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Methods employed by the Sabaot land defence force to stake their claims over land in Mt. Elgon and methods used by KDF to quell the insurgency

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Abstract

The aim of this study was to examine methods employed by the Sabaot land defence force to stake their claims over land in Mt. Elgon and methods used by the KDF to quell the insurgency. This research was conducted in Mount Elgon Sub County in Kapsokwony, Kaptama, Kopsiro, and Cheptais. This research utilized 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 analyzed by first translating oral interviews from the Sabaot language to English, grouping data according to the objectives, and verifying any possible contradicting information. After that, the data was corroborated with archival and secondary data and then presented through descriptive narratives. This study concluded that most of the methods used required the use of force or ruthless measures against the locals. The locals were subjected to torture, and at times, most people lost their lives in the process. The study recommends that the government should assure the displaced persons of maximum security, and the security agents shall not harass innocent civilians once peace is restored.

Key words: Defence force, insurgency, KDF, methods employed, Sabaot land.



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INTRODUCTION

Moyo (2003) suggests notable progress in research and guideline interest regarding the issue of land in Africa. Different reasons have caused this. In Zimbabwe, the intensification of the land dispute is marked. The issue proposes deficient decolonization exercise in the ex-settler territories, and also, due to the international governance of the land dispute in Zimbabwe, which has underlined numerous lasting north-south injustices. According to Toulmin and Julian (2000) and World Bank (2002), land and agricultural issues have shared inclinations vis-à-vis their universal prevalence and a modern pronouncement that has not sufficiently clarified the massive, cutting-edge African research. According to Amin (1972), the presumption on the traditional agricultural issue is questionable, apart from the preceding settlers' territories considering the lack of a history of large-scale land appropriation, and as suggested by Arrighi (1978), about the attendant confined plebeian system that happened at the start of the previous century.

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, p. 4).

Violence over land has periodically occurred on Mount Elgon. The land is rife with potential conflict, particularly when the distribution is skewed. The land dispute has exacerbated tensions already present among the Mount Elgon people. In 2007, land-related violence was widespread, and the Sabaot Land Defense Force played a major role. This research's land question is found in the Mt. Elgon

sub-county, which has had constant contestation from the late 1960s up to 2010. The land in Mount Elgon, which has brought disagreements, has been dominated by the Sabaot, a Kalenjin sub-ethnic group. Sabaot is divided into the Soy (Samek or Lowlanders) and Mosop (the Ndorobo or Highlanders.) Mt. Elgon's people speak in four dialects of Sabaot, including Kony, Bok, Sebei, and Bongoma. In the mid-1960s, Kenya's government devised a strategy to resettle the Mosop. It prevented them from persisting ambush from Sebei and Bagisu dwelling in Uganda. In 1971, the State began a relocation program known as Chepyuk 1 (1971-1974) to relocate the Mosop. Non-availability of title deeds, corruption, discontent within the Mosops, and resentment from Soy in the 1980s led to phase two and the third phase (1993-2006), leading to the Soy's eviction. This, in turn, led to Mosop-Soy, which later led to the emergence of the SLDF. (Ngulutu, 2013).

Studies have touched on the land question in Mt. Elgon and how disagreements over land led to the Sabaot Land Defense Force formation, though not wholesomely. Efficient evaluation of the basics on the economic and safety issues, Wachira et al. (2008), Women and conflict in Mt. Elgon Ryanga (2013), Military postcolonial reconstruction; a case study of KDF in Mount Elgon Ngulutu (2013), Militarization of assets disputes, an account of land-related controversies in Mt. Elgon Simiyu (2008) to name but a few.

Mount Elgon's situation moved from bad to worse because of the Sabaot Land Defense Forces formation due to land contestation leading to government intervention. (Daily Nation July 14, 2014) reported that Safety providers in Mt. Elgon had been recovering unlicensed firearms in a vigorous elimination of weapons amongst the feared Sabaot Land Defense Force (SLDF). The dangerous group had caused the loss of lives for over 1,000 people by the time the army was sent to eliminate it (Daily Nation July 14, 2014); also, several others had been evicted.

Elite manipulation and politics are significant factors in why land has become an emotional issue, leading to a self-perpetuating system and increasing the

probability of conflict via the sharpening of interethnic identification and chauvinism. The elite manipulation contributes to divisions among people living in the Mt. Elgon region, and the results are severe when land is at the core. The development of the SLDF in Mount Elgon resulted from elite manipulation and politics. The SLDF perpetrated many crimes in Mount Elgon. The militia was responsible for upsetting the region's tranquillity and evicting non-native inhabitants. This research sought to examine the methods employed by the Sabaot land defence force to stake their claims over land in Mt. Elgon and the methods used by the KDF to quell the insurgency.

LITERATURE REVIEW

Human Rights Watch (2008) opines that the Sabaot Land Defense Force mostly used violence to claim ownership over land in the Mt Elgon area. The SLDF used murder, physical assaults, torture, seizure, and destruction of property and threats to stake ownership over land in Mt Elgon (Human Rights Watch, 2008). The militia group would attack residents, kidnap them, and torture residents in Mt. Elgon. Those who opposed the militia group were murdered, and their bodies were left for others to see. The SLDF would usually fire the residents' homes of Mt Elgon and take livestock, money, and land at gunpoint. The targets of the militia group were mostly the political rivals or those who opposed their agenda.

According to Simiyu (2008), SLDF used torture as the primary way of getting their land back. The armed militia used to cut off the ears of those who did not listen to their instructions. They were known to skin their enemies alive. One individual whose property was taken, and he was compelled to move, told Human Rights Watch: "I have the title document, but the SLDF have weapons." They have taken possession of my property. I live in a hut in town with my family, and we eat tomatoes that fall from the market." Another victim said he was beaten into relinquishing his property. He described how "they gathered up my livestock, canes me, and knifed me as we went." When we neared the bush, they secured me to a tree by my feet, my head dangling (Human Rights Watch, 2008).

Additionally, others were dangling. They severely beat me and said, 'Choose: give all your belongings, including your land, or you will perish immediately.' I informed them that they could have it. They severed my ear and then forced me to eat it as a mark. I walked home on my hands and knees." (Human Rights Watch, 2008).

The SLDF used threats to obtain land because they had weapons. Many displaced people live further down the mountain because the militia organization had stolen their livelihood and land. According to one individual whose land had been taken, "I have the title deed, but the SLDF have weapons." They now own my property. I live in a hut in town with my family, and we eat tomatoes as they fall from the market." (Human Rights Watch, 2008).

The SLDF also murdered those who did not agree with them. In the 2007 elections, the militia force murdered many politicians or political agents who clashed against their preferred candidates. The ones left were those who supported their ideologies and favoured them in the allocation of land in the region. An area chief once described how they found five bodies of individuals who opposed the favoured SLDF candidates with their throats cut. The retired chief stated that "Many of my neighbours had houses set on fire, and some of them were murdered because they supported the wrong aspirant." (Human Rights Watch, 2008) The armed militia group had a motto that there should be only one party and one Member of Parliament.

