

**A HISTORY OF CONFLICT BETWEEN THE NYARIBARI AND KITUTU SUB-  
CLANS AT KEROKA IN NYAMIRA AND KISII COUNTIES, KENYA, 1820 - 2017**

**BY**

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### DECLARATION

This thesis is my original work and has not been presented for an award of a Master of Arts degree in any other university or institution.

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## **DEDICATION**

I dedicate this work to my wife Julia Ndwiga Samuel and the late principal of Nyansabakwa High School, Nyamira County Mr. Francis Onyoni for their immeasurable contributions to the success of this work.

## ABSTRACT

A lot of research has been done on conflict and disputes between communities, nations, and organized groups across the globe. Little, however, has been done on conflicts involving smaller groups within larger communities. The overall image that emerges, therefore, is that conflicts and disputes only occur between communities, nations, and specially organized groups, a situation which is not fully correct, as far as the occurrence of conflict is concerned. This study looked at a unique situation of conflict between Nyaribari and Kitutu who share same origin, history and cultural values yet have been engaged in conflict since the 19<sup>th</sup> century. Specific objectives were to: trace the history of the Sweta Clan and the relationship between Nyaribari and Kitutu sub-clans, assess the extent and nature of inter-clan conflicts among the Nyaribari and Kitutu clans in Keroka township; examine the socio-economic environment influencing inter-clan conflicts among the Nyaribari and Kitutu clans in Keroka township and discuss the management strategies employed in the inter clan conflict between Nyaribari and Kitutu. The study was based on two theories which are Social Conflict Theory by Karl Max (1818-1883). Using descriptive survey design whereby both quantitative and qualitative approaches the study gained a deeper insight into the problem under investigation. Data was obtained from the 100 respondents selected through purposive and snowballing sampling techniques. This consisted of 25 Key Informant Interviews, 60 oral interviews and 15 participants in 2 Focus Group Discussions. Two of the FGD's were for the different clan elders from Nyamira and Kisii while 1 FGD was for urban dwellers in Keroka. The FGD's for county officials helped the research to address the bias of the respondents from the two sub-clans on which the study focused on. Verbatim narratives were used in presenting qualitative data. The secondary data method was collected from various documents whether published or non-published. These included journal articles, books, previous master oral thesis, doctoral thesis and data from government offices with a view of obtaining related literature on the subject under study. Thematic techniques were employed in analyzing qualitative data. The study findings have both policy and academic implications to the communities, local leaders and the National and County governments in addressing inter-clan conflicts between communities living in Kisii and Nyamira counties. The findings of the study indicate that conflict between Nyaribari and Kitutu clans started earlier during their dispersal and settlement in the Gusii highlands. The recurrence of the inter clan conflicts in Keroka is associated to competition for the scarce resources as well as political motivations. The study recommends that the government, and all other stakeholders, should be aware of the existence of clan conflicts as they have the potential of affecting socio-economic and political development just as inter-ethnic conflicts. Also, there is need for public education so that communities make use of historical facts and events positively.

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## **ABBREVIATIONS**

<b>AU:</b>	African Union
<b>AUBP:</b>	African Union Boundaries Programs
<b>BC:</b>	Before Christ
<b>CIAGK:</b>	Community Initiative Action Group Kenya
<b>CBD:</b>	Central Business District
<b>DRC:</b>	Democratic Republic of Congo
<b>GDP:</b>	Gross Domestic Product
<b>GCCT:</b>	Global Coalition for Conflict Translation
<b>IEBC:</b>	Independent Electoral and Boundary commission
<b>ICC:</b>	International Criminal Court
<b>MYWO:</b>	Maendeleo ya Wanawake Organization
<b>MCA:</b>	Member of County Assembly
<b>MCRS</b>	Modern Conflict Resolution Strategies
<b>NCCK:</b>	National Councils of Churches of Kenya
<b>N-K</b>	Nyaribari and Kitutu sub-clans
<b>NLTO:</b>	Native Lands Trust Ordinance
<b>OAU:</b>	Organization of African Unity
<b>O.I:</b>	Oral Informant
<b>PLO:</b>	Palestine Liberation Organization
<b>RCM:</b>	Roman Catholic Mission
<b>TCRS</b>	Traditional Conflict Resolution Strategies
<b>USAID:</b>	United States Agency for International Development
<b>UNEP:</b>	United Nations Environment Programs
<b>UN:</b>	United Nations
<b>WDR:</b>	World Development Reports
<b>FGD:</b>	Focus Group Discussion



## CHAPTER ONE INTRODUCTION

### **1.1. Background to the Study**

Globally, inter-clan conflicts are rampant and take the perspective of ethno-political conflict which threatens to tear apart the world. It has posed quite challenges which affect the society at large. In respect to the above, it is right to state that continents are not immune to conflicts. The global scope of the problem of conflict is apparent and rampant in the wars in other states such as Rwanda and Guatemala. In United States of America border, there are civil disturbances and racial crimes in most developed states such as America and United Kingdom. In Africa, South-African was victim of conflict because of the Apartheid which was a racial discrimination between the whites and the black. The peaceful dismantling of this racial discrimination is a confirmation that ethnic conflicts can be prevented and managed. The management of the conflicts however calls for in-depth understanding of the real causes of the conflicts which will then guide the process of addressing them (Duncan, 1997).

In the contemporary society; all conflicts are not international but have been reduced to intrastate conflicts, which has got an inclination to ethnicity, religion, inter-clan and communal identity; which implies that it requires a careful intervention from the societal perspective (Horowitz, 1995). According to Horowitz 1995, inter-clan conflict exhibits significant diversity whose origin is racism, political oppression, colonialism and social and economic injustices. Most conflicts occur in communities with no specific battlefields meaning that more than 80% of the casualties are community members (Garfield & Neugut, 1997; Sevard, 2 1991). It follows therefore that civilians often become obvious targets and subject them to negative aftermath with a fraction of positive implication in their lifestyles and livelihoods. In most time, ethnic conflicts are sources of human's emotional and social stress since it tends to threaten their survival (Carnegie commission on preventing deadly conflict, 1997). According to Horowitz (1994), more than 100 minority groups participated in ethnic conflicts between 1945 and 1990 resulting in approximately a thousand deaths and several injuries. Inter-clan conflicts were overshadowed by East–West blocs struggle at the time of the cold war. After the regional cold war, most nations had their internal aspirations which resulted in inter-ethnic conflicts. The fights were instigated with the desire to control mines, human rights and the increased rates of displacement as at the time (UNHCR, 1997). Conflicts like those experienced in Rwanda have several adverse complications with children and women being the significant victims (Card, 1996). According to human right watch in Africa (1996), most of the participants are forced to engage in wars by their communities. It is

therefore important for all the professionals to talk out on the negative implications of these conflicts and devise appropriate ways of preventing them

Nations go to war for several reasons, including disputes over boundaries associated with certain resources found along such boundaries. Resource here refers to available commodities that may include raw materials; manufactured goods handled by or between communities, as well as, services, often competed for in the context of ownership by two or more groups living within an area. Jorge (2010) points out that border disputes are most likely to cause war between competing groups than any other kind of disputes in society. Where resources are scarce, hostility is generated between and among neighbors, which may be either nations, counties, and/or clans (Nindi, 2007). In essence, resource scarcity and factors, such as, increased population may increase disputes at border areas, which usually calls for the application of pragmatic management styles in order to sort out such problems.

Blanchard (2010) states that, globally most countries, at least, have experienced some border disputes, as well as, skirmishes between communities living in same countries. Community or clan disputes are usually over boundaries or shared sections of particular interest, which may lead to outright inter-ethnic conflicts (Blanchard, 2010).

Disputes along boundary lines constitute a majority of the problems faced by communities living side by side across the globe (Blanchard 2010). These disputes are usually linked to a multiplicity of factors covering political, economic, social, technological, environmental, and legal issues.

In Africa, a boundary defined inter-human and inter-communal relationships and was, therefore, a social phenomenon. This was affected when the colonial authorities arrived in Africa and drew arbitrary boundaries which ignored social aspects of such boundaries. This situation resulted into a number of conflicts and disputes during and after the colonial period (Shah, 2010). Africa has since seen or faced a number of wars that can be linked to interstate boundaries, inter-clan, and intra-clan boundary disputes as discussed later in the literature review section of this chapter.

In Kenya, the issue of boundary disputes can be seen at several fronts. First it is important to note that boundaries are invisible and can easily be overlooked and not respected. When this happens, conflicts occur and this has been a major challenge in Kenya in the recent past (Yamano and Deininger, 2005). Secondly, Kenya is a multi-ethnic nation with each ethnic group occupying specific territories within the nation. This has also been a source of conflict over the boundaries and the exploitation of resources used by different communities. Third,

Kenyan society is characterized by unequal and somehow dysfunctional legal, political, social, environmental management, and economic structures that easily result into disputes and conflicts. Historically, there have been unequal distributions of resources that have created unfair competition, disharmony, discord, struggles, and antagonism between communities as a result of need for different resources, for example, land, pasture and/or water (Wamwere, 2008).

This anomaly continued during the time Kenya created county boundaries. Most boundaries were created using the same procedures used by the colonial authorities, which created district and provincial boundaries in Kenya. The government applied previous local government units, especially in assigning towns and cities to particular counties. This brought about conflicts in certain areas, with some boundaries in border towns remaining much unclear.

Intra-ethnic clan conflicts between the same language speakers were frequently witnessed elsewhere in Africa according to Soja (1968). Inter-clan conflict was also prominent at Wajir North between the Ajuran and the Degodia clans were involved in inter-clan conflict. An overview of the Garre-Degodia clan conflicts in Wajir state by Griffon (2016) showed that, 'conflicts escalated from May 2014 and continued for a long time without intervention mechanisms in place'. However, despite the many studies done, very little scholarly attention has been directed to the dynamics of internal clan conflicts especially between the Garre and Degodia disputes in the period between 2008 and 2015 in Mandera County. They fought for their own political survival and over specific grazing lands where water resources were scarce (Griffon, 2016).

This anomaly has continued from the time Kenya created county boundaries in the year 2010. The county boundaries were created using the same procedures that were employed by the colonial authorities during colonial period, which created district and provincial boundaries in Kenya. The national government used the previous local government units to assign particular areas the status of county governments such as Nyamira from Kisii District. This brought about conflicts in certain areas like Keroka Township, with some borders remaining unclearly marked.

Scholars such as Wafula and Wekesa (2000) studied cross-border clan conflicts that did not engage in studies related to internal clan conflicts such as the Bukusu clans of western Kenya. The other studies on inter-clan conflicts were not similar to the current study which has focused on internal or intra-clan conflicts between sub clans of the Sweta clan from the two neighboring counties of Nyamira and Kisii in Keroka town especially in 2016.

Due to such challenges of unclear or contested county boundaries, there have been conflicts between counties, and communities living in such boundary areas. A case in point is the dispute between Kisii and Nyamira Counties and between the Nyaribari and Kitutu clans that live in the two counties and who share a common boundary at Keroka Township. Even though disputes between the two communities at Keroka is historical as will be demonstrated in the later chapters, the devolution activities increased the tempo of the disputes increasing the need for investigation to establish causes and impacts at this particular area.

## **1.2. Statement of the problem**

When we talk of boundary disputes and conflicts over resources between and among nations and ethnic groups, it is understandable as such nations and ethnic groups may present completely different political, social, and economic characteristics. This may cause difficulty in understanding and harmonization of social activities, as well as, the resolution of differences that may arise between such different groups, therefore leading to conflict and/or war over boundaries or particular resources in the border areas. As mentioned in Section 1.1 and discussed in the literature review section of this chapter, such scenarios are common across the world, including examples that can be drawn from Kenya as a nation.

In Keroka Township, a unique boundary dispute and conflict over resources has been in existence for a number of decades. It is unique because it involves communities of the same ethnic origin who should actually treat each other as brothers. It is also unique as the communities share the same language and other social characteristics. Further, the communities have shared similar environments through time as they migrated and settled in their respective areas.

The two communities that have been pitched against each other are the Nyaribari and Kitutu sub-clans that both belong to the Sweta Clan of the Kisii ethnic group. Despite the strong ties between these two groups, such as, same origin and similar language, environment and social activities, just to mention a few, the communities seem to have been engaged in conflict ever since they settled in their respective areas with the point of contestation being the area where Keroka Township is located.

The conflict between the two communities seems to have increased since 2013 when the new constitution was promulgated therefore creating two counties in Kisii land and splitting the two communities, one in Nyamira County (Nyaribari Sub-Clan) and the other in Kisii County (Kitutu Sub-Clan). The causes, nature, and impact of these disputes are not clear since one

would expect the two communities, having the same cultural background, to live like brothers understanding each other and solving their issues amicably. This research was designed to provide a historical narrative that would provide answers to the question why communities with a similar background would have persistent disputes along their boundary at Keroka Township area. The work seeks to analyze the underlying factors causing disputes in the area and the impact of such disputes in the political, social and economic wellbeing of the Sweta Clan in Kisii.

### **1.3. General Objective of the Study**

The purpose of this research was to examine the underlying factors that can be used to explain why there have been persistent boundary disputes and conflicts over resources between the Nyaribari, and Kitutu Sub-Clans at Keroka Township since 1820 despite the fact that the two communities belong to the Sweta Clan and share a similar cultural background.

### **1.4: Specific Objectives**

This work utilized three objectives as set below.

- i). To analyze the history of the Sweta Clan and the relationship between Nyaribari and Kitutu sub-clans during their settlement at Keroka and after.
- ii). To determine and document the nature, source, and impact of the disputes between the Nyaribari and Kitutu sub-clans at the Keroka Township area.
- iii). To identify strategies employed to cope with disputes and resource conflicts between the Nyaribari and Kitutu sub-clans at Keroka Township and its environs.

### **1.5: Research Questions**

In order to realize the specific objectives, set in Section 1.4 above, the following broad questions were utilized as a pointer to the direction to be followed in getting the necessary details about the subject of disputes and conflicts. The questions also set the stage for a historical analysis, which points to when and how the disputes occurred and the strategies which were used to prevent outright war between the communities. In other words, how did the authorities manage the disputes through time and cope with the situation that has been persistent between the two groups.

- i). who were the Sweta and how did the members of this clan relate and interact with each other in the past?

ii). what was the nature, source, and impact of the disputes that arose between the Nyaribari and Kitutu sub-clans during their settlement at and occupation of Keroka Township area?

iii). what strategies have been employed through time to enable the two communities cope with the disputes that emerged between them at the Keroka Township area?

