959 was established to execute the land reform program. However, the land reforms had challenges linked to land registration, land alienation, and landlessness.

c. **Post-Colonial Phase**

In the post-colonial era, the Kenyan government adopted many of the colonial English property laws. The independent Government enacted the Land Act (Cap 300) to address land reserves under customary law (Thuo, 2013). Currently, land ownership in Kenya can be described as a dual one because it borrows different aspects from English land laws and customary land laws. After independence, most of the colonial era Crown Land was classified as government land. The native reserves became Trust land. However, they

were governed by statutory trustees instead of traditional institutions. The Kenyatta government enacted the Settlement Fund Trustee to facilitate the distribution and purchase of settler farmers to landless Kenyans (Veit, 2019). Those who had customarily owned the land did not have access to the required capital or declined to buy land they claimed to be theirs. Political patronage, corruption, and ethnic favouritism significantly impacted land acquisition.

Veit (2019) observes that many land-poor or landless individuals, including former Mau militants and their descendants, remained without compensation or land during the colonial phase and post-independence alienations. Many landless farmers moved into Kenya's semi-arid and arid lands, especially in the Rift Valley province (Veit, 2019). It resulted in land-use conflict, rivalry over water sources, reduced agricultural productivity, environmental degradation, and depreciating well-being.

All the elections held since multi-party have been marred by land conflict, population displacement, and violence. Clashed throughout the 1990s left thousands of citizens dead and over 350000 evicted. During the 2007 elections, allegations of election irregularities sparked widespread post-election conflict from December 30, 2007, to mid-2008. It left more than 1300 individuals dead and more than 600000 displaced from their homes. Amongst the internally displaced people, some of it was their third or fourth encounter of eviction. According to Veit (2019), many analysts opine that the persisting ethnic conflict and eviction that followed Kenya's election under multi-partyism stems mainly from unsettled and politically exasperated land grievances.

In August 2010, Kenyans accepted a new constitution that introduced significant land governance and tenure changes. Article 40 (6) of the Kenyan constitution addresses land grievances and denies property ownership and land usage rights protection to those who attained land legally. Article 68 (c) (v) of the Kenyan constitution reads together with the national land commission function in Article 67 (2) (e), which authorises the reclamation of public lands fraudulently obtained by private individuals (Veit, 2019).

Kimkung and Espinosa (2012) assert that Kenya is characterised by particular ethnopolitical power configurations that aggravate severe conflict. Kenya has been condemned for its insufficient neutrality as politicians and state institutions play ambiguous roles in the conflict by ignoring ethnic interests or identities. According to Kimkung and Espinosa (2012), Kenyan politicians favour some communities over others according to brief political interests and affiliations. The unwillingness or incapacity to mediate grievances has been noted as the primary cause of conflict and tensions. In contrast, its insufficient neutrality has persisted in stirring up resentment sentiments among ethnic communities who are not represented by the government. There are several types of land conflicts that Kenya encounters. These Land conflicts differ in type and the parties involved.

The first land conflict is resource-based. It is a conflict related to natural resources, including land, water, forests, and minerals. Local land violence can spiral into large-scale political movements and civil strife. According to Ngugi (2011), most land conflict sources emanate from population pressure, urbanisation, agricultural commercialisation, current land tenure systems, and urbanisation. In Kenya, the land-land individual ratio has tremendously reduced. Access to land is significantly skewed within the smallholder section. Most rural farm households are almost landless, having less than one acre, including rented lands.

Secondly, resources and armed conflicts are conflict types that arise due to competition over precious minerals, wild games, and forest products such as timber. According to Ngugi (2011), nations with higher gross domestic product emanating from the export of primary items are at a higher risk of civil conflict. Primary items are quickly and heavily taxable. It attracts the ruling elites and their competitors to compete to control these resources.

Thirdly, ethnic conflicts arise when communities from different nationalities, tribes, and castes conflict. In Africa, ethnicity is a proportionate contemporary occurrence whose eminence is primarily an outcome of colonial administration and post-colonial dynamics in which elites continue to advocate ethnic identity for political mobilisation to attain their needs. In Kenya, opportunity imbalances between tribal groups remain a stubborn fact. Regional discrepancies in education and other social welfare sectors, such as health, emphasise the priorities of the past and supply the workforce for the future. Kenya's less favoured indigenous individuals are swift to express their dissatisfaction over disparities. Immediately after independence, the call for increased tribal minority representation in high-level positions in public and private enterprises was made more often. There was a need for tribal balancing in every ministry to overcome tribalism.