Simiyu (2008) focuses on how the Government was not considerate of the entire population when allocating land during the pre-colonial era, leading to squatters' grievances and encroachment. Similarly, the SLDF claimed that non-natives were enriching their soil and had to go back to their ancestral land to reclaim their land forcefully after the Government failed to resolve the numerous concerns (Simiyu, 2008). In retrospect, following the Government's unfairness in allocating land, land activists, including the SLDF, came into existence to fight for what they termed their ancestral land (Simiyu, 2008; Uexkull, 2016).

According to KNHCR (2008), the formation of SLDF started as a guerilla militia resisting the Kenyan Government in squatters' eviction in the Chebyuk region of Mt. Elgon. During the time, they were a vicious militia group that would kill or otherwise harm any person or government official who was not from the local tribe. The number of individuals who perished during the attacks and guerilla warfare amounted to 600 people (KNHCR 2008). It has also been accused of various atrocities, including committing the destruction of property, theft, rape, and murder. The group has been responsible for displacing more than 66000 people in 18 months (KNHCR 2008). Local people were terrorized through threats and assaults if they communicated with the authorities. However, the research by Wakhungu et al. (2008) fails to mention the Sabaot Land Defense Force's methods since their inception until they were neutralized by the Kenya Defense Forces (KDF). It also fails to mention that land injustices in Mount Elgon were not a recent phenomenon but began in the 1960s when the Government wanted to resettle the Soy community in Mt. Elgon.

The UN (2012) report offers an in-depth illustration of the actions and motives of Wycliffe Matakwei, the leader of SLDF. The organization recruited its members from the Sabaot people. This Kalenjin sub-tribe accounts for less than 11% of the Kenyan population but considerably more in the Rift Valley Province and eastern Uganda. Kirui Komen claimed to be the deputy commander and claimed leadership of 35,000 troops and scouts. The gang acquired weaponry from neighbouring countries such as Uganda and dressed in jungle camouflage clothes. The SLDF is financed via informal "taxation" of local people and operates under a parallel administrative structure. The leader was killed in 2008 by the military following failed calls to take him alive or for them to surrender their firearms to the government authorities. According to research by the UN, more than 3000 warriors captured and locked were to be arraigned in court and prosecuted for crimes against humanity. Different weapons were confiscated, including but not limited to grenades, machine guns, AK47s, G3 rifles, and numerous

ammunition rounds. Membership to join the SLDF was mandatory, and male family members were forced to join and attend the training on how to use and handle the assault rifle and other weapons at their disposal. Failure to join the SLDF would lead to killings or chopping off one or both ear lobes (HRW, 2010). The recruitment was also done on women and children whose primary function was to cook and ensure constant food and water supply to the warriors.

Ngulutu (2013) notes that post-conflict practices became commonplace in Mount Elgon after the formation of the SLDF in 2005. Rehabilitating constructions like learning institutions and roads and reinstating security were the primary concerns of the region's communities. The research analyses military mediation in issues linked to mediation and post-violence rebuilding in the Mount Elgon area, focusing on particular case studies in chosen reconstruction projects in the area using the KDFs' struggles. The study's major issue is determining under what conditions the military intervened and whether the arbitration techniques effectively reduced post-war susceptibility to the instant repercussions of the violence, particularly by boosting flexibility and minimizing the risk of the impacted population. Simiyu (2008) agrees with this study by demonstrating how Kenya's Defense Force quelled the Sabaot Land Defense Force. Ngulutu (2013) also investigated the Kenyan military's role in post-violence rebuilding and peace-building after the conflict in Mount Elgon. Second, it examines the Kenya Defense Forces' strategies to attain the critical duties of post-violence rebuilding and peace stabilization of Mount Elgon. Thirdly, it looks at the institutional divergence that allowed the Kenya Defense Force to conduct peace-building and post-war reconstruction. However, the research failed to mention how alleged land injustices during the allotment of land to the Soy community led to the development of the SLDF.

HRW report (2010) reveals that people in Mt. Elgon living adjacent to the Ugandan border have been victimized by security forces in Kenya and SLDF, forcing many to flee their homes. There were attacks on many people, rape, mutilation, and murder in

2006. This was due to a dispute on land, a struggle for power, and a breach of law. Wakhungu et al. (2008) responded that the military's response was boosted during the early 2008 aftermath of Kenya's disputed elections. Whereby there was torturing, detention, and killing of many people. HRW (2010) people were astonished by the operation because KDF and SLDF were responsible for human rights abuse. However, these studies did not clearly show the Sabaot Land Defense Force's overtime methods nor mention the alleged land injustices that led to the SLDF emergence.

In Mt. Elgon, violence escalated because of the unfair land allocation involving the SLDF. This militia group practised guerilla warfare after its formation in 2005 while striving to defy government eviction in Chepyuk during the resettlement program. There have been accusations purporting to the killings and threats through assault and the commitments of various atrocities, rape, torture, and property being destroyed, to name but a few. By estimation, over and above 66000 persons were displaced in 18 months because of SLDF activities (UN, 2012). The KDF was deployed in Mt. Elgon to deal with SLDF in an operation called "Okoa Maisha." The military conducted this operation with the most secrecy. As a result, more than 1200 people were arrested, and prosecutions were achieved. Out of the process, accusations arose on the military's use of extreme force while recovering weapons used by SLDF. Reports from the media depicted the assault of a journalist by the military while attempting to cover the military operation in identifying members of SLDF (IMLU 2008). However, this study failed to depict major communities affected by land injustices, leading to the development of the SLDF.

RESULTS AND FINDINGS

The Use of Force

The Sabaot Land Defense Force used force to execute attacks and penetrate and manoeuvre around the region, attacking the locals (O.I, Masai, 2019 and O.I, Sirkoi, 2019). It was the most common method to make their presence felt by the locals and the administration. Most of the locals in the region had to comply since there were consequences if one failed to. For instance, failure to abide by the SLDF

leader's directive to join the group or execute a raid would result in constant killing or chopping off the earlobes (O.I, Cherotich, 2019). Apart from the brutal killings, the militia strived to set an illegal government in the Mt. Elgon region by making its own rules and regulations and had the gang members enforce the occurrence. They levied taxes on the locals in return for their protection to raise revenue for the sustenance and acquisition of firearms (O.I, Chematui, 2019).