### **1.6: Significance of the Study**

The findings in this work will be applied in both theoretical and practical aspects for future studies in understanding the underlying causes of disputes and conflicts involving resources between communities, ethnic groups, and even nations. Theoretically, the research contributes to the advancement of knowledge about the causes and consequences of persistent disputes between the Nyaribari and Kitutu sub-clans in Gusii land. Practically, the research provides acuity to policy makers who would want peaceful coexistence between and among communities. Results of this work will be useful in the formulation of policies aimed at understanding the causes of disputes between and among communities, and in solving such disputes. Government officials, community leaders, NGOs dealing with peace initiatives among communities, and other stakeholders will possibly find this work useful. The study adds knowledge to the existing literature and reveals that disputes and conflicts over resources is not confined to human groups that have different socio-cultural backgrounds but also affect groups that may come from the same socio-cultural background as is the case with the Nyaribari and Kitutu sub-clans.

### **1.7 Justification of the Study**

This work looks at a micro-occurrence of boundary disputes between two communities, the Nyaribari sub-clan in Nyamira County, and the Kitutu sub-clan of Kisii County. This unique occurrence where communities that are considered as closely related and having similar socio-cultural background presented an interesting case worth investigation. The study, therefore, brings out a deeper understanding of the situation where there is clear “sibling rivalry” that may impede development within an area. Tracing the historical manifestation of this occurrence becomes important in setting the stage for dealing with its impact in the area where it occurs, with the lessons learnt being available for application elsewhere.

There is evidence that disputes have been there between the two communities of Nyaribari and Kitutu sub-clans at Keroka despite the presence of national and county government

policies on peaceful co-existence. The fact that there is persistence called for a deeper analysis of the activities to find out the underlying factors that have sustained the disputes historically. In the process of doing this, the study unraveled the impact on the communities and has recommended appropriate strategies for settling and minimizing the disputes. This research, therefore, becomes important as it contributes to the eradication of an occurrence that may have impeded development in the Keroka area for decades in the past.

A quick survey using print and electronic media reveals that this occurrence of disputes at Keroka Township area is not something to be wished away easily. Elected leaders, especially, Governors, MPs, and MCAs have often joined in the disputes by uttering statements that instead of solving the disputes have increased the disputes in the Keroka Township area. This, therefore, means there is need to understand the deeper underlying factors causing these disputes. This work has provided this information in a historical context making it possible for the establishment of a workable solution.

Making political statements and the application of government policies without understanding the historical context of the Keroka disputes may have contributed to the persistence of the disputes in this area. This research is, therefore, justified as it provides the historical perspective which may help in arriving at relevant or appropriate strategies to minimize the disputes. Accordingly, this work should be considered timely as it provides the needed details to sort out this societal problem once and for all.

### **1.8: Scope of the Study**

This research was confined to the two communities of Nyaribari and Kitutu sub-clans, both of which belong to the Sweta Clan of the larger Kisii ethnic group. It also focused on the disputes around and over the Keroka Township area, which has witnessed a higher percentage of disputes between the two concerned communities. This area was chosen as it formed the epicenter of disputes between the two groups that now occupy two different counties of Nyamira and Kisii. The research sought to find out why the disputes were rampant only in this area. A brief history of settlement of the Sweta was examined in order to trace the origins of such disputes while exploring the sustaining factors till recent times.

The 1820s was chosen as the starting point as this is the time the Kisii people were in migration and eventually settled in the contested area which is the focus of this work. Whether or not the disputes were there during the migratory period was considered an important aspect of investigation, and the contributions to the disputes during the colonial

period were important as well. The year 2017 was chosen as the end of the work as there was need to understand how the new government system would handle the situation in the devolved units. The work focused on the contributions of Nyamira and Kisii Counties in tackling the issue of disputes at Keroka Township area in order to find workable strategies to reduce or eliminate the disputes.

### **1.9: Limitations of the Study**

Literature on micro disputes of the Nyaribari – Kitutu nature were not readily available as most research work has been done on disputes between larger groups, such as, ethnic groups and nations. Most of these were not very relevant, even though they gave a pointer to what causes disputes between communities. Keroka Township area has also become a cosmopolitan area with a number of outsiders residing in the area mostly affected by the disputes. This presented a challenge but was overcome by due diligence in selecting only the original Nyaribari and Kitutu sub-clan members who have been in the forefront of the disputes, for participation in this research.

Most of the people interviewed showed that they lacked time for the interviews. They indicated that they wanted the interviews to end faster as they were busy. While this would have affected the outcome of the interviews, it was mitigated by use of a concise summary of the questions asked and a flexibility approach whereby the interviewees were willing to participate in whatever the interviewer was doing while asking the research questions. This helped, especially, with those interviewees that were either in the farm or selling merchandise within the Keroka Township. Limitation was also experienced in the leaving out of other Keroka residents that may have experienced and got affected by the disputes between the two communities. It was, however, concluded that the percentage of such people was minimal and would, therefore, not affect the results in any great extent. Further, as Babbie (2014) states, if it is not possible to sample all people directly involved, a sample of the most visible persons may yield sufficient data for the work. This is exactly what was applied with only members of the Nyaribari and Kitutu sub-clans being involved.

### **1.10: Literature Review**

Considerable ranges of literature exist on the subject of boundary disputes and conflict over boundary resources globally. The following review is aimed at providing a perspective within which a better understanding of the disputes between the Nyaribari and Kitutu sub-clans in

Gusiland can be obtained and finds historical anchorship. The review is structured along the objectives of this work and is aimed at making the gap identified in this work more visible to the readers of the work. The review also makes this work to fit within a wider group of works that deal with disputes and conflicts between and among groups that may include regions, nations, ethnic groups, and sub-clans in different parts of the world.

#### **1.10.1 Gusii migration and the question of boundary and resource conflicts**

The Gusii people are also known as the Abagusii. This group traditionally inhabit the present day Kisii and Nyamira Counties in the wider western Kenya or the area forming the Lake Region Counties of Kenya. The group speaks Ekegusii language which is classified with the Great Lakes Bantu Languages, such as... This group originated from a mythical place called “Misiri”, which is purported to have been to the north of Mt. Elgon from where they moved southwards at the beginning of the 16<sup>th</sup> century to settle around Mt. Elgon area. Oral traditions of the Abamaragoli, Ameru, and Abatende contain similar assertions meaning the groups must have been related or shared the same migration story. The Gusii, therefore, seem to have been part of the Bantu groups that occupied Mt Elgon alongside other groups, such as, Ganda, Soga... that eventually moved to other areas in present day Uganda and Kenya, and even far south into Tanzania (Ndeda, 2019).

Records of Gusii migration, the places they settled, and the people they interacted with before eventually settling on the Gusii highlands has been provided by a number of scholars (Aberi, 2009; Ndeda, 2019; Ochieng, 1974). Even though this information is largely outside the scope of this work, it is important to cover it here briefly as it sets the ground for tracing the sources of disputes and conflicts between the two sub-clans of Nyaribari and Kitutu over the Keroka area.

It is agreed that the Abagusii descended from one man known as Mogusii son of Osogo and were divided into eight groups all of whom recognized the same ancestry (Aberi, 2009; Ndeda, 2019; Ochieng, 1986).

From the Mt. Elgon area, the Abagusii migrated southwards to the northern part of Lake Victoria sometime between 1500 and 1560 (Aberi, 2009). Here they settled around Ramogi Hills together with other Bantu groups that had reached the area. Shortly thereafter, the first wave of Luo groups/migrants caught up with them (Ochieng, 1974: b).

Initially, the Abagusii were cattle keepers. However, their first settlement at Yimbo at Goye Bay introduced them to fishing and they lived as fishermen for some time before the arrival of the Luo in the area. As more Luo groups arrived in the Yimbo – Ramogi Hill area there

arose hostility between the groups which continued, therefore, forcing the Abagusii and the Abaluya to move out and settle in the current Kisumu Town, then known as *Kisumo* (Ndeda, 2019). This brings out the first elements of disputes and conflicts in the Abagusii migration process. This kind of conflict was, however, between the Abagusii and other ethnic groups, particularly the Luo that arrived and dislodged them from the Yimbo-Ramogi Hill area where they had settled with other Bantu groups. The disputes and conflicts, therefore, involved ethnicities as mentioned by different scholars (Ndeda, 2019; Aberi, 2009). In other words, this was inter-ethnic conflicts over possibly resources, such as, land and others in the face of increasing population in the area. This work looked at intra-ethnic conflict at Keroka, and, so far at this early stage of migration this has not been mentioned by scholars.

The settlement of the Abagusii at Kisumo was shortlived as the area was associated with famine. From Kisumo the Abagusii moved southwards to settle on the Kano Plains sometime between 1620 and 1755. As the Abaluya group, especially the Logoli moved northwards to settle in their current locations, the Abagusii consolidated themselves in the Kano Plains spreading along the Lake shore from Dunga to Ndiru occupying especially land along rivers and streams upto Kibigori. Scholars record their occupation of this area to have run from 1644 to 1755. It is during this period that the Abagusii communities were formed (Ndeda, 2019).

As it was at Yimbo, the Kano Plain settlement had its troubles consisting of disputes and conflicts between ethnic groups (Ochieng, 1972). The Abagusii were able to form clan structures and at this time four large families emerged led by warriors. These were i) the Bassi that had Zebra as their totem, ii) the Mugirango with the Leopard as their totem, iii) Sweta, and iv) the Wanjare that had the Hippopotamus as their totem. These four families utilized their acquired skills in Iron working and were able to expand southwards dislodging other groups such as the Kalenjin, Sirikwa, Dorobo and Maasai in the present day Kericho and Gusii Highlands between 1755 and 1850. This saw a lot of inter-ethnic disputes and conflicts and change of economy of the Abagusii and structure of the society.

Disputes and conflicts with other ethnic groups saw the Abagusii experience hardships of different kinds. For example, they were driven from the Kano Plains by the expanding Luo groups (Ochieng, 1986; Aberi, 2009) and pushed to Kabianga, which was too cold and wet for them to stay for long (Ochieng & Maxon, 1992). While at Kabianga, the Kipsigis constantly attacked them and this forced them to move further south into Maasai land sometime between 1789 and 1802. But even here the Maasai also waged attacks on them bringing the inter-ethnic disputes and conflicts over resources to a higher level that has been picked by most

scholars. Up to this time, however, scholars have not mentioned any intra-ethnic disputes and conflicts among and between the Abagusii clans or groups. This body of knowledge or information is missing and this work was designed to fill this gap.

In the late 18<sup>th</sup> and early 19<sup>th</sup> centuries the different Abagusii groups were establishing themselves on what is now the Gusii country. The Kitutu, Nyaribari and Mugirango that had settled in the Kisii Town area moved to the Manga Escarpment. The Majoge, Bassi, and a section of the Mugirango moved to Nyakige in Maasai land and later moved to Esuguta Ya Munde then to Kabuoch in the current Luo land. A section of the Bassi, Sweta, Girango and Nchari moved to Suba land with a section of the Nchari moving to Nyakoe Forest area in the present day Kisii County.

In all these areas the Abagusii found themselves sandwiched between other communities, such as the Maasai, Kipsigis and the Luo. This resulted into a number of disputes and conflicts leading to a number of wars fought. The surrounding neighboring ethnic communities regularly attacked the Abagusii and scholars have reported a number of wars fought between the Abagusii and these other communities. For example, Silberschmidt (1999) mentions the war between the Abagusii and the Kipsigis in 1892, which was one of the later wars in the region.

Due to fear of the many attacks, different groups moved to areas where they felt the attacks on them would be minimal. The Nyaribari, Getutu and a section of the Bassi moved upwards with their settlements spreading between present day Sotik and Ikorongo in Maasai land. Maxon (1989) holds that by the time the colonial authorities were taking over Kenya, the Abagusii were already settled in the Gusii Highlands, with all the groups occupying two distinct regions namely, i) Masaba consisting of the Kitutu, Mukseru, Nyaribari, and North Mugirango, and ii) Chache consisting of the Bassi, Majoge, South Mugirango, and Wanjare.

In this brief migration review of the Abagusii, it is clear that there were disputes and conflicts of inter-ethnic nature, which scholars have mentioned. However, in the case of intra-ethnic disputes and conflicts, historical records are unclear or are silent. It is this situation that prompted an investigation of the nature and source of disputes and conflicts and their impacts on the two communities of the Sweta Clan at Keroka Township area.

#### **1.10.2 Nature, source, and impact of disputes and conflicts between world communities**

Disputes and conflicts over boundary and/or resources between and among nations, regions, and ethnic groups are abundant in the historical record. Some of these have caused major wars in the world. For example, some of the clear causes of both World War I & II were related to

contested boundaries and territories and the resources they contained. Historical accounts of such disputes and conflicts, due to their magnitude, are beyond the scope of this work. However, a few selected examples are reviewed here as a way of aligning our understanding of the nature, sources and impact of disputes and conflicts over resources between the Sweta sub-clans of Nyaribari and Kitutu at Keroka Township area. The main question is how can these world events help us understand the topic of intra-ethnic disputes and conflicts that we are dealing with in this research. Overall, this review is aimed at helping identify the gap this research is filling in the history of the Abagusii and their historical interactions and relationships.

#### **1.10.2.1 International resource conflicts related to boundaries**

Globally, there have been conflicts that have historical roots and which have affected and continue to affect societies, more so in the third world countries. While Africa was affected so much due to colonialism during the late 19<sup>th</sup> and the first half of the 20<sup>th</sup> centuries due to arbitrary drawing of national boundaries, the other nations of the world have not been left behind and have experienced disputes and conflicts of one kind or the other.

One major dispute that has historically preoccupied the entire world is that between Israel and Palestine. The two nations were pitted against each other over boundary and territorial ownership of the Gaza Strip and Jericho area in the Middle East. This would consolidate territorial boundaries of both Israel and Palestine. Up to the 1990s, this was a problem and nations, such as, United States of America had to intervene and reduce the impact of the conflict, which led to many deaths and disruption of world activities in the region.