Fourth, environmental conflict arises due to environmental scarcity. Environmental changes can be human-induced, resulting in reduced quantity and quality of renewable resources. For example, population growth minimises resources per capita by dividing them among numerous people with an unequal distribution of resources. The reduction of the stock of physically manageable environmental resources, including arable crop production land and clean water, would provoke resource wars.

Legal Framework for Land Ownership and Use

a. **The Chief's Authority Act of 1924 (Cap 128)**

The Chief's Authority Act was initially instigated in the 1920s as the colonial government strived to foster a local government framework. The Act has significant policing powers, especially on land use and management within the chief's jurisdiction area (Thuo, 2013).

b. **The Land Control Act of 1963 (Cap 302)**

The Land Control Act (Cap 302) of 1963 aimed to control crop and livestock production land dealings. Section 5 of the Act calls for establishing land control boards to control all land transactions. The Act offers these boards authority and power to allow crop and livestock production land transfers or decline such transfers. Section 6 of the Act regulates the transactions in livestock and crop production land by rendering null and void any land dealing that happened without the board's agreement.

Thuo (2013) asserts that this Act has its drawbacks, including failing to specialise the least land subdivision size for crop cultivation and livestock rearing usage. Another disadvantage of this Act is the discretionary authority that the Land Control Board enjoys in contemplating whether to agree or decline a land subdivision application, which can result in corruption.

c. **The Agriculture Act of 1967**

Thuo (2013) argues that the Agriculture Act (Cap 318) aimed to promote and maintain stable livestock and crop production, promote land development for livestock and crop production, and promote soil conservation. The Act stipulated that the minister and sub-organs of the ministry had powers and authority to partake in different activities on land usage. It enabled the minister to dispossess land owners if they violated land preservation and development orders and crop delivery specifications. The minister had the power to limit the size of land available for farm workers' housing and use while empowering local authorities to make by-laws for similar purposes. The ministry had the power and authority to minimise tasks that exploit the land and harm the environment. They also had the authority and power to provide rules that governed new settlements, such as outlining the crops to be planted, livestock type kept, and the agricultural production process.

d. **Public Health Act of 1972**

Before the building plans are accepted in Kenya, they must go through the Public Health Department at the district level (Thuo, 2013). The Public Health Act offers public health officers the unrestricted power to accept or decline building plans. The authority and powers are based on health issues, including sanitary and quality conditions of the building structures. The primary focus of the Act as it connects to land use is proper sanitation for ascertaining healthy surroundings, access to buildings, and setting engineering standards for sewerage reticulation. The implementation of this Act is impeded by feeble partnerships among departments and an insufficient workforce for enforcement.

e. **The Environmental Management and Coordination Act of 1999**

The legislation governing the environment was restricted to common law and several statutes regulating sectors, including industry, water, forestry, health, and agriculture. The EMCA became operational on January 14, 2000. The Act enabled the establishment of two administrative bodies: the National Environment Management Authority (NEMA) and the National Environment Council (NEC). NEMA was tasked with supervising and coordinating all environmental elements and implementing the Act's provisions. NEC's role was to devise policies and set national objectives while fostering coordination among various stakeholders.

f. **Water Laws**

Water resources management in Kenya is governed by the Water Act 2002, introduced following sessional paper No.1 of 1999 (Thuo, 2013). The formulation of sessional paper No.1 of 1999 on National Policy on Water Resources Management and Development was a long-term technique to integrate water resource management with other land use activities. The Water Act, in association with the Public Health Act, offers laws that can be employed to address the issues of surface water pollution.

g. **The Constitution of Kenya**

The safeguarding of ownership rights to properties is embedded in Kenya's constitution. Sections 74 and 84 offer protection against the eviction of private property. Mandatory possession of land for public interest incorporated in Sections 75, 117, and 118 of the constitution stipulates that such possession may work if it can be justified to be of public interest and public interest will be upheld. Secondly, the profits

emanating from the acquisition far supersede the hardships or inconveniences to the land owners to be acquired. Third, the landowners are compensated immediately and in entirety. With commitment and goodwill by the state officials concerned, these constitution's provisions can be applied in looking into land usage resulting in environmental pollution.