Initially, each family residing in Mt. Elgon was required to pay 1000 bob for protection, but they subsequently shifted to monthly charges based on the individual's monthly income (O.I, Cheron, 2011). Individuals employed by the district's government were required to pay protection costs ranging from 2000 to 5000 monthly (Namwaya, 2007). Additionally, each family was required to give the militia a ninety kg bag of corn for each acre of harvested land (O.I, Kiptoch, 2019). An emerging insurgency economy that supported the militia's lifestyles drew many poor youngsters. The militia also committed thefts of cattle from the adjacent Bungoma West District. They had also established an illegal court system in which those deemed harmful to society, such as thieves, witches, adulterers, and drunkards, were frog-marched and disciplined by being caned. Some had their ears chopped off, their hands cut off, and their mouths sewn shut, and in some cases being shot dead on the spot (O.I, Chepkemet, 2019 and O.I, Kinjo, 2019). The illegal court was set up on sloppy land, and if one was sentenced to death, then the similar was taken to the forest and killed or left to rot (O.I, Kisiro, 2019).

John Serut was the politician who faced the Sabaot Land Defense Force's fury. It was alleged that Serut exploited his position to incorporate the Mosop in Phase III of the Chepyuk resettlement scheme, even though they were not included in the Soy community's agreement. He was also charged with ascertaining that his friends benefitted from the land distribution system (Simiyu, 2008). According to focus group discussions (2019) identified that in retaliation, the SLDF militia group orchestrated a plot to murder his family members, including

brothers, wives, and niece, who were the group's brutal force victims.

Divide and Rule Tactics

The militia group informed the locals about how the national and local governments had let the community become one of the nation's marginalized communities, leading to the existence of a gap between them and other parts of the country (O.I Kibos, 2019). This was to divide the individuals into different opinions for ease of governance. For instance, the groups that have been most impacted by marginalization are Chepkitale, Ogiek, Dorobo, and Mosop (Simiyu, 2008). Regardless of having different names, these ethnicities are considered minority groups in the country. According to the Mt. Elgon Genocide Update (2008), they are considered the minority (Simiyu, 2007). They have considered the moorland and forest of Mt. Elgon their ancestral homeland and are not assimilating with other settlement forms (KNA/PC/NZA/2/10/7:1931-51). The groups include about 5,000 families whose primary occupation is hunting and gathering for sustenance but have gradually adapted to modern agriculture in response to the government's hunting prohibition (Simiyu, 2007). This has led them to claim that they are a distinct ethnic group from their Sabaot neighbours. Others dispute this statement, saying that the only significant difference is that the Chepkitale are Mosop: those who live high in the mountains and, as a consequence of their relative seclusion, stay true to the Sabaot tradition (KNA/DC/EN/1/4: 1959: Elgon Nyanza District Annual Report).

The SLDF was built based on the divide between the Sabaot people and the neighboring communities. The split led to minor ethnic clashes and cattle rustling escapades in which property was stolen, and casualties were left in the process. In some cases, fatalities were experienced, and numerous lives were lost (Simiyu, 2008). On 05/10/2019, the elders in Cheptais explained that the SLDF managed to isolate the community from external influence. The SLDF drove out any non-locals away from their land. Any non-local who possessed land in their region was considered an enemy to the community, and it was up to them to drive the enemy away (O.I, Kiptoch,

2019). The SLDF succeeded in dividing the bond between the Mt. Elgon locals and the rest of the nation, and they were convinced that only the SLDF could protect their land.

According to the focused group discussion held on 5/10/2019 and 13/10/2019, *the SLDF managed to create a rift between the Mosop and Soy. They claimed the settlers were displacing the rest from their properties based on different schemes. In this way, the communities grew in arms against each other and facilitated the militia group to recruit more members. They required protection and food collected as tax from homesteads and families* (Lynch, 2011). Given that all surrounding groups are considered to have moved into the region, Ogiek/Dorobo testimonies may be used or rebuilt to establish the initial residence. However, this concept, like any transparent and limited ethnic group, is untenable owing to complicated and prolonged histories of migration, marriages, contact, and assimilation, not to mention the term's particular settings. While this debate continues, the Chepkitale claim in the Mt. Elgon Genocide Update (2007) that they were treated differently than other ethnic groups, dubbed Elgony/Elgon Maasai/Ndorobo.

Due to the ongoing political and economic persecution and marginalization of Chepkitale Ogiek, the Mt. Elgon County Council persuaded Kenya's government, with former MP Joseph Kimkung, to turn the Chepkitale Trust Land into the Chepkitale Game Reserve (Kimkung, 2013). This decision precipitated an insurrection and resistance, resulting in many fatalities and individual deaths on a large scale. "It should be obvious that the Ogiek are dying in large numbers due to the gunshot," the Chepkitale leaders said. More children and women are dying of hunger and illness due to their inability to access stolen food and livestock." (O.I, Esamai, 2019). The situation was so desperate that the world community acted quickly to avert humanity's extinction (Mt. Elgon Genocide Update, 2007). These sentiments were expressed by the Chepkitale, shedding insight into the clans' widespread sense of marginalization. According to Simiyu (2008, p. 14), the idea to relocate the Chepkitale in good faith with their Soy counterparts in a friendlier climate goes

back to 1965. This was intended to safeguard the Mosop from violent invasions from Ugandan groups. This is based on an event between 1979 and 1983, when former troops of Uganda's deposed President Idi Amin fled to the mountain and repeatedly attacked the Mosop, stealing their livestock (Kimkung, 2013).

According to Simiyu (2008), the primary reason was that the whole Chepkitale region was a water catchment area that the government wanted to preserve. The state planned to create a game park to draw visitors and generate national revenue. This policy was altered in 1968. As a result, there was a sense of immediacy around the relocation plans, as the game park absorbed a significant part of the moorlands, which served as grazing grounds for the Mosop. This elicited complaints from the Mosop, who believed their rights were being violated.

Additionally, this exacerbated environmental deterioration caused by overgrazing in the tiny surviving part of the Chepkitale moorland. In 1971, a settlement plan was proposed for the Mosop from the Chepkitale Trust Land down the hill in Chepyuk. This was to be accomplished by de-gazetting a forest reserve, which sparked a regional negotiating process (Kamoet, 2008). Though at war, the Soy and the Mosop community felt marginalized by the government (O.I, Kesis, 2019). The SLDF spread the government's message of marginalization, facilitating the increased rift between the communities and the authorities.

Mosop were resentful because they believed they were being overlooked due to their marginalization. They assert that the Soy leaders made equitable choices about land allotment for them (O.I, Kitiyo, 2019 and O.I, Chama, 2019). This is evident in the political representation, as the Mosop lacked representation in the political arena until 1997. By 2004, the Mosop had a single councillor, a single chief, and four assistant chiefs in a district with an MPMP, eleven councillors, sixteen chiefs, and forty-two assistant chiefs (Simiyu, 2008). The Mosop claims they have been excluded from delegations to the State House, petitioning President Moi on property issues. They assert that they have

historically been underrepresented on land distribution committees.