Israel, through the help of other nations, has been engaged in negotiations but insists that it does not recognize Palestine as a sovereign nation (Newman, 1995). This left the Gaza Strip and the West Bank a major political dispute yet to be resolved as demands from both nations cannot be met. The United Nation, through its organ “United Nations Intelligence Framework Team for Preventive Acts (UNIFTPA) identifies conflicts of trans-border nature and state that these are usually caused by competition over resources that lie along boundaries. Such conflicts rose steadily during and after the Cold War period persisting until the 21<sup>st</sup> century (Klare, 2001 (a) & (b)). Land, water, oil, and other resources have been the sources of conflict between nations and communities. Other resources competed for include gas, timber or forest areas, and minerals of different kinds that have become well sought after to an extent of causing conflict and war at different levels. This work was designed to find out the causes of disputes and conflicts between the Kitutu and Nyaribari sub-clans of the Sweta clan. The

disputes have persisted but there are no clear major causes or contestation over major resources that cause conflict and war in other parts of the world. Could the causes be contestation over land or area of settlement or the activities in Keroka Township area? This is one of the questions this research addresses as a historical gap since most scholars have only looked at the disputes involving the Abagusii at inter-ethnic level.

The Caspian Sea Ecosystem presents a significant world's energy ecosystem that has been competed for by a number of countries/nations, namely, Azerbaijan, Iran, Kazakhstan, Russia and Turkmenistan. This competition has led to disputes between and among these nations forcing these nations and other organizations to establish the legal status of this ecosystem as a way of solving the disputes (Bahgat, 2002; Madani *et al.*, 2003).

In other parts of Asia, for example in Afghanistan, where population is dense, communities engage in competition over land, grazing area or pasture, firewood collection areas and other resources people need and they cannot get due to high population causing high demand on such resources. This has led to disputes and conflicts between the Kuchi clan and the Hazara clan in the areas they occupy as they seek to utilize and share the scarce resources. This situation may be similar to the conflict between the Kitutu and Nyaribari clans in the Keroka Township area where sharing of available resources seems to have been the cause of the persistent conflict since settlement in the area.

In Africa, colonial authorities drew national and administrative boundaries largely without considering political, social and economic aspects hitherto utilized by the African communities. This has been a source of disputes and conflicts within the African continent where nations and communities have found themselves competing over resources and/or contesting certain boundaries.

In West Africa, Anene (1970) talks about the impact of this arbitrary drawing of boundaries on the African people. First, the boundaries reflected the differences between and the demands of the colonial authorities that were mainly the British, the French, and the Germans competing over resources and control over markets within the West African Region. Secondly, the borders only considered the interests of the imperial authorities, while playing a major role in causing disputes between and among African communities. Borders that were created around Lake Chad area, for example did not consider the interests of the African communities living around the Lake. This became a source of conflict at the end of the colonial period in West Africa with countries and communities in Nigeria and Benin

contesting the area around River Niger Bend, which was a reflection of arbitrary demarcation of national boundaries without reference to African communities (Hargreaves, 1963).

On the Nigeria – Niger boundary, for example, the British Prime Minister, Lord Salisbury remarked

“...we (the British and the French) have been engaged in drawing lines on maps, where no white man's foot ever trod. We have been giving away mountains and rivers and lakes to each other. We were only hindered by the small impediments, such as, not knowing exactly where the mountains, rivers, and lakes were on location. In those days, we just took a blue pencil and a ruler, made drawings down at the Old Calabar and drew that blue line to Yola. I recollect thinking by myself sitting having an audience with the Emir of ‘Adamawa’, surrounded by his tribes’ men that it was a very good thing that he did not know what was going on, that I, with a blue pencil, had drawn a line through his territory" (Anene, 1970 p 3).

Such acts were the main causes of internal clan disharmony, not only in west Africa, but throughout the entire continent. Apart from the mistakes done by the colonial authorities, there have been increases in disputes and conflicts between and among African communities due to inter-ethnic differences that in most cases have been highly politicized, especially in the pursuit of certain interests (Osaghae, 1994). Despite the existence of civic and legal frameworks to deal with national boundaries and internal resource conflicts studies indicate that animosity and internal conflicts continue. Liah, (1994) states that apart from the continental scene, there have been situations of conflict at national levels and local levels where inter-ethnic rivalries are caused by political, social and economic factors. This work sought to establish to what extent the disputes and conflicts between the Kitutu and Nyaribari sub-clans of the Sweta clan of the Abagusii are a result of political, social and economic factors.

The continent has also witnessed major inter-ethnic disputes and conflicts resulting to wars and great loss of life. In Nigeria the Ibo and Ife have been engaged in fierce fights with the former attempting to secede and form their own state. Rwanda and Burundi recorded some of the worst inter-ethnic disputes and conflicts pitting the Tutsi and the Hutu ethnic groups. These were mainly political as much as they were contestations involving resources. Barth (1981), for example, reports that between 100,000 and 200,000 Hutus were killed just within one year in Burundi, where the Tutsi controlled the government.

In the Horn of Africa, Ethiopia and Eritrea were engaged in a dispute over boundary involving the Amhara Community that is found in the two states. The problem was only solved by Eritrea and the Amhara community gaining independence from Ethiopia. All these forms a rich reservoir of conflicts in Africa mainly at the inter-ethnic level, which in most cases have led to war within the continent (Sabine, 1971). The Kitutu – Nyaribari conflict which is the subject in this research is unique as it is of intra-ethnic level or nature. However, the causes may be similar to what we see in other parts of the continent.

The consequences of inter-clan boundary conflicts involving African communities include civil wars or sporadic violence in different countries (Agyeman, 1992). Many countries in Africa have been dragged into wars due to boundary claims. Examples where this has occurred include Nigeria, Congo, Sudan, Liberia, Sierra Leone and Burundi among others. Various economic operations in Africa got disrupted, for example, during the Liberian civil wars, the country's economic production declined greatly. In Nigerian, the dispute over the Niger Delta led to economic activities being paralyzed with economic exploration of crude oil in that zone being affected. Going by the above-mentioned consequences it is clear that there is always need to investigate the causes of internal clan/ethnic disputes and seek strategies of alleviating them in order to pave way for development and peaceful coexistence between and among communities. This research was designed to provide this understanding by providing a historical account of the source, nature, and impact of the disputes between the Kitutu and Nyaribari sub-clans in the Keroka Township area.

In East Africa and involving Kenya's neighbors, there is a long history of ethnic clashes of inter-clan nature beginning from the 1850s as populations moved from the north to the south within the region (Quinn, 2004). The conflicts seem to have intensified in the post-colonial era, especially from 1963 due to ethnic and/or clan politics over natural environments and other resources (Abdi, 2014). For instance, during Amin Dada's regime in Uganda, conflicts in the country were racial in nature with the Asians being declared non-citizens by the government and being forced to leave the country and their properties confiscated.

In 1986, the conflict took a religious dimension with rebel leaders agitating for a Christian based government founded on the Ten Commandments of the Bible. This was the beginning of a long history of inter-clan disputes in Uganda (Kasozi, 1994). He notes that the conflicts could be traced back to the 1960s and were as a result of land ownership, cattle rustling and competition over natural resources. For instance, the Karamojong of Uganda and the Lango of Kenya usually had conflicts taking violent nature with their neighbors. Alice Lakwena and

later Joseph Kony headed a brutal rebel force that caused great atrocities to the people of Uganda. Joseph Kony led the infamous Lord's Resistance Army (LRA) and waged the most barbaric war in Northern Uganda and killing thousands of innocent civilians as an intra-clan brawl continued (Abdi, 2014).

Disputes of intra-clan nature were identified among the Teso of Uganda where the Lord's Resistance Army (LRA) working paper No.15 of 2005 indicated that, 'justice and perceptions' of the Uganda's Amnesty Act 2000 were not adequate to solve the problems at hand. However, the paper contained potentials for conflict resolution as it started a long-term reconciliation process, which was a sign of peace in the country. Also, the Refugee Law Project (RLP) working paper No. 17 of 2005 on 'Peace First Justice later', and the activities of "Traditional Justice in Northern Uganda" and RLP working paper No.20 of 2007 highlighted on partial justice, formal and informal justice mechanisms in post conflict in West Nile, where intra-clan disputes took place.

In Kenya frequent inter-clan disputes at low levels have been common, for example, the case of Samburu in the Isiolo area, the Narok-Kisii border(s), the Kericho-Kisumu borders with the Kalenjins versus the Luo communities, the kalenjin-Kisii communities at Chebilat in Nyamira, Maai Mahiu (Kajiado-Limuru) border dispute, Tana River and the Mount Elgon conflicts. In these cases, conflict was due to access to land for livelihood and community identity as defined by land acts on those community occupations. There were three other areas in which contestation occurred at the coast with unique types of conflict. These included urban localities in Mombasa-Likoni and Bombolulu's area which occurred due to the activities of the Central Government of Kenya.

In summary, politics has been the major cause of conflicts and disputes between communities in Kenya as has been witnessed in central, coastal region, eastern region, Nairobi, northeastern, Nyanza, North Rift and western Kenya (Nick Oluoch and John Oywa 13th of May, 2011). Other conflicts have included the Dagodia of the North Rift, Teso of the north-rift, Sabot of Western Kenya and Somalis of Kenya as discussed earlier.

In a more structured approach, there have been disputes and conflicts between communities since the formation of the nation. The colonial demarcation of internal boundaries started the problems. Different methods used to instill obedience on African communities ended up creating animosity among groups during and after the colonial regime. Policies introduced, especially, to entrench colonial rule later became sources of conflicts among African communities.

Mworia & Ndiku (2012) posit that there have been conflicts between different communities in Kenya. For example, the Pokot and Turkana have had conflicts as a result of competition over water resources, pasture and borders. Such conflicts have led to loss of lives and property, and have continued due to lack of a stratified way of solving the disputes over time.

Kimutai & Aluvi (2013) also explain conflicts involving the Kuria people and their neighbors, mainly the Maasai, and which has been caused by cattle rustling in Kuria East. The conflicts in Kuria East has also taken the intra-ethnic nature where two sub-clans of Nyabasi and Buverege have been engaged in disputes and conflicts caused by clan politics, proliferation of small arms and light weapons, high illiteracy levels, and porous borders. The disputes have since led to low levels of development in the region/area.

In northern Kenya, there has been conflict between and among the Ajuran, Degodia, Garre, and Murule clans due to competition over grazing land/pasture and water points (Abdi, 2017). Some of these conflicts may be similar to the conflict between the Kitutu and Nyaribari sub-clans as they involve communities with similar cultural backgrounds. In such situations, disputes and conflicts have arisen and continued due to the failure of the government or administrative units to sort out political, social and economic issues affecting the communities involved, and which live side by side (Kimenyi, 2001).

In some parts of the country, devolved government units have caused problems with animosity between communities rising, especially, in the areas of urban centres. Keumbu, in Gusii land is an example of an urban area where several sub-clans have laid claim of ownership. Such sub-clans include, the Bassi, Nyaribari and the Kitutu. Such competition and claim is what is seen at the Keroka Township area where there has been a major dispute between the Nyaribari and Kitutu sub-clans, which belong to Sweta Clan of the wider Abagusii ethnic community. This conflict forms the main topic of research in this work.

In the Maseno area of western Kenya, the Luo and the Banyoro have been engaged in disputes regarding the ownership of the area. The devolved units of Kisumu and Vihiga Counties, which share boundary in this area have not been able to solve the problem as both claim ownership of the urban area, which is growing at a ver fast rate due to the presence of different institutions, such as, Maseno University (Green, 2010)

Some of these cases have been studies (Odhiambo, 2013) and mirror the problem facing the Kitutu and Nyaribari sub-clans at the Keroka Township area. This problem has not been investigated and this research was conducted to fill this gap.

Atieno (2012) notes that despite increased incidences of boundary disputes, previous studies have focused only on large-scale conflicts related to politically motivated cases. The presence and development of small-scale conflicts of intra-ethnic nature have been overlooked yet these raise serious concerns, especially in regard to land scarcity in different parts of the country. This work was designed to provide this missing information using the case of disputes between the Nyaribari and Kitutu sub-clans at Keroka Township area.

### **1.10.3 Strategies for solving boundary disputes**

As discussed in section 1.10.2 above, disputes and conflicts are found all over the world. Different strategies are usually applied to mitigate such disputes and conflicts so as to enhance co-existence among and between nations and/or communities involved. In this section, the work looks at international and local examples of dealing with disputes and conflicts in order to find out how the same may inform or reflect what has been done to solve disputes and conflicts between the Nyaribari and Kitutu sub-clans of the Sweta clan at Keroka Township area.

At an international level, Okano (2002) states that there are about five ways of solving international boundary disputes and conflicts. First, the countries have the mandatory option of using international laws for solving their disputes. This process of using the international laws is usually overseen by the International Court of Justice (ICJ), which becomes the arbitrator and makes judgment regarding the dispute. Secondly, the countries may use the provisions of Article 33 of the UN Charter, which provides that

“The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their choice.

All these mechanisms are availed in sorting out disputes as war or violence is no longer acceptable as an option for solving disputes at the international level. When the mechanisms are exhausted then the matter could be taken to the International Court of Justice for arbitration. At the ICJ, the court looks at different options and evidence for the claim for the territory in question before passing judgment.

The third way disputes are solved at the international level according to Kano (2002) is by looking for proof that a state acquired and has exercised territorial sovereignty over an area for a period of time. Such proof should be convincing beyond any reasonable doubt in the

eyes of the competing parties, as well as, third parties that may be involved in the exercise of ascertaining the facts.

Fourthly, territorial disputes between countries may be solved by looking at legal documents concerning the territory in question. Such documents will give the way forward in solving the disputes. For example, in Europe, and regarding the Northern Territory Issue where a number of states had territorial claims, different treaties were used for determination of the case. The treaties included i) Treaty of Commerce and Navigation which was signed in 1855, ii) Treaty Concerning the Exchange of Sakhalin and the Kurile Islands signed in 1875, iii) San Francisco Peace Treaty, and iv) the Joint Declaration between Japan and the USSR made in 1956. These treaties provided information that was used to settle the territorial issues among the nations involved. The case provides guidance on how territorial disputes may be solved by looking at the documents and previous agreements between nations to sort out emerging disputes.

The fifth way of solving disputes at the international level is by using treaty-based titles, which uses the concept of “*affectivities*” where an international tribunal looks at and considers “relative title” and determines which competing claim is stronger. This goes beyond looking at only some absolute standard of title and considers which side has a better proof to justify its claim. Such tribunals will also consider opinions from third parties regarding the matter.