Corruption Influences the Land Allocation and Distribution Process

According to (Simotwo, 2021), the power of the superior twists resource allocation and distribution, more so when they are fraudulent. Public office-centered corruption's definition revolves around violating the public trust placed in the public official.

The government of President Kibaki established a commission of inquiry to look into land corruption in Kenya. The Ndung'u Commission shed light on how public lands, such as forests, were given to those in government (Simotwo, 2021). The report contains vital findings of the inquiry where it documents the situational analysis of how public land such as Mount Elgon Forest was illegally grabbed, allocated, and sold out to individuals and organisations. The Africa Center for Open Governance report of June 2009 argued that the Ndung'u Land Commission report remained extensively unimplemented and corrupt undertakings in the public land persist. Veit (2019) asserts the responsibility of politics in the Land distribution in Kenya. According to Veit (2019), land tensions were aggravated by President Daniel Arap Moi. It is alleged that Moi used the land to reward his supporters and attain brief political ends. Veit (2019) points out that President Moi offered sizeable prime lands in Trans-Nzoia, Uasin Gichu, Nandi, and other Rift Valley districts to political supporters drawn from the Kalenjin community at a well-below-market price.

According to (Simotwo, 2021), corruption is an integrated procedure that destroys democracies and economies. Political corruption happens when political power-holders benefit themselves by misusing their hold on power to benefit from private and public resources. Some types of political corruption consist of embezzlement, bribery, and corruption for the profit of the regime or personal power holders (O.I, Birios, 2019).

Lumumba (2020) argues that large-scale land-based investments in natural resources and agriculture are pressing issues that need to be dealt with regarding land corruption. It includes development corridor infrastructure projects, touristic projects, and extractive sector projects.

Land Grabbing in Contemporary Kenya

Kariuki and Ng'etich (2016) argue that the massive displacement of poor individuals characterises land grabbing in rural regions without adequate compensation and the annihilation of ecological systems that make way for agricultural and industrial developments. In contemporary Kenya, land grabbing manifests itself in different ways. Land grabbing by the affluent is common in most parts of the nation. Public land is designated for roads, hospitals, schools, and other public activities; private and community land are susceptible to land grabs by politicians (Kariuki & Ng'etich, 2016). Land grabbing is an outcome of the colonial role despite it assuming a new look where it is fueled by globalisation and the struggle for Africa's natural resources. In the 1990s, Kenyans could use the new political spaces to present grievances and organise them around the shocking events of land grabbing (Ngugi, 2011). Land grabbing was done

secretively, and it was impossible to document the number of grans over time within the Ministry of Lands. The auditor general of 1995/1996 could not attach a precise figure to the funds diverted via irregular privatisation of public land. An Anti-Land Grabbing project of Kenya National Council of NGOs, Operation Firimbi, launched a national awareness campaign via periodic advertisements in the English Press. According to Ngugi (2011), there was documentation of over 250 complaints within three months of the campaigns.

O'Brien and Kenya Land Alliance (2011) opine that when examining land grabbing by Kenyan elites, it must be noted that there is hardly any concrete statistical information as to the amount of land in question. It is because of insufficient transparency in the documentation of land transactions, especially from 1990 to 2002, when land grabbing peaked (O'Brien & Kenya Land Alliance, 2011). The Kenya National Commission on Human Rights (KNCHR) and Kenya Land Alliance (KLA), among other civil society groups, attempted to boost awareness concerning land grabbing and its implications.

According to O'Brien and Kenya Land Alliance (2011), the conflict that occurred after the 2007 election had many roots in the land-grabbing phenomenon. The tension over scarce resources in the Rift Valley has been simmering for many years. Ethnic differences over land are longstanding and persist in national and political dialogues (O.I, Kesis, 2019).

The Struggle for Land Reforms and the Kenya Land Alliance

Following independence in 1963, the government took almost thirty-six years to contemplate dealing with the unjust administrative and legal system. It involved the land rights allotment and revocation by the government inherited from the colonial phase. The government failed to enact the needed redistributive laws. It kept the needed administrative reforms in place, mainly because land grabbing by the governing affluent at the provincial/county and national levels would be intimidated by the proposed reforms.