On the other side, the Soy was unhappy with the Mosop's presence in Chepyuk Phase III, despite the colony being expressly built for the Soy (O.I, Kitiyo, 2019 and O.I, Chama, 2019). Mwasserah (2008) summarizes these occurrences as clans' attempts to alienate one another and rid the region of the opposing clan. This prompted violent responses as a result of the accumulation of systemic tensions. Minority supporters banded together with them to confront the powerful Bok clan. It escalated into a conflict between the Bok and Chepkitale (Mwasserah, 2008). The other clans were to form an alliance with these two sub-groups. When the conflict began, the Sabaot Land Defense Force would often inquire whether the casualty was a Bok or a Chepkitale.

The Chepkitale's supporters, some of whom were believed to be Bok clan members, might have been utilized to resolve the dispute. Due to Chepkitale's lack of numbers, attempting to eradicate them proved fruitless. In any event, they would have quietly handed the Soy their property in exchange for the Soy's assistance in pressuring the state to restore the Chepkitale to the forest for conservation purposes. Given that the group was aware of its marginalization, the only option for them to survive would be via togetherness. They should see any power attempting to separate them as a potential adversary (Mwasserah, 2008). They are inextricably linked. If they are made aware of this fact, the community may avoid future outbreaks of violence.

Diplomatic Means

It is a means of influencing the decisions and behaviour of people through dialogue and negotiation. The Sabaot Land Defense Force used diplomatic means as a primary means to try to bring together people at the grassroots to fight for a common goal. Unifying the locals in Mt. Elgon would give them more advantages (O.I, Zippy, 2019). Diplomacy is the art of communication among governments. The Sabaot Land Defense Force established its government to enable it to mediate on behalf of the local community living in

Mount Elgon (Kapondi, 2008). In African culture, it is of the most importance when treaties and agreements are reached. The Sabaot Land Defense Force embraced diplomacy (O.I, Zippy, 2019).

For instance, this study has looked at some beliefs and treaties made between the Mt. Elgon communities to ensure diplomatic relations and rules that govern the locals. Other pre-colonial features of the Sabaot were considered to be either a source of strife or a source of peace. Among them were their shared beliefs. Among these beliefs was a devotion to Yeyia, whom they all worshipped. It was a unifying conviction.

Additionally, they had daily rituals that incorporated festivities (Kapondi, 2008). These included birth and naming, harvests, and marriages. Additionally, they grieved their deceased in unison. These moments solidified bonds and bonded the community (O.I, Ndiema, 2019). Given the value placed on festivities today, inviting supposed adversaries to the same event may help develop confidence and unify the Sabaot clans.

Another essential ritual for society was the circumcision of both boys and females. The festivities were a unifying force in and of themselves (KNA/PC/NZA/2/1/54:1931-51 Native Tribes and their customs). Nevertheless, what the act did to the young men was essentially different. Since the young boys were trained to become warriors, it radicalized them, and they were conditioned to anticipate, retaliate towards, or against the war. Some beliefs disintegrated Sabaot (Kapondi, 2008). Such issues comprised polygamy, sorcery, and using totems to refer to a specific clan. Kids born after their wife's inheritance came with their mothers or those who were war captives and were also dividing elements into the Sabaot community. This duty could still be included in this society via training as a method of conflict resolution (O.I, Chebeni, 2019). Finally, the well-established political structure of pre-colonial Kenya may serve as a source of dispute settlement since elders are still highly respected in contemporary Kenyan culture (Kapondi, 2008). The aspect of community contact that was a cause of

conflict and a means of reconciliation was overlooked in the initial assumption.

The Sabaot were among the numerous Kenyans who lost their property due to these events. A portion of their territory was seized by settlers, another by establishing the African reserve, which included the Bukusu, and the other portion was taken as a forest reserve, thus evicting the Chepkitale (Kapondi, 2008). This exacerbated fundamental tensions between the Sabaot and the adjacent Bukusu community (KNA/PC/NZA/3/14/23:1944-49). The Sabaot, through the SLDF local government, would negotiate with the government and other third-party entities to calm the situation. *However, most of the diplomacy was between the ethnic societies within the Sabaot community* (Kapondi, 2008). For instance, the SLDF had to offer an enduring solution to the violence between the Soy and Mosop tribes through diplomacy and the promise of being beneficiaries of the reclaimed land.

Incitement and Provocation

The SLDF militia group utilized the strategy of provocation and incitement as a system that, for quite a while, made it hard for security to gain an advantage (Namwaya, 2007). One strategy of the general SLDF methodology was making a vow. The SLDF militia worldly prophet, called a 'laibon,' controlled the oath to all warriors and gave them unique charms, apparently to tie them to the Sabaot Land Defense Force cause (O.I, Simotwo, 2019). It is alleged that the Laibon instilled them with heavenly powers that would shield them from specialists and adversary projectiles during the battle, making them secure. In such a manner, the Sabaot Land Defense Force is like numerous other volunteer army groups across Africa that have utilized mystery and accounts of power as fundamental parts of their activity.

Based on focus group discussions held on 16/10/2019 and 22/10/2019 noted that the certainty and mental point of view they got from the oath and charms somewhat clarified why the Sabaot Land Defense Force frequently dispatched information to its eventual focuses before time, disclosing to them when they would wage an attack. It additionally

elaborates, to some extent, why numerous youngsters enrolled in the SLDF militia in spite of the state's assurance to demolish it. The job of prophets in war and different occasions of difficulty is solidly established in the way of life and military history of the Sabaot. The prophets' respected situation in Sabaot society has been sustained by incredible fantasies and accounts about the past remarkable deeds that venture them as creatures with natural forces (Weatherby, 1962). Be that as it may, as of late, their raised position has fundamentally reduced. In my perspective, the contention in Mount Elgon gave the customary administration a chance to re-arrange their socio-political (and conceivably financial) position in the network. Concerning economic frontier, the laibons were among the couple of individuals who had obtained vast parcels of land in the plan, proposing that their social position was likewise connected with monetary benefits (O.I, Chepkwemoi, 2019, O.I, Ndiwa, 2019 and O.I, Kiprotich, 2019). This brings up social equity and populism, which are regularly connected with customary African social orders. Specifically, the administration sees that including older folks in the land assignment procedure would resolve the land struggle.

Threats and Blackmail

The growth of the SLDF thrived based on fear and intimidation. The local citizens were silenced with threats and warnings against sharing information with outsiders or the authorities (United Nations, 2013). The group implemented stern measures, and dire consequences would apply when someone was found guilty of sharing their information with the government or other official channels. The most basic form of threats occurred when the SLDF group began executing individuals who were found conspiring with the government in any manner. For instance, lighter offences were punished by chopping off ear lobes, while those with high-degree crimes, such as thieves and spying on the group, were matched to the forest and shot instantly (United Nations, 2013). In this regard, people feared the group and always acted following their requirements. In the event of blackmail, each family in Mt. Elgon was supposed to offer monthly taxes of up to 1000 and a 90 kg sack of cereals (O.I, Kiptaalam, 2019).