Some of these methods have been used to solve disputes between nations, for example, the case concerning the sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks, and South Ledge, which pitted Malaysia and Singapore in a dispute (Malaysia/Singapore ICJ Judgment, 2008).

The dispute was between Malaysia and Singapore claiming ownership of an area located 7.9 miles from Malaysia and 24.8 miles from Singapore, and containing mainly islands and rocky patches. The court, using international laws and documents available, ruled that Singapore, even though located further away from the area, had the sovereign authority over the disputed areas due to a statement written by Malaysian official in 1953 to the effect that Malaysia did not claim ownership of Pedra Branca. The court also referred to the fact that Singapore gave Malaysian officials permission to visit Pedra Branca, an act that supports their claim and territorial sovereignty

Disputes may also be solved at an international level by two or more parties agreeing to put aside their legal arguments and settle their issues politically. However, such political

agreements must always be registered in court or given some legal rooting. For example, in the legal status of Eastern Greenland Case, Denmark and Norway agreed but the court had to record that Denmark and not Norway had a valid title to Eastern Greenland. Similarly, the disputes on the ownership of the Temple of Preach Vihear Case, 1962, between Cambodia and Thailand, where the temple was left in Cambodian territory and not in Thailand due to a map that was drawn by France. Thailand had not raised any objections to the map within a reasonable period of time, which placed the Temple in Cambodia.

Another dispute that has involved the entire world is the Israel – Palestinian conflict. To try to solve this conflict, the UN has looked at numerous “resolutions, international laws, and bilateral agreements” that have been made in the past, particularly, using the pre-1967 boundary lines. The conflict has continued amidst the use of such documents with expansion and acceleration of illegal settlements in the occupied West Bank, demolitions, seizures of Palestinian owned property and evictions (UN News, 2020).

This conflict has led to great human loss of life and destruction of property. The UN recently stated that Jerusalem’s problem and status in the future must be resolved on the basis of international laws and through negotiation between Israel and Palestine (UN News, 2020). Still at the international level, there are common and so many cases of ethnic and malt-ethnic disputes that have called for resolution. History has recorded major ethnic strife and wars in Bosnia, Croatia, Rwanda, Burundi, Angola, Sudan, Turkey, Azerbaijan, Georgia, Chechnya, Kashmir, Myanmar, and Sri Lanka just to mention a few (Kaufmann, 1996).

In most of these disputes and conflicts, there has been the use of military interventions, international interventions, and political interventions to solve the disputes. In other areas there has been the use of reconstruction of exclusive ethnic areas and/or identities, as well as, population movements involving separation of competing groups. Such separations, however, have only been applicable in areas where there have been very fierce conflicts that cannot be solved in any other ways (Downes, 2006).

In Africa, during the post-colonial era, leaders took up political and legal measures to address the question of inter-boundaries and resource disputes. The Ordinary Session of Heads of State and Governments of the Organization of African Unity (OAU) held in Cairo, Egypt in July 1964 discussed different principles regarding existing boundaries under article 4(b) of the Constitutive Act of the African Union (AU).

The AU identified that there are boundary and ethnic problems across the continent from Nigeria in the west to Kenya in the east, as well as, from the north to the south of the

continent. Despite this recognition, however, the organization's analysis of the causes and impacts of these disputes, has failed to use the political institutions in the areas affected to cater for the interests of the diverse groups in terms of cultural affiliations, for example, religion and language, and other factors causing conflict, such as, economic and political matters (Kimeny, 2001). The disputes across the continent, however, have been solved along international lines with the AU making a strong presence and using its protocols to solve conflicts. There has also been the use of military interventions with AU forces normally being sent to areas of conflict, for example, in Rwanda, Sudan, and Somalia in the recent decades. Countries in Africa have also used international interventions involving the use of UN Forces to instill peace in areas of disturbance. Lastly the continent has also used political settlements to solve disputes involving countries, for example, Kenya and Uganda over the ownership of Migingo Island on Lake Victoria.

### **1.11. Theoretical framework**

The study was based on two theories which are Social Conflict Theory by Karl Max (1818-1883) and Human Needs Theory by John Burton (1932 to date).

#### **1.11.1 Social Conflict Theory**

The area under study grounds its framework from the Conflict Theory which was developed by one proponent Karl Max (1818-1883). In relevant to the subject /topic under study it goes ahead to explore why ethnic communities engage in conflict in the society. It goes further to explain that scarce resources in the society paves the way for competition hence conflicts. Basically, it explains that individuals and groups in society struggle to maximize their share of limited resources that exist and found in the society. These limited resources in enviably leads to competition and thus frequent conflicts. He further argues that these causes rift between the rich (Haves) and the poor (Have Nots) which is also the aspect of bourgeoisie and proletariat, Lords and the Serfs. This has an implication that within the society certain group of people control specific resources and hence a means of production. This is applicable to conflict that exist between Kitutu and Nyaribari clans within Keroka township in Kenya forming the basis on Marxist theory.

The two clans compete over limited resources, ethnicity/clannish and historical injustices among others. The same is applicable within the Republic of Kenya at large on communities that are ever on conflict. At times these conflicts come in as a result of being compelled by circumstance on the ground. These scarce resources Karl Max (1818-1883) drive them into

conflict always and hence the need to resolve them. There is no equitable distribution of the same scarce resources. However, the theory has got strengthened that it has resulted to at least even distribution of resources in the study area among the Kitutu and Nyaribari clans.

Secondly, political and governance seats have been shared amongst the conflicting clans in the study area. Likewise, the theory has got weaknesses in the sense that every clan pursues their own interests. The theory emphasizes in this case interest rather than norms and values in the society. It has also accelerated competition for resources resulting to conflicts every other time. Also, the use of resources by clans in pursuit of their goals will be realized. The theory was meant to address independent variables in the study areas.

### **1.11.2 Human Needs Theory**

Human Needs Theories (John Burton, (1932 to date) Abraham Maslow (1908-1970), Max Neef:( 1922 to date). The three (3) Proponents Forms the basis of this theory. Abraham Maslow was the proponent of hierarchy of needs while laying emphasis on the order of priority targeting on the fact that some needs are more urgent than others and that failure to address them is a recipe of conflict hence to address them manages conflict. There comes John Burton (1932) who further developed Maslow theory of hierarchy of needs to become Human Needs Theory. He argues that Human Needs are so basic and vital and once they are so ignored the groups will engage in conflict.

The argument is that Human Needs are basic rights which have to be satisfied. Burton (1990) singles out and adds that conflict occur as a result of seeking identity, protection, recognition, security, participation and understanding among others aspect in his argument. This theory justifies the fact that basic and essential Human Needs like food, shelter, clothing, water cause conflict which is relevant to the area under study. Burton (1990) argues that in order to prevent and solve conflict, human needs will have to be addressed.

In relevance to the topic and area under study, this is quite applicable since basically human needs have to be sorted out and failure to which become the recipes of conflicts. Max –Neef support that argument of Abraham Maslow (1908 - 1970), John Burton (1990) in that order since human beings have to satisfy their needs. Society tends to go short of needs be it political, social and economical to the extent of engaging in conflict to meet their unmated needs. This is true since these unmated needs will not resolve intractable, protracted and recurring conflicts in the society.

The theory was utilized to explain further that human needs have to be addressed first failure to which will be a recipe to inter-clan conflicts in the study area. The theory ensures that all

basic needs including food, shelter, clothing, water are addressed. Also, it controls conflicts when addressed needs like political, social environment will be taken care of satisfactorily to the expectation of all socio groups. It points out weaknesses that not all needs will be taken care of also failure to address these needs became the cause of inter-clan conflicts especially in Keroka township, Kenya. It was meant to address dependent variables in the study areas.

## **1.12. Methodology**

This section presents the methodology applied in this research. It specifically looks at the research design selected for this work, describes the study area and explains how the study population was handled in terms of target population, sampling procedures and sample size. The section further looks at how data was collected and analyzed, stating clearly the research instruments used, methods of analysis and the ethical considerations taken or put in place. The sub-sections are brief as they only describe the methods used with the details of findings given later in the chapters.

### **1.12.1. Research design**

This work used descriptive survey design whereby both quantitative and qualitative approaches were used to gain a deeper insight into the problem under investigation. Kothari (2014) describes descriptive survey design as a design which is restricted to fact finding and leads to the formulation of important principles and solution to the problems being analyzed. The design provided an efficient way of collecting data for this work. The design allowed for the gathering of information from a sample of individuals through interviews and the administration of questionnaires. The work utilized questionnaires, oral interviews, focus group discussions, archival data, and secondary data, which provided the total information to help realize the answers to the questions raised in this work based on the three objectives.

Descriptive survey was used to explore all the variables used in this work and enabled for the collection of data, as well as, other steps in the work, such as, summary of findings, presentation of research details, and the presentation of data and final findings.

### **1.12.2 Study area**

The study was carried out at Keroka Township area and its environs, which is placed at the boundary of Kisii and Nyamira Counties, as well as, the boundary between the Nyaribari sub-clan found in Kisii County and the Kitutu sub-clan found in Nyamira County.

Keroka is located at the boarder of both Kisii and Nyamira counties. It is to the western part of Kenya in the former Nyanza Province, on longitude;  $34^{\circ} 46^{\circ}$  E and latitude:  $0^{\circ} 41^{\circ}$  N. It

is a driving distances of about 289 Km Nairobi, and approximately 27 Km from Kisii town. It is at the border of two constituencies, Nyaribari Masaba of Kisii County and Kitutu Masaba of Nyamira County. The area is along Kisii-Kericho-Nairobi Highway. It is a home for Kisii University – Keroka campus, and other businesses that make it an upcoming business centre by all definition of such centers.

Keroka Town has grown mostly along the road giving it a linear shape. The centre appears to be expanding away from the main Kisii-Kericho-Nairobi highway from which it started growing. It serves a rich and wide agricultural hinterland touching both Nyamira and Kisii counties. The environs have fertile soils and sufficient rainfall throughout the year. It is, therefore, ideal for agriculture thus encouraging agricultural related business at Keroka urban area. The centre, and particularly along the road, has informal structures on both sides of the road, which clearly encroach on the road reserves. Most of the structures are for commercial activities such as shops, workshops, and food stalls. The main bus stop is also located at the entrance of this centre, giving it a typical picture of an urban settlement resulting from the forces of urban sprawl process. Further along the Kisii- Nairobi Road, there are more commercial structures and residential buildings.

There are mixed land use patterns particularly on the outlying areas where a lot of land is primarily for agricultural use with a lot of farming activities taking place. More land is being converted to residential developments as a result of the growing population, as well as, urban sprawl. This has gradually led to increased land use changes from agricultural land use to residential.

The region has an equatorial climate receiving rainfall almost throughout the year with an average annual rainfall of 150 cm-200 cm at Keroka. The 2009 census reported that inhabitants of the town are both from Nyamira and Kisii Counties. A clear demarcation of their boundaries was therefore necessary in order to avoid conflicts, especially as the town continues to expand.

### **1.12.3. Target population**

This work targeted the entire population living in Keroka Township area at both the Nyaribari and Kitutu sectors of the town, with a minimum age limit for the target population set at 18 years and above as this is the group that could give the right information required for this work. According to the 2009 population census, a total of about 50,000 people qualified for participation in this research. This included members of the Nyaribari and Kitutu sub-clans and the other groups that reside within the town.

#### **1.12.4. Sampling procedure and Sample Size**

The study used purposive and snowball sampling methods to select individuals who were to participate in the research or informants. From the purposive act of selecting known persons such as, clan leaders, assistant chiefs, chiefs, MCAs, MPs, Governors, Senators, and other knowledgeable personalities, snowballing was used to add more informants until the information they provided reached a saturation point. A number of these personalities were used as key informants who participated in Focus Group Discussions.

There were different ways used in determining sample size for this non-probability method, which was applied. The initial interviews started by choosing a list of leaders, such as, chiefs as respondents. These selected leaders then in turn pointed other knowledgeable people that were then added into the list of respondents, and the same used to identify others until the information provided reached a saturation point. All these came from the Nyaribari and Kitutu sub-clans and a few from the Keroka Town residents who had lived within the town for three and more decades. Saturation point was reached at 100 respondents with representatives of the competing sub-clans and other residents living within and/or around the contested area covered. As stated earlier, the age limit of 18 years and above was observed and collection of data was stopped at 100, which became the official sample size used in this work.

#### **1.12.5 Research Instruments**

This work used both primary and secondary data. Primary data was collected using archival sources, questionnaires and structured interview guides for key informants. Interview guides were designed to gather information from the various informants. Questionnaires and interview schedules were also used. Focus Group Discussions were also held one in the town and another in the outskirts of the town to represent rural residents. Secondary data was collected from newspapers, theses, periodicals, reports, journals and books.

Questionnaires used were based on the research objectives (See Appendix ...). This involved the use of both open ended and close questions. The questionnaires were divided into the major themes based on the objectives of the work.

Key informant interview guides were used to collect information that would be difficult to capture in writing. Here, even though questions were provided those conducting the interview had the flexibility to vary the questions in order to capture more relevant information for this work. The guide was mainly used to get information from the political leaders and church officials.

Archival sources were used here to capture records of past forms of relationships between the Gusii clans, especially during the colonial period and the post-colonial period.

Focus Group Discussion Guides were also used, especially with the leaders. The first one was conducted with the leaders of the two competing sub-clans and the second one with the residents of Keroka Township area. Each FGD had a maximum number of eight participants consisting of both male and female. The one conducted within the clans was conducted in Ekegusi while the one conducted in town was conducted in English and Kiswahili. At both sessions the researcher was the moderator, and introduced himself to the participants before leading the discussions.

#### **1.12.6 Data Collection Procedure**

After obtaining permission from different organs of the university and the government of Kenya, appointments were made with different purposively selected informants in order to start the process of data collection. In this process Key informants were also identified and those who participated in FGD also selected. Questionnaires were then administered with the help of research assistants.

Focus Group discussions were conducted in such a way that there was openness and confidentiality on the part of the respondents. Information from these instruments together with the archival materials provided historical background for the disputes and conflicts between the two competing sub-clans at Keroka Township area.

Secondary data complemented primary data and were collected mainly from the written works stored at different libraries, such as Jaramogi Oginga Odinga University of Science and Technology Library, Kisii University Library, and also from key government departments within Kisii and Nyamira Counties.