The Kenya Land Alliance (KLA) has strived to press for land reforms since its establishment in 1999 (Adams & Millington, n.d.). The KLA actively participated in various commissions, developed submissions, and represented member civil society organisations (CSOs) perceptions of land law reforms and administration. The Kenya Land Alliance worked on reports and chapters on land reforms. The Kenya Land Alliance can be seen as the missing link between communities and the state as it acts as an intermediary and offers civic education training. According to Adams & Millington (n.d.), the Kenya Land Alliance has survived by merging its in-house expertise in activism with the concepts and publications of individuals with trustworthiness in the research area.

The Kenya National Land Policy

According to Lumumba (2020), in February 2004, Kenya began implementing the Kenya National Land Policy (NLP). The NLP was instituted and directed by the Ministry of Lands via stakeholders who prepared a draft that was embraced at the national symposium in April 2007. The policy's vision was to guide the nation toward effective, equitable, and sustainable land use for posterity and prosperity (Lumumba, 2020). The NLP benefited from various reports, including economic growth and recovery blueprints, environment management policy documents, and poverty reduction reports. NLP's purpose was to secure land rights as a method of boosting economic growth and reducing poverty and investment.

The initial task of the NLP's implementation encompassed anchoring basic elements of the policy into the constitution, which happened in chapter five of Kenya's Constitution 2010. However, since then, most land reforms have remained unimplemented until 2016. Lumumba (2020) observes that the implementation aspect was an intentional contradiction between the NLP and the constitution's provisions in chapter five and successive laws. According to Lumumba (2020), even before the laws were established, the Land Laws Act 2016 was enacted to decelerate and hinder the implementation of the National Land Policy without indicating what misconduct the amendment implied to address.

The Kenya National Land Policy formulation procedure attained its mission: delivering the policy document, which survives as a framework of a set of land policy guidelines to direct the sectoral, institutional, and legislative reforms in land administration and management. However, USAID analysed the draft policy embraced by the national stakeholders' symposium in 2007 and indicated that it was prejudiced towards agrarian thrust with meagre provisions on urban land elements. The USAID alleged agitated attempts to strive for practical alterations. However, no notable alterations were implemented to the initial National Land Policy that was proposed by parliament as sessional Paper No.3 of 2009. The USAID's purposes were different from those of civil society and an academic group of stakeholders in the policy-making procedure. USAID's primary concern was that the policy would impede the land market's operation. The operation's stress on the land market is typified in the comments of the past American Assistant Secretary of State, Hank Cohen. The remarks were contrary to the philosophy behind Kenya's National Land Policy, which viewed land not just as an item to be traded in the market, for it represented numerous values which needed protection in the land policy.

Lumumba (2020) asserts that when land policy-making is fashioned by authoritative entrenched interest, the implementation procedure needs officials to partner with all authorised stakeholders. As a result, the policy procedure, formulated as social engineering but lacks bridges to link its central concepts, stands to malfunction in realising its objectives.

The Kenya Policy-making procedure indicates a digressive undertaking that welcomed international, national, and local interests, all competing to sign up for political support during the Kenyan Landowners Association, which was inadequate to deploy divergent interests but insisted on convincing the development partners group on the land sector not to fund the civil society land network, KLA insinuated that the Alliance took the direction of the Zimbabwe land reform instance of land annexation. The leading funder of the land policy-making procedure, the Department for International Development, stopped the Kenya Country Land Reform Programme. It also pulled out its monetary support to Kenya Land Alliance by the end of 2007. Kenya Land Alliance moved its network technique and chose strategic partners with the expert body of surveyors, such as the Institution of Surveyors of Kenya (ISK), which brought about the Land Sector Non-Sate Actors (LSNSA) initiative, which lured the assistance of the Swedish International Development Agency that funded the civil society effort in the accomplishment of the NLP development procedure. Therefore, the skilful policy-making procedure needs to be calculated to reconcile positions in line with alternating needs.