Each family had to comply since they had either a son or father as a member of the SLDF gang, and failure to honour the taxes would have dire consequences for the member. Terrorizing and threats of revenge guaranteed that dreadful occupants did not disclose information about the state army's exercises, not to mention who its contenders were. As indicated, the militia individuals lived among conventional residents and would most likely have gotten some answers concerning treacheries from different local people.

Furthermore, Sabaot Land Defense Force contenders wore military and police outfits and communicated in Kiswahili, one of the official national languages. As such, the inhabitants could not, without much of a stretch, recognize them from the standard security workforce and, for the most part, confuse them with the last mentioned (O.I, Kibeche, 2019). They were, in this way, ready to complete tasks simultaneously with security agents, particularly around evening time, in which they would trespass homesteads, irritate individuals and beat them up, seize belongings and coerce cash from the locals (KNHCR, 2008). In opposition to the broadly held conviction that Sabaot Land Defense Force contenders lived in the forests, they lived among the neighbourhood populace. However, the vast majority of them worked from their homes. They gathered at whatever point occupation took place –for example, assaulting a particular objective in a particular period– after which they would converge with the regular citizen populace again while security agents would launch vain activities in the backwoods to chase them down. When the Sabaot Land Defense Force was assaulted, they sorted out themselves in small gatherings of 10 to 12 individuals, making their developments hard to recognize (Kenya National Commission on Human Rights, 2008). A small gathering – for the most part, the authorities and specialists, including the previous armed force and cops – had explicit bases and concealing spots (for example, caverns on the forested mountain slants). Here, they had the advantage of being more versatile in the territory, in contrast with the security officials (Kenya National Commission on Human Rights, 2008).

During many of their tasks, the Sabaot Land Defense Force warriors did not convey weapons for significant distances. Alternatively, maybe the weapons were carried to them at assigned spots inside short proximity of the objective, to which they returned them after the activity and from where they were shipped back to the 'ordnance' somewhere down in the backwoods (O.I, Manyiror, 2019 and O.I, Muhamed, 2019). Individuals are guaranteed to be answerable for sending the weapons camouflaged as ladies because their heaps were infrequently investigated (Kenya National Commission on Human Rights, 2008). Terrorizing and threats of retaliation guaranteed that dreadful inhabitants did not share information about the SLDF army's exercises, not to mention who its warriors were. As noted, the illegally armed men dwelled among conventional residents and would likely have gotten some answers concerning treacheries from different local people. The record above depicts the state army as an outfit away from leadership structure and hierarchy. The militia comprised three different divisions: a specific military, a profound, and a political wing (United Nations, 2013). However, it gives a false representation of some inside inconsistencies and organizational deficiencies.

The SLDF militia had, within its ranks, former police and military officers. According to (Simiyu, 2008), David Sichei, who was attached to the best presidential security during President Moi's era and is presumed to have received military training in Israel, was among the SLDF militiamen. It was alleged that Sichei was in charge of the military training for the Sabaot Land Defense Force militiamen. Nonetheless, despite the presence of such experienced and trained former police and army officers, the militia's military wing headed by Matakwei had zero military training and experience.

Weapons

The firearms used by SLDF were attained from neighbouring nations and are readily available and sold at throw-away prices in exchange for livestock. The armed Sabaot Land Defense Force militia challenged the state's legitimacy by creating a parallel structure, including a defence force. The initial targets of the war were the government's

representatives, such as chiefs and assistant chiefs (O.I, Kiyeni, 2019). District officers or people linked to the government played a part in the land allocation. The elders and surveyors were significantly involved in vetting the beneficiaries and land applicants. The SLDF's defiance of authority was extended to elected area councillors and members of parliament.

The Kenya-Uganda boundary and family ties among groups on either side of the border brought about the violence, attaining a transnationalism element. According to Simiyu (2008), the remnants of the rebel group and Ugandan renegade soldiers have often sought refuge among their relatives living in Kenya. They have also been employed to conduct ambushes and monstrosities on behalf of their Kenyan employers. The presence of small arms and light weapons makes war violent and undermines the efforts to resolve violence via peaceful methods such as dialogue.

Sexual Violence as a Weapon of War

Sexual and sex slavery during conflict periods have dire consequences for gender relations. Both females and males in conflict zones face gender-based violence, and men withdraw from speaking about such experiences. Sexual violence occurs not only against females and males who experience castration or male defilement. According to Kimkung and Espinosa (2012), sexual violence against men and boys is aimed at destroying their manhood and workforce. In Mt. Elgon, the SLDF militia took boys and men as prisoners, detained and castrated those termed traitors. Some men were tortured to death, while others disappeared without a trace (O.I, Cherret, 2019).

Sexual violence happens to various extents and takes various forms, which include different types of rape and motivation to rape are well recorded. For example, sexual violence might be systematically conducted to destabilize the population and destroy bonds within communities, kinships, and lineages (Kimkung & Espinosa, 2012). Sexual violence can manifest among men who feel inadequate to protect their women from the enemy and compensate by practising violent control over women at home.

In Mt. Elgon, the Sabaot Land Defense Force militia kidnaps and kills people almost daily. The militia organized rape to humiliate, intimidate, and dispossess their foes. Sexual violence in armed conflict is not accidental. It is a weapon of war. SLDF used this method to attain their military objectives like spreading political terror, ethnic cleansing, breaking the community's resistance, extracting information, or rewarding the men in the militia group (Kimkung & Espinosa, 2012). The SLDF uses sexual violence to send a message to their enemy or target a particular group to instigate flight or expulsion of a particular community.

Most sexual violence cases, particularly in times of conflict, go unreported because the victims are too traumatized or fear stigmatization by society and family. Male sexual violence victims are unwilling to describe the atrocities they experienced due to fear of reprisal. According to Dr Charles Ongudi, quoted in 'All the Men Have Gone' by Human Rights Watch in 2008, most females are dying secretly due to the stigma linked with rape and HIV. According to Kimkung and Espinosa (2012), females suffered multiple tragedies of being raped, including rejection from family and communities and being infested by sexually transmitted illnesses.

According to Ngulutu (2013), the time following any armed violence often mirrors much of the hazard and uncertainty seen during the violence itself. It is essential for the government to develop and implement means of ascertaining the citizen's security and safety from either internal or external threats. The government is tasked with determining the rule of law, offering an efficient police force and executing judicial tasks, managing demobilization and disarmament and dismantling illegitimate militia institutions that terrorize citizens (Ngulutu, 2013). In the Mount Elgon violence, the state swooped in to assist the citizens in distress as an outcome of the land conflict perpetrated by the Sabaot Land Defense Force. The state deployed the Kenya Defense Forces to assist local enforcement agencies in restoring peace within the region and ensuring the citizens acquire the justice they need.