Responses from the interviews were well recorded in audio tapes and later transcribed carefully, read and divided into meaningful analytical units.

#### **1.12.7 Data Analysis**

Collected data was analyzed in various ways. First there was the use of statistical methods to summarize the measures using graphs and charts. This was possible after sorting out the information into categories that were changed into percentages after tabulations and computations of frequencies and percentages from quantitative data derived from closed ended questions.

The other data obtained from key informant interviews and Focus Group Discussions were reported verbatim based on the different themes in line with the objectives of the work. These were then subjected to thematic analysis as proposed by Braun and Clerke (2006). This is a method for identifying and analyzing themes contained in a data set through a six-step process. This work utilized the six steps in the analysis, namely, i) Familiarity with the data or information collected, ii) generation of codes for analysis, iii) searching for themes, iv) reviewing the themes, v) defining and naming the themes, and lastly, vi) interpreting the themes and producing a report on the same. The themes are presented according to the objectives of this work.

#### **1.12.8. Piloting**

Piloting was used in this work to ensure the effectiveness of the instruments of research. The piloting involved eight participants one from Jomo Kenyatta University of Agriculture and Technology, one from Maseno University, two from Jaramogi Oginga Odinga University of Science and Technology and four from the communities in Kisii and Bomet Counties. This exercise boosted the confidence of the researcher as it established the validity and reliability of the research instruments before the actual research work started.

#### **1.12.9. Validity and Reliability**

According to Gao & Omen (2009), validity refers to the ability to produce findings that are in agreement with the theoretical or conceptual values. Validity of the instruments used was realized through the intervention of the experts at the university that satisfied the instruments used. Also, there was the use of simple and clear language that made no complication and therefore ensures that the users gave the right information without any ambiguity.

Reliability on the other hand concerns the measurement of the extent to which a measure or instrument yields consistent, stable and uniform results over repeated observation under similar conditions (Bowling, 1997). This work checked the consistency and uniformity of the test results in order to ascertain reliability. Test and re-test methods were applied to ascertain reliability in this work.

#### **1.12.10 Ethical Consideration**

These are guidelines which ensure that research is done in a way that is in the best interest of the respondents (Cohen, 2017). It is a requirement that the researcher carries out the ethical responsibility to the research participants (Mugenda, 2017). In this work, the respondents were informed about the purpose of the research and why the data was being collected from them using the various instruments. The participants were given the freedom to participate or

not after the purpose of the research were revealed to them. The participants' confidentiality was also guaranteed on the onset of the interview and throughout the research process.

As part of the ethical considerations, all permissions from the university and government departments were obtained covering the entire period and stages of research. The work also followed strictly the requirements for scientific research without taking any shortcuts. Whatever results presented here have not been doctored in any way.

#### **1.12.11. Conclusions**

This chapter has presented a broader background to the research on the boundary and resource conflicts between the Nyaribari and the Kitutu sub-clans at Keroka Township area. Part one of the chapters outlined the problem being tackled spelling out the main objectives and the questions the research sought to answer. Part two looked at the related literature based on the three objectives of the work. This part also considered a worldwide presence of disputes and conflicts giving out their nature causes and impacts in the areas they have occurred. This was aimed at helping in understanding the micro-level disputes and conflicts that have occurred between the Nyaribari and the Kitutu sub-clans at keroka. The third part looked at the methodology used in this research covering several areas of data collection and handling to analysis and presentation.

In the next chapter, this work looks at the settlement history of the Abagusii with the purpose of tracing the origin of disputes and conflicts between these two competing sub-clans. Conflict Theory has been used to assess and understand the issue of dominance and competition as the settlement process progressed as is used to understand other competitions among the sub-clans throughout time.

## **CHAPTER TWO: A HISTORY OF THE SWETA CLAN AND THE RELATIONSHIP BETWEEN NYARIBARI AND KITUTU SUB-CLANS SINCE 1820**

### **2.1. Introduction**

This chapter provides the history of the Sweta Clan, which is one of the clans of the Abagusii. It covers the information gathered, mostly, through secondary research to realize objective two of this work. The objective's, and, therefore, this chapter's main purpose was to find out how the Sweta Clan was formed and structured and to establish how the sub-clans related one with the other, as well as, with the other members of the wider Abagusii community. This historical background was seen as important as it would provide knowledge and information on the major issues of conflict that has pitted the two main Sweta sub-clans, which is the subject of study in this work.

The investigation for this objective was confined within a 75-year period, that is, from 1820 to 1895 due to the need to understand the relationship between the Sweta Clans in the absence of outside interference. From 1895, there was the beginning of outside interference as the colonial authorities started making inroads into the region that later became known as Kenya. Such inroads were perceived as sources of influence that would affect the relationship between African clans and sub-clans and, therefore, cause some form of conflict. To understand the pure relationship between the sub-clans, therefore, the period was chosen and investigated through the collection of secondary data incorporated with primary data collected to tell the history of conflict between the Nyaribari and Kitutu sub-clans at Keroka Township area.

The chapter begins by providing a brief background history of the Abagusii and traces their migration to the time they settle around Keroka area by around 1820. It then traces the origins of the Sweta Clan within the Abagusii and analyzes the relationship between the sub-clans in order to see whether or not there were, during this early period, signs of conflict between the two. The chapter then closes with a brief history of the emergence of Keroka as an urban centre around which the two Sweta sub-clans lay claim resulting into enhanced and continued conflict, which became the subject of investigation in this work.

### **2.2: The Abagusii Community-migrations and settlements**

The Abagusii are a Bantu speaking people who were among the major Bantu migrant groups that moved into the region east of Lake Victoria in the sixteenth century settling there for some time before moving to other areas, and, especially the fertile western sections of the

Kenya highlands where they settle currently. The Abagusii are the second largest community in the former Nyanza region following the Luo who are the majority in the region. In terms of their origin, the Abagusii hold that they entered western Kenya, and, therefore, Nyanza from a mythical homeland they identify as “Misri” that was to the north of Mt Elgon, beyond the border of Uganda sometimes in the sixteenth century. They dispersed from this homeland due to population increase that led to internal feuds, which disrupted their lifestyle of hunting and gathering, as well as, cultivation and the keeping of cattle, sheep, and goats. In their dispersal, the Abagusii moved to the Mt Elgon area where they became part of the Bantu group that included the Ganda, Soga, Abaluyah and others.

The Abagusii trace their origin to one ancestor called Mogusii son of Osogo (Aberi 2009), and divide themselves into eight clans that represent Mogusii’s descendants (Ochieng’ 1986). These clans include the Sweta, Basi, Majoge, Girango A, and Girango B... The history of these clans, in terms of migration and settlement, is complex. This work however focuses on the Sweta Clan and its two sub-clans of Nyaribari and Kitutu that settled around Keroka Town area. The relationship between the Sweta and the other clans is barely mentioned or discussed considering the scope of the work.

From the Mt. Elgon area, the Abagusii moved southwards along River Nzoia reaching the northern part of Lake Victoria between 1500 and 1560 (Aberi 2009). They eventually settled around Ramogi Hills where they met other Bantu speakers who had become fishermen and cultivators of millet, bananas, and other root crops while at the same time keeping cattle and sheep. The Abagusii stayed here until the first wave of Luo immigrants into western Kenya arrived into the Ramogi Hills area (Ochieng’ 1974b).

While at the lake region, the Abagusii had their economic and social institutions transformed within a period of less than two and half centuries, that is, between 1520 and 1755. While the Abagusii were originally cattle keepers, they became fishermen and growers of crops as they established themselves in the lake region. Yimbo became their area of settlement, and specifically Goye Bay where they remained for two and half centuries. It is here that Mogusi, who was possibly the founder and leader of the Abagusii was born. It is also here that the Abagusii made their first contact with the Luo immigrants (Ochieng’ 1974b). As more members of the Nilotic Luo arrived in the area, the Abagusii could not sustain the pressure and were forced to move out. The Luo were cattle keepers and demanded for more grazing land (Aberi 2009). There was also crowding of the area between Goye Bay and the present-

day Nagoba in Bunyala where various Bantu groups settled as they moved from eastern Uganda (Ochieng' 1974b).

From Yimbo, the Abagusii, together with the Abaluyah, moved to the present-day Kisumu town area. They moved as one group. This movement was sparked by a wave of hostility as more Nilotic groups arrived at Ramogi Hills. The two groups stayed briefly in the Kisumu area and split into two with the Luyah moving northwards to occupy the Maragoli country and the Abagusii moving southwards into the Kano Plains. Their short stay in Kisumu was due to famine which was rampant in the area and, therefore, forced them to seek for better places for settlement. It was while in Kano that a distinct group known as the Abagusii was formed. This group settled here from around 1620 when the evolution of the Abagusii society started and reached maturity by around 1760 (Ochieng', 1974b).

Settlement in the Kano Plains was characterized by expansion to new adjacent areas that were suitable for settlement and socio-economic activities. There were more movement southwards in search of more fertile land taking areas along rivers and streams right from Dunga on the shore of Lake Victoria to the highlands beyond the current Nyabondo Plateau, extending further to Nduru and Kibirigo areas. The Abagusii utilised small scattered villages in this expansion with family units consisting of a man, wife and children. Their houses were simple grass-thatched huts (Ochieng' 1974b) that dotted their area of occupation. They lived independently and only came into contact in emergency cases. And, because of the lake and settlement on the expansive Kano Plains, as well as, along rivers and streams, the Abagusii, at this time became fishermen and keepers of livestock. The conditions were suitable for these activities.

The Abagusii lived in Kano for more than a century. Their stay, however, was not peaceful as the entire period between 1644 and 1755 was characterized by outside attacks and competition for resources just as it was at Yimbo where they first settled in Nyanza (Aberi, 2009, Ochieng,' 1972). The scattered homesteads over the plains, became the drawing board for the structural formation of the Abagusii society as they grouped themselves into four large families that were led by warriors who championed the migration southwards. The four families were the Basi (zebra), Mugirango (leopard), Sweta and Wanjare (hippopotamus).

With the formation of the four large families as stated above, the Abagusii started to develop their social institutions, which resulted into the formation of clans and sub-clans as they exist in the community today. Economically, the Abagusii also acquired and developed their skills in Iron working, which enabled them to acquire weapons that were used in their spread

southwards. They had to fight the Kalenjins, the Dorobo and the Sirikwa, as well as, the Kipsigis as they expanded into the current Kericho and Gusii highlands. The skills they developed during their stay in Kano were, therefore, very important in the period 1755 to 1850 as they expanded from the Kano Plains lowland into the highland areas they occupy currently. And, as this took place, advanced knowledge in Iron working was handy in the new form of economic development as they became solely cultivators that would depend on tilling the soil as opposed to fishing and livestock keeping as they did during their settlements in Kano. Very little of livestock rearing would remain among the Abagusii, especially, in the lower territories of South Mugirango, Wanjare, and Western Kitutu.

According to Ochieng' (1986) and Aberi (2009), the exit of the Abagusii from the Kano Plains was forceful. Apart from the natural hardships they experienced between 1750 and 1850, The Abagusii were driven from the Kano plains by two groups of the Luo, one that migrated from Siaya and another that migrated from South Nyanza. As they moved out of Kano, a few remnants remained, for example, the modern Sidho clan that is still found in Kano today.

Majority of the Abagusii were pushed out of Kano into the southern highland areas. Their first area of settlement was Kabianga in the current Kipsigis country. The Abagusii, however, found Kabianga too cold and wet for them. Some of their plants, such as, millet and pumpkins could not do well and they were forced to select a few like finger millet and root crops that did well in the environment for use. Most of the animals they kept died and with the failure of crops earlier on, there was famine that killed people making them to name the place 'Kabianga' meaning 'nothing can survive in this place' (Ochieng' & Maxon 1992). Apart from the natural calamities, the Kipsigis constantly attacked the Abagusii forcing them into Maasai land during the period between 1789 and 1809.

Pushed to the south into Maasailand, the Abagusii continued to suffer repeated attacks from the Maasai (Ndeda, 2019). This left the Abagusii confused with the sub-clans, such as, the Kitutu, Nyaribari and Mugirango who had settled in the current Kisii area being pushed to the Manga Hills/Escarpment. Other groups mainly the Majoge, Bassi and a section of Mugirango escaped to Nyakige in Maasai land and later to Esuguta ya Muunde, then eventually to Kabwoch in the current Luo land in Homa Bay County. Other mixed groups of Bassi, Sweta and Girango, Nchari seem to have escaped to Suba land in Migori area, as Nchari moved north-westwards and took refuge in Nyakoe forest, in Wanjare location of the present Kisii County (Aberi 2009).

As the Abagusii struggled to find their niche within the highlands and its environs, more trouble faced them as they found themselves sandwiched between the Kipsigis, Maasai, and the Luo. The three communities continued to attack the Abagusii in regular cattle raids. Battles were fought as a result of this, for example in 1892 the Kipsigis fought the Abagusii where all the Abagusii clans and their entire sub-clans were involved. (Silberschmidt 1999). There could have been other battles fought apart from this one as oral informant mentioned a battle in 1881 where the Kipsigis were defeated by the Abagusii and many of them killed to an extent that their blood turned Border River red. Because of such wars and fear of attacks, the Abagusii continued to move adjusting their settlements to safer regions. Different clans and sub-clans moved to different and safer areas. They moved to Banchari, Bogirango as others remained at Nyagetubo. The major sub-clans, such as, the Nyaribari, Kitutu, and Basii occupied the upper parts of the highland within the Abagusii country.

By 1809, the migration and settlement of the Abagusii was complete within the highland area and their homestead spread from Sotik, which is currently in Kipsigis country to Ikorongo in Maasai land. By 1895 when colonial rule was being established in Kenya, the Abagusii had established themselves as farmers in the Gusii highlands utilizing the fertile soils, which was very productive due to adequate rainfall.

In terms of social formations, the Abagusii were divided into two large groups. There were those who occupied the area known as Masaba, mainly the higher parts of the Gusii highland and the Chache who occupied the lower parts. The community consisted of clans and sub-clans with each group recognizing and accepting affinities that marked them off from the other groups. The Masaba region was occupied by the Kitutu, Nyaribari, Mukseru, and the North Mugirango. Those who occupied the Chache region on the other hand consisted of the Bassi, Majoge, South Mugirango and the Wanjare (Maxon 1989). The occupation of both regions, that is, Masaba and Chache areas, was completed in the last half of the 19<sup>th</sup> century. This, therefore, completed the competition for resources and confined all the groups into particular areas limiting any more movements across the land. Some sub-clans, for example, the Nyaribari and the Kitutu continued to compete over resources and have had conflicts since then in their areas of occupation around the Keroka Township area. (Ochieng' 1974b).