Kenya National Land Policy's Outcome

The initial Kenya National Land Policy's outcome emanated from the anchoring of the constitutional aspects in the constitution of Kenya, 2010, which was executed via chapter five on Land and Environment in Articles 60 to 72. While the NLP implementation's expected result relied on the constitution, the reality check portrays the mismatch between the NLP document directives and the constitution's provisions (Lumumba, 2020). It made the successive laws' operationalisation challenging.

Lumumba (2020) opines that successive laws, The Land Act, the Land Registration Act, and the National Land Commission Act, were commenced in 2012. However, the newly enacted independent constitutional organ, the presidential-appointed Cabinet Secretary in charge of lands, and the NLC had mandates and duties set on a collision course. The NLP openly administered the elimination of the presidency in land matters; however, it came back via the Cabinet Secretary in Charge of Lands.

Secondly, it is worth realising that Kenya's government's negligence in handling land issues needed particular mediation. The first instance occurred in March 2010. The choice of the African Commission on Human and Peoples Rights in the Endorois case fits within the NLP's provisions on community and indigenous individuals' land rights. The decisions included recognising ownership rights of the Endorois and restituting their ancestral land, paying royalties from actual economic practices, continually reporting implementation advancement, paying compensation to the community for their loss, and providing unregulated access to Lake Bogoria and surrounding cultural and religious sites and their grazing rights. According to Lumumba (2020), the African Commission's decision is comfortably implementable with the National Land Policy guidelines; however, the government continues to apply cavalier delaying methods. Lumumba (2020) posits that the second instance occurred in May 2017 in a landmark case of the community of Ogiek over the Mau Forest Complex in the African Court of Human and People Rights in Arusha. The case outcome indicates that the Kenya government infringed on the Ogiek land rights. It compounds the negligence in establishing mechanisms for settling special land challenges as indicated in the National Land Policy (ROK, 2009).

The third result is the persistent negligence in enacting the National Land Policy directions and the constitutional provisions on the community land tenure regime. The result has translated into anxiety about legal recognition, registration, and community land protection (Lumumba, 2020). Against the community land's backdrop being targeted for massive projects, the state has devised a Land Value Index Law accommodating compulsory community land acquisition without sufficient, just, and prompt compensation payment.

According to Lumumba (2020), land reformers must overcome powerful interests contrary to making and implementing land policies, however challenging the transformative change will be. The outcome of land policy implementation is beneficial for all Kenyans, more so the disadvantaged, marginalised, and vulnerable groups. Lumumba (2020) asserts that land policies must not become suitable items for self-interest or pursuing the parochial interest of those in charge. Lumumba (2020) analyses the Kenyan scenario of land policy as slow and sloppy implementation, which indicates that another change needs to be engaged with, monitored, and evaluated to ascertain the delivery of the desired outcomes. The major

setback will be to incorporate social movements on equivalent terms with non-governmental institutions dependent on the diminishing donor funding for land reforms.

5.0 CONCLUSIONS

The question of land in Kenya revolves around access to land, political power, and economic opportunity. The problem of land started in Kenya when the European settlers grabbed vast areas of productive land in Central Kenya and the Rift Valley. The invasion of the white settlers changed the land tenure system, which allowed individuals to hold title deeds as opposed to the communal system. The colonial policies changed the economic dynamics of land use. The many ethnic conflicts due to land in Kenya are a clarion call to the Kenya Government to deal with the land question before it explodes to unmanageable proportions. The context of the land question in Kenya is not only a matter of legality but ethics, equity, and fairness. Land ownership issues in Kenya have been the most explosive question for a long time now. Different governments have formed commissions to look into the issue of the land question from colonial times to post-colonial times, whose findings have not been implemented fully. The land issue and the emergence of the Sabaot Land Defense Force in Mount Elgon, Bungoma, dates back to the pre-colonial and post-colonial periods and the post-colonial Government's inefficiency. The colonial Government's land ordinances, laws, and concessions played a significant part in the challenges facing the land issues in Kenya. The Marginalisation of communities based on their ethnic and political affiliations caused ethnic divisions in the Mount Elgon District. A history of violence in Mount Elgon's ethnic and national politics triggered the conflicts. Smuggling small and lightweight arms from neighbouring countries further inflamed the conflict. To address the historical land justice in Mount Elgon and other parties of the country, the Government ought to fully execute the TJRC report and other credible reports.

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