The Kenya Defense Force in Mt. Elgon

Violence devastates society. The extreme form of conflict, an atrocity against the population, destroys much more. It often leaves communities vulnerable, traumatized, and shattered. A disorganized security and political system and collapsed infrastructure make people question the government's legitimacy in their country. In Mount Elgon, rebuilding the society by hunting bandits and militia groups was fundamental before reconstructing the damaged society. The KDF, along with other non-state actors, took part in rebuilding the war-stricken region to enable the internally displaced individuals to return to their homesteads and begin their lives anew. The societal restructuring was driven by comprehensive alterations to ethnic groups and the social fabric's breakdown as a violent outcome.

One of the significant difficulties of communities emerging from violence is the incapacity to rebuild a state's legitimate and functional institution. The SLDF had destabilized the Mt. Elgon region and paralyzed the people's economic activities. However, the KDF intervened and applied different methods and tactics to ensure civilians in Mt. Elgon enjoyed an autonomous state institution and had their lives returned to peace. The methods employed by the KDF enabled the people within the region to experience the reconstruction of their societies post-war they had previously encountered.

a. The Constitutionality of the Kenyan Defense Force Mediation in Mount Elgon

The KDF's mediation to reinstate peace is a very virtuous concept. However, it is essential to manage their character. The Military is an equally vital government institution, and civilian security is more critical. The KDF is like other government organizations that should not run away from public audits. It is essential to note that before the launch of Mt. Elgon's military mediation, the previous Kenyan constitution was in play and was quiet concerning military mediation in domestic conflicts. For the Kenyan defence force to function efficiently, they are required to work within the constitutional frameworks.

The Kenya constitution sets powers and rules of the political game. It is critical to note that the Kenyan parliament was a crucial element in the military mediation in Mount Elgon. The parliament must direct how the military force is executed to safeguard territorial integrity and the state's security. The Mount Elgon issue was discussed, and the security policies on the military's deployment were assessed and agreed upon. During the deployment, the Kenya defence force was necessitated to carry out its duties within the boundaries of the country.

Justification of KDF Intervention in Mount Elgon Violence

The KDF's intervention in the SLDF conflict was informed by the roles engraved on the KDF by the constitution (Ngulutu, 2013). Under the previous constitution, the fundamental role of the Military was to offer protection and defence of the sovereignty and territorial integrity of the nation. The secondary responsibility of the Military was to intervene if called upon on matters of internal security.

Owing to the huge extension of the SLDF cruelties carried out in Mount Elgon, it was evident that the internal security agents were unable to calm the event. The SLDF outsmarted them in terms of guerilla tactics and weaponry. Ngulutu (2013) asserts that the deployment of the Kenya Defense Force was in response to the National Security Council's need for the Military to protect an entry point into the war under its secondary duty to restore security and peace within the area.

The 2010 Kenya constitution illustrates the KDF's role as highlighted in the Kenya Gazette Supplement Act of 2012. The duties of the KDF under paragraph 8 of article 241 (3) of the Kenyan constitution indicate that it shall be liable for the defence and safeguarding of the territorial integrity and sovereignty of the republic. Secondly, the KDF shall help and partner with other institutions during disasters or state emergencies and report to the national assembly if deployed under such situations. Third, KDF may be sent to restore tranquillity in any part of the country impacted by instability or unrest only with the National Assembly's approval (Kenya Gazette Supplement Act, 2012).

The 2010 constitution provided the military sole mandate to conduct post-emergency or post-conflict rebuilding duties in assistance to the civil authorities due to the considerable capacity and resources the KDF had (Ngulutu, 2013). The Mt. Elgon case war mediation, though authorized by the constitution of that period, was a sacred mission because the constitution offered the Kenya Defense Force involvement in such violence beyond the capacity of internal security.

The Post-Conflict Reconstruction's Elements

The time following any armed violence often mirrors most of the damage and uncertainty seen during the ongoing war. At this period, the government must foster and implement efficient means of ascertaining citizens' safety from external and internal threats. Ngulutu (2013) opines that the state must ensure that civilians have sufficient security to warrant the restart of economic practices and the recuperation of other societal undertakings.

Reconstructing a governance system following debilitating armed violence is vital for transitioning to a functional society. Reestablishing a justice system added the duties of protecting fundamental human rights while offering essential services and oversight in rebuilding the infrastructural and institutional elements vital for Mount Elgon's community. According to Ngulutu (2013), the violence in Mt. Elgon was sought by individuals contesting the Nairobi government's legitimacy linked to land property.

The land violence by the SLDF has destroyed and disrupted the physical elements of the Mount Elgon community. The transportation systems were destroyed, making it challenging to reach the locals easily. However, the early dedicated efforts focused on reconstructing infrastructure vital in offering essential services to Mt. Elgon's citizens (Ngulutu, 2013). The SLDF conflict has disrupted cultural and social institutions with significant education system elements. The social groups, especially those affected by the conflict, were significantly weakened during the violence and required the resources and tools necessary for reintegration into an established social structure.

Ngulutu (2013) posits that easing reunion among the individuals of Mt. Elgon's cultural and social groups was essential to enduring peace. Success in peacebuilding needs simultaneous efforts to expand and enhance civil liberties, rebuild economic and state functions, and infrastructure and security provisions.

a. The Pillars of Post-Conflict Reconstruction

The communities in the Mt. Elgon region emerged from violence under different circumstances. KDF's precedence, appropriateness, priority, timing, and task execution differed. The KDF's mandate in the post-violence reconstruction was arranged in four unique pillars. First, the KDF addressed the security pillar aspect to ascertain public safety. The KDF participated in providing individual and collective security as a precondition for attaining successful outcomes in other pillars. According to Ngulutu (2013), focusing on security ensures the restoration of territorial integrity. Second, justice and reconciliation. This pillar addressed the requirement for an accountable and impartial legal system. Justice and reconciliation focused on addressing past abuses by the SLDF through the generation of efficient law enforcement, a humane correctional system, an open judicial system, and fair laws for addressing grievances arising from the SLDF violence.

The aspects of restorative justice included an extraordinary effort to reconcile victims, ex-combatants, and perpetrators into a functional society. Third, social and economic well-being. This pillar looked into the fundamental economic and social requirements of the individuals of Mount Elgon. It encompassed the supply of emergency relief, laying the bedrock for a feasible economy, restoring essential services to the population, and initiating a sustainable development program. Fourth, governance participation. This pillar addressed the need for efficient and legitimate administrative and political institutions (Ngulutu, 2013). It encompassed establishing a representative constitutional structure, open participation for the local citizens, strengthening public sector management and administration, and ascertaining the generation of government and its policies.