Maxon (1989: 7) observes that the "Eight sub-tribes or clans that came to make up the Gusii people did not, despite belief in a common ancestor, Mogusii, and the existence of a common language, customs, and social system, had any centralized political institutions in the period

prior to British administration. Political integration was seldom at the level of the whole people; more often than not, it was at the level of the clan.”

The clan elders from different sub-clans formed the political entity that ran the affairs of the community. Unity of action was arrived at rarely, especially in cases of defence against a common enemy from outside or from within. Disputes were solved using laid down procedures that involved the council of elders and particular personalities within the community that were respected on the basis of the offices they held in society. When such a team came together, they discussed and eventually came up with a solution to any problem or problems that troubled the community.

The elder’s council was called *egesaku* headed by *Omokumi omugambi* (a chief) who played both judicial and religious functions and responsibilities. This office of the chief was somehow hereditary and the community looked at them as a link with the ancestors. The chiefs, with the help of the elders, took up leadership responsibilities in both political and religious and other social activities. It was thus difficult to separate the ceremonial and religious functions from those of political nature as performed by the Abagusii leaders. (Ochieng’ 1974b). The chief held the position of political leader but was not an automatic all-powerful figure in society with his powers confined to only the clan he came from. There were no structured political systems that brought all the Abagusii under one ruler. It is only among the Kitutu that an attempt at unity with a powerful chief or leader was somehow realized. (Maxon 1989).

The clans were used as units of relationships and connected the different clusters of villages within which the Abagusii lived (Silberschmidt 1999). Such clans played the role of political participation/units which were significant in territorial organization, which further contributed towards harmonious co-existence among the different clans and sub-clans. Despite this, there were still feuds among and between the Abagusii clans and sub-clans.

As settlement went on, elders leading small groups moved from ridge-to-ridge laying claim to where they settled (Maxon 1989) until all ridges were occupied. Relatives of those who occupied particular ridges kept on joining the new settlements hence making particular settlements to grow with time. New ridges were occupied as population increased and there was need to split up. This process was characterized by scrambling for what was available in terms of land for occupation and resources to be exploited. This was intense and even pitted close brothers like the Nyaribari and the Kitutu in the Keroka Township area, which is being investigated in this work.

The economic transformation that was taking place during the Abagusii settlement of the Gusii Highlands resulted into certain forms of conflict between and among the groups. The settlement was slow and intermittent in nature, therefore, causing the members to antagonize each other causing conflicts which have been investigated in details between the Nyaribari and the Kitutu who inhabit the Keroka Township area. From a Pastoralist way of life, the Abagusii had to change to farming way of life and they had to struggle to get suitable land for cultivation and this probably became a source of conflict between and among the Abagusii clans. Ochieng' (1974a and 1974b) holds that the cool, wet highlands were not suited for raising of large herds of cattle. Thus, the ecological zone in which the Abagusii settled in made them to slowly and gradually begin to adopt an agricultural way of life, away from pastoralism.

Up to this level, the Abagusii had evolved and managed to remain a relatively distinct Bantu community in spite of the fact that they interacted with different ecologies and predominantly Nilotic neighbours. They borrowed these other people's way of life in one way or the other. The Abagusii language, for example, has borrowed some words from the neighboring communities. Also borrowed are some of the crops, cuisine, and other habits. Despite this borrowing, the Abagusii have retained much of their culture. Even the long period of interaction and cooperation, through trade and intermarriages, conflicts and other forms of interaction did not influence the culture in any significant way. A small number of the Abagusii communities, however, trace their ancestry from the other groups, particularly the Maasai, Luo and the Kipsigis. They also share names obtained from these other communities (Akama 2017).

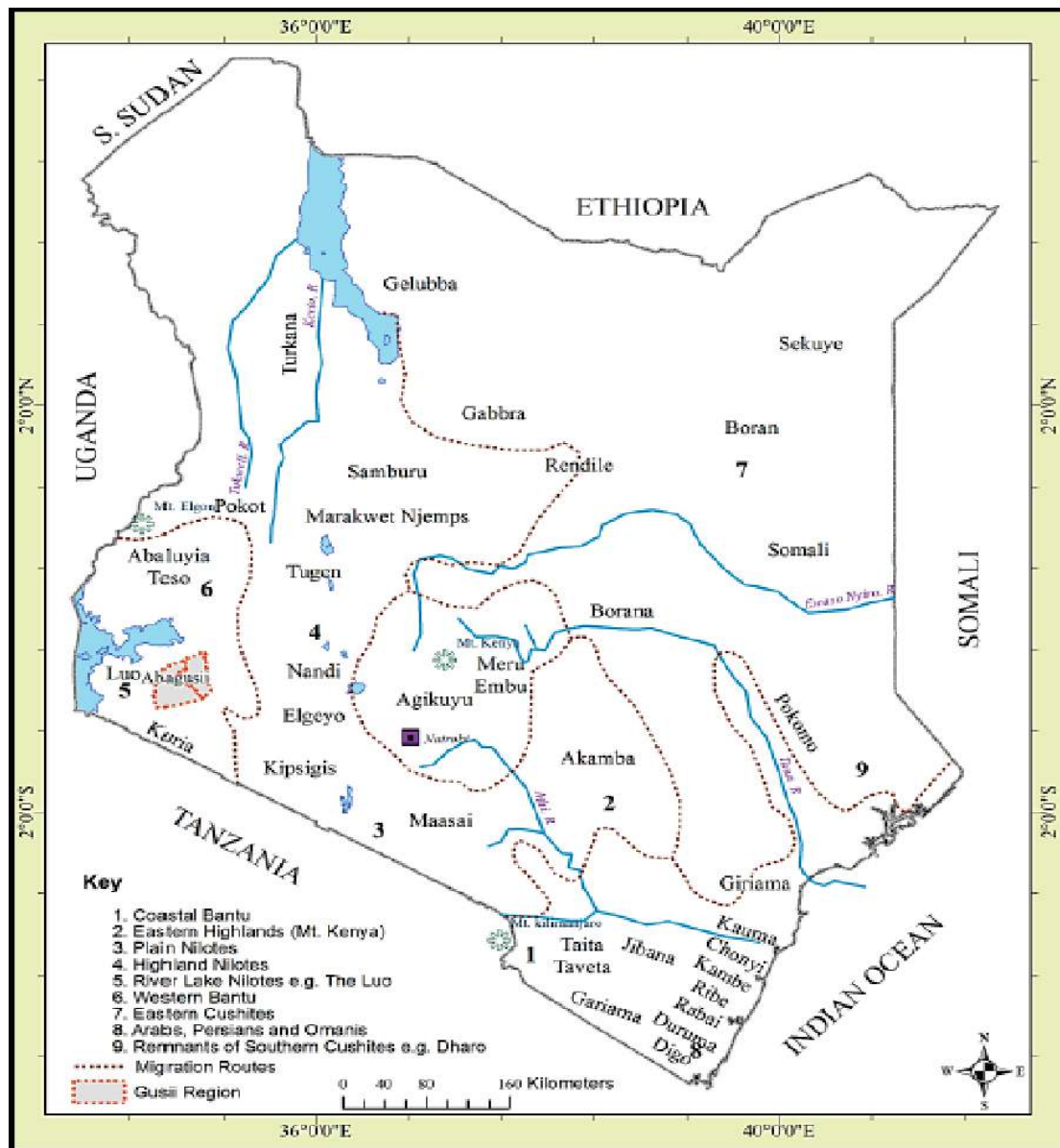


Figure 1: Map of Kenya showing different Bantu groups that migrated into Kenya in a similar way as the Abagusii (Source: Drawn by Samuel Nyangueso of JOOUST School of Spatial Planning, 2019.)

### 2.3: The Sweta Clan of the Abagusii Community

As stated in Section 2.2, the Abagusii trace their origin to Mogusii son of Osogo (Aberi, 2009). Mogusii and/or his descendants moved from 'Misri' to Mt. Elgon area and further south along river Nzoia to Goye Bay east of Lake Victoria. From this area that was commonly known as Ramogi Hill the group moved to Kisumu through Alego. While at Kisumu the Abagusii were still together with the Abalogoli at it is here that the two parted company as the Logoli group moved northwards to their current location in the current Vihiga County while

the Abagusii after staying for a while moved to the Kano Plains and its surrounding areas. The name Abagusii was adopted while staying in Kisumo for purposes of identification. It meant “the people of Mogusii” This brought about distinction between the Abagusii and the Logoli who had hitherto moved from Yimbo as one group. As the Abalogoli moved north, the Abagusii moved south into Kano Plains.

While at their Kano Plains settlements the Abagusii were able to solidify their social structures and four main family groups emerged. These, as indicated earlier, were the Bassi, Mugirango, Sweta and Wanjare. It is these large groups that evolved into the main Abagusii clans that spread southwards and eventually occupied the current Gusii Highlands in a migration process narrated in Section 2.2.

The Sweta as one of the larger groups moved from Kano settlements into the present Karachuonyo area where they settled briefly at current Wire Hills. From Wire Hills area they moved to Masosa area then to the present day Kabianga from where famine drove them away forcing them to move further south to Chepalungu area and eventually to the Mara area where they encountered the Abagirango who had occupied the area earlier. According to Kiriamia (1986), different Abagusii clans and sub-clans were settling in different parts of the Gusii highlands by late 17<sup>th</sup> and early 18<sup>th</sup> Centuries.

In their migration movements, the Sweta group divided into smaller groups that sojourned differently within the Gusii Highlands. The Osiango, for example, occupied the present day Bosiango area where the Abagirango found them. Remnants of the same group were also left at the Riasiangi area.

A detailed analysis of Abagusii clan history, which is outside the scope of this work, indicate that the Osiango people of the Sweta may have separated from the Abanyamatuta at Bonchari (Wanjare) Forest around 1680 when the Abanyamatuta got their new name of Abagirango, a name that was given by the Osiango. This could have been around 1753 (1750 – 1755). The two groups had been separated for almost one generation and did not know they were brothers. Because of this there was hostility between the Abanyamatuta and the Osiango which led to fights in which the Osiango were defeated. The Osiango then retreated to their present-day location in Central Kitutu. Due to their long separation from the other members of the group, they were regarded as settlers (abamenyi) and not truly Abagetutu. This perhaps explains why there has been conflict between those who would otherwise be brothers living peacefully side by side.

In the other narrations, the term Sweta came from the name of Mosweta Onyangore, who was also known as Nyakundi and was one of the leaders of the Abagusii as they stayed at and moved from Kisumu – Kano settlements. Alan (1995) suggests that as the Abagusii clan structure took shape, people took up names that associated them to/with good and admired ancestors. Sweta, as one of the sons of Mogusii, alongside Nchari, Majoge, Basi and Mugirango formed a base for clan structure development. Several groups aligned themselves to the five groups. Sweta, for example, became the covering clan for the groups that later became known as the Kitutu and Nyaribari. The two groups then grew in population while referring to themselves as the Nyaribari and Kitutut clans without reference to the term Sweta. In essence, the two groups are sub-clans of the Sweta Clan.

Ochieng' (1974) states that the two groups, that is, Nyaribari and Kitutu lived together at Nyakoe Forest as the Sweta Group, especially after the death of Nyakundi II. In the 1850s, they lived between the current Keumbu and Keroka extending to the borders of Maasai land. Here, Bari and Getutu were born and later became leaders of Nyaribari and Kitutu respectively. In this work they are referred to as Sweta sub-clans.

The division of the two groups was as a result of succession disputes. Childlessness of Chief Kibagendi left a loop hole which created opportunity for competition on who was to become the heir to the throne on the death of the King. The Nyaribari group eventually killed Chief Kibagendi in order to enthrone Gichana who was a younger brother of the King. This led to disputes and conflicts between the two groups that has continued to date in their areas of settlement around Keroka Town. The Kitutu and Nyaribari do not trust each other. Their settlement around Keroka Town is characterized by mistrust and conflict over various issues some of which remain cultural and historical in nature.

Apart from the deep mistrust that has historically caused conflict between the two groups, most respondents attribute continued conflicts and disputes to competition over resources. The leadership within the two groups has focused on the distribution of resources to the people extending to modern times. In the pre-colonial period, culture dictated the relationship between the two groups as provided for in the traditional leadership or practices. Leadership was based on the elders who were culturally and historically biased and therefore not providing good guidance to the community in order to preempt any emerging conflicts. Most of the people interviewed, as well as, the historical accounts of scholars (Ochieng', 1976, Ogot, 1974) hold that conflicts and disputes emerged as a result of Socio-cultural factors and competition over resources. The education of the respondents as indicated in Table 2 show

that most of them, having not gone beyond O Level standard of education may not have understood very well the history of the Abagusii and the causes of the conflicts the two clans have had throughout time. Nevertheless, from the repeated mention of socio-cultural nature of the conflicts it can be deduced that the two communities had a long history of conflicts right from the time the social structures were being developed.

#### 2.4 The Kitutu and Nyaribari sub-clans

The Kitutu sub-clan was founded by Mosweta Ngoge also known as Nyakundi II. This followed the death of Oisera who had led the group through Kabainga and Nyakoe Forest settlements. Evidence from the Land Commission Report (KICE, a934) indicate that After Nyakundi II was proclaimed leader, the old man Oisera died. Nyakundi II was nicknamed Getutut which gave rise to the name Kitutu, which is looked at as one of the sub-clans of the larger Sweta Clan of the Abagusii.

Table 2.1: Educational Level of the Respondents interviewed regarding the history of the Nyaribari and Kitutu sub-clans

LEVEL OF EDUCATION	NUMBER		PERCENTAGE OF TOTAL	
	Female	Male	Male	Female
Primary & Below	10	35	12.7	4.4
O Level Education	13	16	53.1	11.2
A Level Educatio	5	10	1.3	0.4
Diploma Education	3	3	5.3	2.7
Graduate	2	3	5.8	3.2
Postgraduate	-	-	-	-
Professor	-	-	-	-
TOTAL	26	67	78.1	21.9
	93		100	

In stiff competition for the throne was a younger brother of Nyakundi II known as Bari who was also known as Onyangore or Nyakundi I. This brother, due to succession disputes led a

splinter group of the Sweta that became known as Nyaribari looked at in this work as the Nyaribari sub-clan of the Sweta. The completion for the throne divided the two groups. When the Kitutu elders show the nature of the disputes, they supported Nyakundi II who eventually became Chief taking over from Chief Kibagendi who was killed by the Nyaribari splinter group. Thus, succession disputes can be seen in the history of the two sub-clans as foundational in the continued conflict and disputes between the Nyaribari and the Kitutu sub-clans of the Sweta.