Governance comprises positioning procedures and rules for political decision-making and providing public services effectively and candidly. This pillar focuses on giving a voice to the community via civil society's development that encompasses the generation and exchange of ideas via civil association, advocacy groups, and the media.

b. The Swift Effect Projects Established by KDF in Mount Elgon

The KDF was called upon in Mount Elgon to do the vital task of offering secure and safe surroundings. Quick Impact Projects (QIPs) are essential to project, manage, and develop within a broader program's framework for stabilization tasks. QIPs support concepts of stabilization (Ngulutu, 2013). The Mt. Elgon circumstance was terrible because the SLDF practised atrocities against civilians. The Kenya Defense Force was mandated to conduct duties beyond their fundamental tasks of protecting foreign borders. Their operations were kept to a minimum in time and scope to ascertain that too much pressure was not enacted on the civilians they were meant to safeguard.

c. Unexploded Ordnance and Mines Clearance

According to Ngulutu (2013), the Institute of Security Studies recorded several weaponries under the possession of the SLDF. These weapons included hand grenades, machine guns, land mines, AK-47s, rocket propellers, and G3 rifles from different sources in Uganda. The terror represented by unexploded ordnance and mines in Mount Elgon was assessed through the lead agency on mine action before any substantial scrutiny of remote infrastructure happens in any post-conflict community. Mine threats are majorly encountered on bridges, farms, and roads. The unexplored ordnance caused significant danger in farms in Mount Elgon. The KDF offered mine specialists and unexplored ordnance teams, which cleared the area to make it suitable for economic reconstruction. The KDF prioritized mine clearance for public buildings of civilian shelters. They also participated in mine and explosive clearance because it would have resulted in long days of development projects without making the area safe (Ngulutu, 2013). The improvised

Explosive Devices (IEDs) developed from mines and explosive ordnance were used to damage government automobiles and installations.

Ngulutu (2013) asserts that the Kenya Defense Engineer Brigade is the only national unit participating in unexplored Explosive and mine clearance. The team worked in different nations which encountered civil wars. The team operated in the Mount Elgon mine-infested area, clearing up a destroyed locality. As the task in the area continued, the battalion shifted scrutiny to demining the field further, especially around Mt. Elgon, a region of severe factional strife.

Another critical component in the Mount Elgon demining program was preventing mine risks. The Kenya Defense Engineer Brigade partook in marking the mined regions. Before the Mine Action Operation began, awareness duties and marking were conducted in the mined regions where the mine practices were happening. The marking detachment included mine awareness teams, medical crew, military engineering deminers, and logistic support teams (Ngulutu, 2013). The awareness campaign projects were communicated via newspapers, radios, and directly via students at schools, workshops, and other non-state actions. Different mine awareness materials, audiovisual materials, and posters were used. The whole orientation and fundamental instructions on information for accident precaution and mine recognition guide the mine education program's outcome. The initiative minimized mine-related injuries and enabled people to identify any mine and other explosive remnants of war.

d. Advantages Linked with Demining

The Kenya Defense Force was mandated with the mine calamity in Mt. Elgon. The task was strenuous due to the rough terrain and severe weather conditions. Civilians were required to cooperate with the volunteer intelligence and Military with information concerning the SLDF and the mine's activities to make it feasible to complete military demining tasks quickly (Ngulutu, 2013). The mining action, on the whole, attained socio-economic, psycho-social, and environmental impact in Mount Elgon. The impacted populations expressed deep

contentment with the demining operations and the army's decision to make demining a priority to save lives and reassure their emotional stability and physical integrity. Ultimately, it resulted in the gradual recovery of the capacity to move securely and freely in the SLDF operation.

The demining operations also instilled timidity among the internally displaced persons and encouraged their safe return to their initial farms. The people were able to rebuild their homes and continue with their lives (Ngulutu, 2013). Demining enabled efficient restitution of land ownership, exploitation, and use of old owners. The citizen's security has been established in the demined regions.

Population resettlement in Mt. Elgon has resulted in social progress and quick relocation by the evicted population from regions risky with mines and other dangerous items (Ngulutu, 2013). The positive effect of farming and animal husbandry has enabled farmers to reap from agricultural production and improve their livelihood.

The SLDF's threats and violence had paralyzed all economic activities within Mt. Elgon. The occurrence was dire in the poverty-stricken divisions of Chepyuk, where the conflict began. Due to the Kenya Defense Force's intervention, security was reinforced, and people who had abandoned their homes due to fear of hostilities began to go back to their homes (Ngulutu, 2013). The Kapkota Military base offered specifically designed security undertakings and a buffer region to any militia element planning to regroup and use Mount Elgon Forest as their militia training region.

e. The Kenya Defense Force and Disarmament in Mt. Elgon

The KDF embraced the disarmament, demobilization, and reintegration (DDR) phase in Mount Elgon (Ngulutu, 2013). The Sabaot Land Defense Force combatants were demobilized and disarmed by the army. The DDR was part of the United Nations peacebuilding efforts. The program was initiated by the United Nations Security Council Resolution 1509. The program offered a legal

framework for the deployment of peacekeeping operations.

The KDF spearheaded the demobilization operations and employed violent means to boost disarmament and re-establishment of security in Mt. Elgon. The fundamental objective of the DDR in the Mount Elgon region was to do away with the Sabaot Land Defense Force capacity, reestablish the rule of law and restore the state authority in the area (Ngulutu, 2013). The international community considers peace-building a crucial instrument for addressing nations in conflict.

The disarmament activity in the area encompassed the collection of small arms, light weapons, and any other lethal weapon in the SLDF's possession and other organized criminal groups. The operation successfully recovered various weapons, including weapons the SLDF attained from government security forces, such as the fierce GPMG (Ngulutu, 2013). The DDR program was designed to re-integrate the combatants into a non-militia life and assist them in finding meaningful employment. It was also an essential program in reforming societal structures in post-conflict surroundings.

The Resettlement of Internally Displaced Individuals

The SLDF conflict displaced numerous people from 2005 to 2008. The government officials boldly proclaimed their success in returning internally displaced persons to their homes. The military involvement hastened the resettlement, and the vast majority who were displaced could return to their home villages. The displaced civilian population included non-Sabaot individuals evicted by the Sabaot Land Defense Force (Ngulutu, 2013). The IDPs received medical care and foodstuffs to sustain their living as they prepared and got ready to resettle in their initial homesteads. The Military partnered with different NGOs to ensure normalcy and safe return for the displaced populations.

The KDF participated in rehabilitating the damaged health centres and schools to facilitate the provision of healthcare services and the re-opening of schools, respectively. The rebuilding phase comprised

rebuilding destroyed government constructions. The pressing difficulty was experienced in situations linked with inadequate shelters for the returning populations and income-generating chances because the SLDF had paralyzed all the region's economic endeavours.

Post-Violence Rebuilding in the Health Sector

The violence in Mt. Elgon had a remarkable effect on the healthcare system. After the SLDF's conflict, the Military had the colossal task of establishing and maintaining healthcare centres.

In 2006, Mt. Elgon's healthcare system worsened due to the SLDF's land conflict, which continued through the entire violence phase. The pessimistic effect on healthcare because of the three-year conflict between the Mosop and Soy clans became apparent during the end of the violence as medical equipment could hardly get to the area (Ngulutu, 2013). The situation deteriorated because of the notable destruction of the region's buildings due to the war. Mt. Elgon could hardly maintain a qualified and stable workforce due to the violence. The post-war surroundings encompassed many military groups and civilians responding to injured individuals' diverse and everyday health needs.

Rebuilding of Schools, Bridges, and Roads

Most of Mt. Elgon's communities that dwelled below poverty profited from the military-led post-war rebuilding endeavours. The Military offered vital social amenities like reconstruction of destroyed road infrastructure, education centres, bridges, and water and sanitation facilities to assist in the restoration of the affected people's lives.

The endeavour became a core element to the state in the motivation construction among the populace and rehabilitation of legitimate state authority in the area. The Mt. Elgon area was the first area in Kenya to enter into an exceptional quadripartite arrangement enabling the Military to make available, under particular circumstances, essential physical and human assets via the engineering battalions of the defence force to partake in road rebuilding (Ngulutu, 2013). The KDF became a pillar and vital respondent in the general execution of work services on primary

road construction in the region. The local individuals profited from the military fast-track mechanism, which enabled it to work with the people in the quick-impact projects' implementation. The KDF participated in the road construction from Kamkuywa, Kaptama, and Kapsokwony and branching at Kopsiro to Namwela and Kapkota Barracks.

The KDF supported the rehabilitation and building of bridges linking government installations and rural townships. The Mt. Elgon post-war reconstruction effort assisted in providing all-year-round access to essential services and road transportation ease for the local individuals (Ngulutu, 2013). In most instances, it consisted of working intimately with non-state institutions to convert the local communities into self-help community-based projects and build the capacity of the local construction industry. For instance, the Military built the Kapkota military base capable of offering security to the Sabaot Land Defense Force violence zone and the Mt. Elgon area at large. The military base helped deter external aggression from neighbouring countries.

The Military partnered with non-state actors like the Friends Church to advance medical care facilities and education in post-war communities of Mount Elgon. The Military also worked closely with the United Nations Children's Fund (UNICEF) and other NGOs to offer school equipment that boosted attendance by the kids in Mount Elgon. Reconstructing schools that SLDF had damaged was part of the motivation building the military intended to attain to allow the population to return to their homes and participate in community development projects. The KDF participated in rebuilding police stations and police monitoring facilities damaged by the SLDF. This process helped the police manage security in the war-torn region.

War Crimes in Mt. Elgon

The KDF's methods of dealing with SLDF's atrocities received mixed reactions from different people. Human Rights Watch (2008) observes that the Kenya military was responsible for horrific abuses during their deployment to quell the insurgency.

Illegal Murders and Imposed Disappearances

The Military's fundamental technique to flush out the SLDF in Mount Elgon was to apprehend every male over fifteen in the area. The Military screened the arrested male at an army base called Kapkota in the Cheptais division of the Mount Elgon district. During the apprehension and detention at Kapkota, the detainees were frequently battered, and some died as an outcome.

The Human Rights Watch indicates that police from Mt. Elgon took the bodies of men to mortuaries in Bungoma and Webuye. The bodies displayed visible marks of torture, like welts, broken wrists, swollen faces, and rope burns around the wrists. On 2nd April, thirteen bodies were delivered to the morgues, and three casualties were identified and collected. In those cases, for the healthcare facility to release the body without a post-mortem, the police officers told the families to sweat an affidavit. It indicated that they do not intend to lodge a claim against the state or anyone else concerning the victims' death.

Numerous females illustrated to HRW how soldiers had taken their male relatives and husbands in the morning. The females are not searching morgues, police stations, and prisons for their missing men. However, the police officers and military spokespeople indicated that no individual died or was tortured by their military men.

Dozens of males interviewed by HRW illustrated how the police and military officers apprehended them in their fields, homes, or on the street. The soldiers asked them to pinpoint SLDF's members or the whereabouts of the unlawful weapons. When they said they did not have a clue, they were battered.

In the HRW investigation, they registered torture, murders, and rapes of civilians by both the Kenyan Army and Sabaot forces. The Human Rights Watch documented mass detention by Kenyan Defense Forces. They interviewed more than one hundred eyewitnesses, victims, police force members, humanitarian workers, government officials, and army officers. The Human Rights Watch 2008 documents speaking to Kenyan military abuse

victims, including various witnesses who were battered at Kapkota military camp.

The Human Rights Watch, WKHRW, and Mwatikho called on the SLDF leaders and Kenya Army to immediately halt the human rights abuses, which were a dire breach of international human rights and humanitarian law. The Kenyan authorities were called upon to investigate severe crimes, resulting in the prosecution of those liable, especially the principal organizers. Human Rights Watch argues that criminal justice authorities may apprehend and prosecute all against whom involvement proof exists in the illegal armed organization and other criminal activities. It asserts that state authorities must uphold the rights assured by international instruments and the Kenyan constitution. These rights encompass the right to have all detentions reviewed by a judge, freedom from arbitrary detention, and the right to a just trial.

The HRW, WKHRW, and Mwatikho called on the Kenyan authorities to ascertain that human rights investigators, media, and aid workers have unimpeded access to civilians within the Mt. Elgon region.

CONCLUSION AND RECOMMENDATION

Conclusion: Most of the methods used required the use of force or ruthless measures against the locals.

The locals were subjected to torture, and at times, most people lost their lives in the process. The study also came across external factors, such as poor infrastructure and weather conditions, which can render a conflict zone inaccessible, making it challenging to manage the conflict. In most cases, when conflict zones are inaccessible, the disputes escalate. In Mount Elgon, the place is not well accessible, especially by non-residents. This played a role in escalating the conflict since there were no proper interventions. There could be a struggle for non-residents to access the area. The group mainly depended on threats and blackmail to force the locals to participate in their activities. It is also evident that incitement and provocation between the Mt. Elgon communities were coherent (Kenya National Commission on Human Rights, 2008). This was to ensure that there existed hatred between the Mt. Elgon communities, so the conflict persisted, achieving the militia's agendas.

Recommendation: The government should assure the displaced persons of maximum security, and the security agents shall not harass innocent civilians once peace is restored. However, establishing a permanent military base in the regions can be praised in the brief period as an approach to avoiding any remnants of SLDF from regrouping; as soon as the situation allows, the duty of general law and order should be given to the regular police officers.

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