The relationship between the Nyaribari and the Kitutu remained soar in the 1830s. The Kitutu fed up with Nyaribari behaviours attacked them resulting into a guerilla kind of warfare between the two groups. The nyaribari were pushed towards the south to the border with the Maasai. The Kitutu also spread south until they reached Keroka from where they could not move any further. They stayed side by side with the Nyaribari with political and socio-economic wrangles continuing until 2010 when the new governance system in Kenya put them in separate counties, that is Nyamira County and Kisii County. Even so, this new arrangement brought about new forms of disputes and conflicts, especially struggling over the management of Keroka Town.

When the Nyaribari disagreed with their cousins, the Kitutu, they moved or were driven away from Nyakoe Forest area to Nyanchwa Hills. A number of battles were fought between the two groups until the Nyaribari warriors decided not to wage any more wars against their brothers, the Kitutu. Oral informants mention this decision, which was able to stop all major conflicts leading to wars between the two groups until the recent skirmishes that affected the area and the two groups in 2016 (Oral Informant No. 3, 25/11/2017)

Ochieng' (1974) states that clan politics has dominated the history of relationships among the Abagusii clans. Shortly before the coming of the British into Gusii land, the Kitutu had pushed the Nyaribari and got a large part of the Keroka area, an area that was hitherto also occupied by the Basi sub-clans. By this time the Nyaribari had erected kraals and or stone barriers on their borders with the Kitutu at Ichuni. These areas have seen constant conflicts and disputes based among other things, resources, especially land and other socio-cultural conflicts carried on from a long history of conflicts and disputes.

According to historical records (Ogot, 1976) both Kitutu and Nyaribari trace their origin to one person Onyangore of the Abagusii. The Abagusii traditions show that the two groups emerged while the Abagusii were still at their Kano Plains settlements during the formation of the Abagusii clan structures. This is when the Sweta group came up and within it emerged the

competing groups of Kitutu and Nyaribari. The two groups then grew to have many other smaller groups making it to be seen that Kitutu and Nyaribari actually are clans with other sub-clans within them.

Oral Informants (OI No. 4 and OI No. 5, 25/11/2017) confirm that Nyaribari group or clan has many sub-clans or groups totaling to about 29 groups, including what the tradition calls 'Kamba nane' that describe those who cannot intermarry. Ogot, (1976) states that some of these groups include members of other ethnic groups, such as, the Maasai that the Abagusii mixed up with. The names of some of these groups include Bonyamayio, Mwamoriango, Mwamonda, Bomobeia, Bonyamasicho, Bonyakoni, Bogeke, Mwaboto, Boguche, Boburia, Bokimweto, Botondo, Bosigisia, Mwanyako'mbura, Okona, Teba, Mwanyabokeye, Bogisero, Abaichuni, Abandaracha, Mogati, Otaranda, Bogisesa, Basoroko, Boronyi, Momeroga, Mwamosomi, Bonyagatanyi and Mwanyakerario.

The names or houses are based on clan and political divisions. The sub-clans and others who emerged further include the Abatondo, who are believed to have come from the Maasai community; as well as, the 'Abakimweto, Abandaracha and Abagisero' of Kitutu. In Nyaribari, groups related to the Kitutu include the Abasweta, who are now referred to as 'Abagere' who are Luo in origin but are now part of the Nyaribari group. Their presence has caused squabbles among the Kitutu and their neighbors the Nyaribari.

## **2.5 Kitutu and Nyaribari relationship over Keroka Town since 1907**

As discussed in Section 2.4 above, the Kitutu and Nyaribari groups of the Abagusii, after a long period of conflicts and disputes often culminating into wars, decided to live peacefully side by side without major wars. Disputes and conflicts however continued between them and especially around the Keroka Township where they shared a common border. The realities of the British conquest which saw the arrival of the British around 1905 in the area brought back memories of war. The Abagusii rebelled and fought against the British at Getembe. Unfortunately, the spears were no match against the machine guns used by the British who butchered the Abagusii in large numbers. Ochieng', (1974) states that in 1908 the District Commissioner was speared to death by the Abagusii. This enhanced the hostility between the Abagusii clans against the British colonial authority. This hostility continued throughout the period of the First World War, which saw many Abagusii people recruited into the war.

After the First World War (WWI), Nyaribari and Kitutu sub-clans continued to live side by side at Keroka. A new development however was that of Socio-economic conflicts and

disputes as the development of Keroka town continued. There were disputes over clan sites and the integration of the two groups into political and economic groups around the new town that was developing. Squabbles over resources such as land also came up as the British acquired land within the wider Gusii land. The Abagusii had to protect some of the cultural sites, for example the Saosa Battle Site where the Abagusii had defeated the Kipsigis in 1892 remained important (Bogonko, 1986). The location of the site was historic since it marked a period in which Abagusii community including the Sweta clans as from Mugirango South to the North started expanded into their current areas of occupation. From here the Sweta, for example the Kitutu people, dispersed eastwards into Trans-Mara Triangle without any resistance from the Kipsigis again into Gelgel of Kineni. By 1895 as the British were taking over Kenya, these groups had established their socio-economic orientation around Keroka town which was steadily developing into an urban centre.

Keroka Town started as an Open-Air market. By 1914 major urban centers in western Kenya included Kisii (Getembe) town, which featured prominently due to its political location in the administration of the Kavirondo Region. Keroka Town was one of the important urban areas that supplied goods to the residents of Kisii town as it was on the highway linking Kisii and Kericho and eventually Nairobi. Today, the town has grown as a major trading junction with great potential for traders not only from Gusii land but from all parts of the country. Its location between two Abagusii clans the Nyaribari and the Kitutu, however still poses a problem of conflict and disputes. Moreover, the two counties of Nyamira and Kisii claim ownership of the town making the conflict between the Nyaribari and Kitutu be visible in all aspects politically, socially and economically.

There was also a a rush for space and occupation intended for business and this caused an overflow of people into Keroka sparking off competition, more so, between the historical residents of the area, the Nyaribari and the Kitutu. The town then became a centre stage for competition that has continued through time to the devolved government systems with the two counties and their people, especially politicians claiming ownership and management right over the town. This is a new form of conflict and disputes over the area.

## **2.6. Conclusion**

This chapter looked at the history of the Sweta Clan of the Abagusii and focused on the Nyaribari and the Kitutu as sub-clans of the Sweta. The main aim was to trace the history of conflict and disputes between the Nyaribari and the Kitutu. From the data obtained from the

oral informants and the scholars that have delved in the history of the Abagusii, it seems that the Nyaribari and the Kitutu have had a long history of disputes and conflicts between them. As they migrated from Goye Beach east of Lake Victoria, the Sweta by then making part of the Abagusii faced hostility from the other ethnic groups particularly the Nilotic Luo who pushed them from Got Ramogi into Alego area of Siaya and again from Kano Plains where they settled and had their social structures built. As they moved from Kano Plains into the highland areas, they had to face other groups like the Kipsigis and the Maasai who constantly attacked and raided their settlements. These were external conflicts and wars fought with other groups.

As the social structures formed among the Abagusii, there developed internal conflicts between and among different genealogies. In particular, different groups within the Abagusii started to have differences among themselves which caused conflicts and disputes. The investigation of the relationship between the Nyaribari and the Kitutu reveal that succession disputes made their relationship sour, and, together with other factors through time, the two groups have had a history of conflict and disputes, which occasionally resulted into war. From very early in the formation of the two groups there has been intense competition over leadership. Searching for whom to take over leadership from Chief Kibagendi brought the two groups into near war when eventually Nyakundi II from the Kitutu group took over but this after the Nyaribari group had killed the Old Chief Kibagendi. Since that event, the two groups were involved in guerilla warfare until the Nyaribari warriors got tired and said they would wage no more wars against their brothers. This was before the colonial authorities took over Gusii land. The activities of the colonial regime brought all the Abagusii together as they saw themselves facing a common enemy. They fought the colonial authorities as one group and participated in world events such as the First World War as one group, the Abagusii.

Despite the unity presented by the Abagusii during the colonial period, there were conflicts and disputes among and between different clans and groups going on in various parts of Gusii land. Expansion and claim of different areas and cultural sites resulted into regular conflicts and disputes. The Nyaribari and the Kitutu around Keroka rekindled their historical differences and conflicts emerged around resources and socio-cultural issues, for example, control of cultural sites. As Keroka town developed, the two groups competed for space and management of affairs of the town. With more people coming to reside at Keroka, competition for space and other business-related matters created other forms of conflicts and disputes. Later, when the devolved government system was introduced, the town was split

into two, further bringing it to the center of competition between Kisii and Nyamira counties and with Nyaribari and Kitutu sub-clans in the forefront of the political and socio-economic competition that has enhanced conflicts and disputes between the two groups around Keroka Town.

In conclusion, therefore, it is evident that the history of the Sweta Clan and the relationship between the Nyaribari and Kitutu sub-clans provides the foundation of the conflicts and disputes that have characterized the interaction between the two groups. In the next chapter, I look at the nature and causes of the conflicts and disputes, particularly, around Keroka where the Nyaribari and the Kitutu have lived side by side for centuries. This is important as knowledge of the kind of conflicts and their causes may lead to the development of suitable strategies for mitigation in order to eliminate hurdles for development in the town and within the areas occupied by the two sub-clans.

## **CHAPTER THREE**

### **THE NATURE AND IMPACT OF CONFLICTS BETWEEN THE NYARIBARI AND KITUTU SUB-CLANS AT KEROKA TOWNSHIP AREA**

#### **3.1 Introduction**

Unlike other areas in Kenya, Keroka area where the Nyaribari and the Kitutu sub-clans of the Abagusii live side by side, has not experienced large-scale conflicts and disputes leading to outright war. However, the area has experienced more localized conflicts and disputes, as well as, tensions, especially involving the two groups that occupy the area. Such tensions have definitely affected development and other socio-cultural activities in the area through time, therefore affecting the wellbeing of the residents. The disputes and conflicts between the two groups are well pronounced around the Keroka town. The town provides a business area which for a long time has become a source of livelihood for the people. This has sparked off competition over who is to manage the affairs of the town, especially during the devolved government system introduced since 2010. This competition has pitted the two Abagusii counties of Nyamira and Kisii into a dwell that may not end very soon.

This chapter focuses on the nature, source, and impacts of the conflicts and disputes experienced between the two Abagusii sub-clans of Nyaribari and Kitutu at Keroka. This forms the second objective of this work as set in chapter one. The respondents were asked two basic questions in order to realize or achieve this objective. The questions were i) what forms of conflict have you had and what were their main causes? And ii) what impact has the conflict between the Nyaribari and Kitutu had on the two groups and Keroka as an urban centre?

The work identifies the conflicts and their sources and analyzes their impact on the two communities and the society at large. The fact that the two communities are members of the same ethnic group, has, over the years, preempted the outbreak of outright war in the area resulting from conflicts and disputes. This has also made the management of the conflicts possible with the impacts being minimal through time.

The identification of the two groups discussed here is based on their common history, culture, and values as members of the Sweta Clan of the Abagusii Ethnic Group. These identities provide historical memories which have oftentimes sparked off hostilities leading to conflicts and disputes. Due to a long-shared past, the two groups easily revert to memory and rekindle their historical rivalries leading to conflict. For example, due to past succession disputes, political activities, and competition between the two groups have been very rough with each

political campaign remaining charged. This scenario existed during the colonial period and remains the same even in the new political dispensation whereby two Abagusii Counties of Nyamira and Kisii were created since 2010.

This chapter, therefore, starts by identifying the possible forms of conflicts in their historical order and the sources of these conflicts and disputes. It then proceeds to discuss the impacts of conflicts on the two communities of Nyaribari and Kitutu and then on the society at large, especially, the Keroka Township area. Information from both secondary and primary data has been used to compile the sections that follow, which form the findings of this research regarding the research question linked to objective two of this work.

### **3.2: Nature and Source of Conflicts between the Nyaribari and Kitutu at Keroka**

Most conflicts in Kenya can be traced or understood against the background of a political history that has made ethnic identity politically salient and important in relation to access to resources and opportunities (Elfverson, 2019). Uppsala Conflict Data Program (UCDP), which systematically collects information about different forms of organized violence, including communal conflicts paints a clear picture of conflicts in Kenya between 1989 and 2017 as indicated in Figure 3.1. These are, however, high intensity conflicts seen at the inter-ethnic level. Apart from these high intensity conflicts, there are many other forms of conflict that may or may not turn violent. The conflicts between the Nyaribari and Kitutu at Keroka belong to this later category.

Table 3.1 indicates how the respondents rated the identified forms of conflict and their causes. For the sake of discussion I have grouped these into five main areas, namely, conflicts of political/leadership nature, conflicts related to resources, socio-economic conflicts, conflicts of economic nature, and conflicts related to boundary shared by the two sub-clans of the Sweta Clan at Keroka. In terms of conflicts of political nature, 74.2% of the respondents confirm that this is the main cause of conflict between the sub-clans. History traces the origins of this to the succession disputes which led to the separation of the Nyaribari who were led by Bari and Kitutu who were led by Getutu during the first half of the 19<sup>th</sup> century. The Abagusii oral tradition has it clear that since the death of Chief Kibagendi in the hands of the followers of Bari, who eventually became Nyaribari, there has been animosity between the Nyaribari and the Kitutu. The former waged guerilla warfare on the later until the warriors themselves agreed to fight their brothers no more. The two groups then sojourned within the wider Gusii

land until they found themselves side by side, sharing a common boundary at Keroka. The truce, not to fight, has been upheld by the two sub-clans and there is no recorded history of outright war between the two groups. However, the relationship between the two groups has been characterized by animosity, mistrust, and conflicts that have come to the surface only occasionally.

Table 3.1: Respondents View of Nature and Source/Cause of Conflicts between the Nyaribari and Kitutu

Nature and Source of Conflict	Number of Respondents	Percentage of Respondents
Politics and Leadership Competition	69	74.2
Inheritance and memories from a historical context	16	17.2
Differences between and among the community members	21	22.6
Maintenance and use of Cultural Values	22	23.7
Competition over limited resources	72	77.4
Placement of public institutions	45	48.4
Urban sprawl and reducing space at Keroka	25	26.9
Lack of structured communication between the two sub-clans	18	19.4
Failure of the Government to give guidance in solving conflicts, especially boundary	35	37.6

From this early incident, it is evident that both groups aspired to produce the heir to Chief Kibagendi. Both Bari and Getutu organized or mobilized support along family lines appealing for people to identify with them. This caused animosity between the two groups, which resulted into competition with implications on who controls the resources that were available for distribution among the members of the two groups. Political maneuvers then continued

until the coming of the colonial authorities/regime. The two groups had very many internal conflicts but as the British arrived, they put up a brave face and worked together as a united group to fight the foreigners that had come to take their land.

The Abagusii community at large responded quite negatively to the colonial government. They wanted to protect their political and socio-economic practices. The two Sweta sub-clans, with all their internal conflicts joined together with other Abagusii communities to face the British. They did this in order to benefit from the restructuring that was brought by the British authorities in terms of leadership and other benefits. The period that followed was taken up by the First World War (1914 to 1918) and later the Second World War (1935 to 1945), and, thereafter the development of colonial policies that were to streamline issues of leadership and politics in Kenya and in Gusii land.

During the colonial period, Kenyatta, (1938) states that conflicts with the colonial authorities arose that led to loss of lives in Kenya. There were also conflicts within indigenous communities as they sought to align themselves to the colonial policies that were developed. The issue of boundaries, especially clan boundaries, which was a move to ease the administration of the country by the British, was, however, to become one of the sources of conflict among the African communities. The Nyaribari and Kitutu sub-clans had internal disputes and conflicts due to the boundary that confined them to specific sections of the Keroka area. In the development of colonial rule, therefore, we find that there was the emergence of animosity leading to conflict between the Nyaribari and the Kitutu regarding boundary and confinement. This issue will be discussed later in this section.

The colonial government also became a source of conflict in the political arena as they favored particular groups or people over the others. This system continued in the post-colonial period. Based on political maneuvers in the colony, people like Simon Nyachae son of Chief Musa Nyandusi of the post-colonial times became prominent people in the era of the 20th century. They promoted Gusii society on appointment to government positions based on traditional inheritance which was prone to abuse and caused internal conflicts within and among communities.

Administratively, Keroka town center attracted the interest of both sub-clans of Nyaribari and Kitutu. It was seen as an income generation facility as the population was steadily growing at the center. The two sub-clans were keen on issues of land where to construct Kraals and place training for warriors. By 1907, the two groups were confined to their respective areas sparking off internal discontent and conflict between the two Sweta sub-clans.

Mokebo (2013) argues that disputes influenced by despondencies were because of the inheritance patterns practiced by the Abagusii clans. Continued use of customary laws therefore fuelled the eruption of conflicts along political and leadership lines. Accordingly, a reduction on the use of customary laws would effectively reduce some of the conflicts between the Abagusii clans.

During Moi's era and to the eve of Kibaki era, Nyachae took over the leadership of the Abagusii community. His leadership role was based on clans. He favored some clans and disliked others. This was a source of conflict between the two sub-clans under discussion in this work. Even though Moi preached Peace, Love, and Unity, clans within Kisii and other parts of the country experienced conflicts and disputes some of which ended into outright war (OI No. 6 26/11/2017). Hon. Onyonka and Hon. Nyachae came from the same sub-clan, the Kitutu, who among others became spokesmen for the Abagusii. This created animosity between the Kitutu and the other groups, especially the Nyaribari who were historical enemies when it came to issues of leadership. The Nyaribari felt such leaders like Nyachae were being imposed on them and therefore this became a source of conflict between the Nyaribari and Kitutu. The period witnessed wrangles between the two groups as the Kitutu saw themselves as superior to the other groups.

Another major event of political nature that has caused conflicts between the Nyaribari and Kitutu is the introduction of Devolved Government System in Kenya. Since 2010 when the devolved government was rolled out, the Nyaribari and Kitutu found themselves in different political or administrative units. The Nyaribari are in Nyamira County while the Kitutu are in Kisii County. This administrative set up raises the level of dispute over the ownership and management of Keroka Township area which lies at the border between the two communities. The setting of administrative wards has been a source of conflict and disputes as each community looks for higher stakes in the management of the town or urban centre. This is administrative but Keroka issue involves other forms of conflicts as discussed later in this section.

Politically also, there has been state orchestration of some of the conflicts where the government supports particular persons coming from a particular group. I have given the example of Hon. Semeon Nyachae that was supported during the Moi regime and made the Abagusii spokesman at the expense of other groups, which led to discontent in the other groups particularly the Nyaribari. Nyachae came from the Kitutu sub-clan of the Abagusii. With the devolved government system since 2010, politicians have mobilized support from

their family groups appealing for their loyalty, especially during electioneering years. This has often resulted into animosity between the Nyaribari and Kitutu around Keroka town. Politicians have often uttered divisive words that have sent people into conflict and disputes. In such moments when the two groups have disagreed and are in conflict the government has always been absent and not able to give the communities guidance. This has fuelled such disputes and animosity to an extent only short of outright war.

Another form of conflict identified in this work is that related to competition over resources, with 77.4% of the respondents stating that this has been a major cause of conflict. While this form of conflict was seen vaguely during the migration period as discussed in Chapter Two, it featured openly once the two communities or groups settled at Keroka area. This form of conflict revolved around scarce resources, which in this case was mainly land becoming scarce as the population continued to increase. Scarcity of land as a resource can also be understood in the context of natural resource degradation, climatic change, and changes in the use of resources.

Conflict related to competition over resources has also been fueled by overlapping rights and land tenure provisions at Keroka. Under rapid population increase in the area, the town experienced urban sprawl, which took part of the land previously used by the two communities for farming and other activities. This raised the issue of rights of control. Who owns the right and control over the fast-expanding urban centre? The area presented two scenarios i) there was land as a shrinking resource base competed for by people from the two Abagusii sub-clans and ii) Keroka Town expanding and providing a potentially growing facility that would contribute to people's livelihood. The two scenarios had potential to spark conflicts and disputes. These conflicts and disputes, however, have not escalated into outright war or violence but have remained as hindrances to local development initiatives within and between the two communities. Those interviewed confirm that land was a major resource that has caused conflicts in the Keroka area and between the two sub-clans from the colonial period to the time the devolved government system was introduced in Kenya.

As stated earlier in Chapter Two, the Abagusii, once they settled on the Gusii highlands, became farmers. The Nyaribari and Kitutu, therefore, needed land for farming and for settling their growing populations. Land was also needed for other economic purposes and for building Kraals and for establishing training grounds for warriors. Land was, therefore, at the centre of both social and economic life of the two Sweta sub-clans. This provided ground for competition and the emergence of conflict and disputes as they could not get enough of it.

Arbitrary displacement of people from their lands around Keroka to create room for the town's expansion also was a source of conflict lending credence to fears that land would be taken away from the locals.

Keroka as a site had good land with rolling slopy terrain, which was suitable for many socio-cultural and economic activities. The inhabitants around the area established their ownership by building Kraals during the pre-colonial period. In respect of this, during the post-colonial period, the area became a center of focus and a source of conflict between the Nyaribari and Kitutu sub-clans. The value of the area kept on rising and with that the desire to control it hence constant disputes and conflict between the two groups.

A part from land and the expansion of Keroka town as valuable resources competed for by the two communities, there was River Gucha that was shared for watering animals. This resource added value to the land that was occupied and was therefore competed for by the two communities. Throughout the time the two communities lived side by side, the Nyaribari remained psyched for revenge against the Kitutu remembering how they were sent away from Nyakoe Forest by the Kitutu. They are always ready to use any small opportunity to deny the Kitutu anything they possess. Such attitudes have always led to conflicts and disputes (OI No. 7, 1/2/2018). It is due to such attitudes that the Nyaribari claimed a section of Keroka town during the 2016 disputes between them and the Kitutu.

The Nyaribari and the Kitutu have also had conflicts and disputes of socio-cultural nature. These include differences between and among the community members (22.6%), Maintenance of cultural values (23.7%), lack of structured communication between the communities (19.4%), and inherited memories from historical past (17.2%) Having come from the same background, the two shared common cultural practices and subscribed to similar customs. What often brought conflicts is when members failed to follow the customs as traditionally laid by the Abagusii. For example, according to the Abagusii customs it was impossible to acquire land or to claim ownership of land through purchase. It so happened that this custom was violated by the communities living around Keroka town where land was given out for sale as the urban centre expanded. For the strict adherents to the traditions, this was a violation of traditional values hence it caused conflict of some kind. Giving land to foreigners, especially to the Kikuyu settlers during the colonial period suffered the effects of this customary law. The Kikuyu found the Abagusii friendly but they could not be given land and were confined to the towns. Even in the towns, especially, Kisii and Keroka where they

had settled, they could not stay and had to move back to central province or elsewhere where they could get land for their economic activities and trade. Referring to the welcome the Kikuyu received when they came to Gusii land to extend their agricultural and other entrepreneurial activities Njoroge Kagunda reported to Frank Faredi that:

“Nobody liked working for the settlers in central a.....!. Therefore, in 1931, I went to the Kisii region. When I arrived, Kisii was friendly to us and we had a good life. We were the first ones who started business there and we introduced new crops to the Kisii region. Some Kikuyu went to Nairobi to buy old clothes and sold them to ‘Kisii’ people for example...”.

There were also conflicts of economic nature in the Keropka Township area as the urban center continued to grow as a business hub. Table 3.1 lists Keroka and its growth as a business hub. Respondents saw this site as a source of all conflicts of economic nature. Its sprawl is seen by 26.9 % of the respondents as causing conflict. Keroka started as a dumpsite where maize cobs and other wastes were thrown during the colonial period. It was nicknamed ‘Nyabiemba’. During this time the Abagusii clans, especially, the Sweta consisting of the Nyaribari and Kitutu, and their cousins the Basi had erected Kraals near the current Nyangararo Settlement Scheme (OI No 8, 1/2/2018). Slowly the dumpsite grew into a bush with the dominant plant being what the Abagusii called ‘Omoroka’ (*Serbian spruce*). The vegetation as shown in Figure 3.2 spread very fast due to soil fertility in the area. The Locals then changed the name of the place to Keroka after the omoroka plant.

Oyugi Osaito, a man from Kitutu was the first to put up a business premise, butchery in the area during the colonial period. This opened up the site for development as a business centre. The *omoroka* plant remained useful in the area as it was used for setting up beacons in land demarcation. It was also used as herbal medicine for de-worming. Its leaves being very broad and heavy were used to cover banana for ripening, as well as, as compost manure among other uses. The stem of the plant, as well as its branches were used as firewood and as animal feed.

Because of this plant and the many uses it could be put to, the area or site became attractive and there was a scramble to get space there. This created a front for conflicts as the Kipsigis, Nyaribari and Kitutu moved in. As the British withdrew from the area, the government took over the area and made it a Scheme and started putting up facilities, such as, a dispensary and opened it up for development as a market and business centre in order to avoid wrangles from the local communities, especially the Nyaribari and Kitutu who share boundary at the place.

As need for land or space for establishing businesses in the area continued, there arose conflicts and disputes related to economic needs. Such conflicts of economic nature varied

from the places the two communities occupied to the urban area of Keroka where businesses were conducted. With the arrival of more people from outside Gusii land, competition in the business arena increased with more conflicts being realized. Initially, the Kipsigis, the Maasai, and the Abagusii claimed the area. It is only the 1972 survey conducted by the government of Kenya that solved the problem with the Abagusii gaining much of the land which extended to Chebilat Market near Sotik town.



Figure 3.2: *Omoroka* (*Serbian spruce*) plant after which Keroka was named and which made people to start scrambling for the area (Photo by Sam Moturi)

Competition in trade and related activities at Keroka has been a source of conflicts. Ownership of land for putting up business premises and other control measures has been a problem between the Nyaribari and Kitutu. The Kitutu were the first to set up business in the area. The Nyaribari followed suit and ever since the two groups have been trying to outdo each other making the competition a source of conflict and disputes over the management of

the town. This has continued to the devolved government system when part of the town was put in Nyamira County and part in Kisii County.

This brings me to the last major source of conflicts and disputes between the Nyaribari and the Kitutu. This is to do with conflicts of boundary nature and over boundaries the two communities share at Keroka Township area. Boundaries control the placement of institutions and the area's infrastructures. The boundary has also led to Keroka being divided into two between the Nyamira County and Kisii County. Respondents see these issues of boundary as contributing to conflict at the rate of 48.4 % for the distribution of institutions in the area and 6.5% for the boundary splitting the town into two.

The issue of boundary between the Nyaribari and Kitutu has been a major source of conflict and disputes between the two groups. Historically, the boundary issue has been related to control of the local resources and political activities in the area. As discussed earlier, land becomes very important as its ownership provides security and power to individuals and the groups they belong to. There has also been a strong political salience of land and territory and given that land in the rural areas takes the form of communal ownership, there is always the implication of land conflicts between groups. This becomes so, especially when exact boundaries separating communities is not properly marked. It also becomes a major problem when there are overwhelming claims to certain areas. So, the question boundary between the Nyaribari and Kitutu and who has legitimate claim to an expanded Keroka Urban Centre has seen conflicts and disputes between the two sub-clans at Keroka. It has also seen conflicts between and among politicians coming from the two sides seeking to establish political power and authority in the area.

At the introduction of the devolved government system in Kenya, the boundary issue at Keroka emerged and saw the town divided into two with one part going to Nyamira County and the other part to Kisii County. With such a division, there have been conflicts and disputes related to service delivery in the town and its environs, distribution of resources and even infrastructural facilities and institutions within the contested area of Keroka.

Historically, The Nyaribari and Kitutu have had a long history of conflict and disputes. They have conflicted over power and leadership both nationally and locally. At the local level the two groups have competed for the control of Keroka Town. The boundary between them has been a major issue causing conflict. This has been politicized over the years resulting to demarcation of constituency and ward boundaries to please the residents. This has, however, enhanced competition between the two groups. Political war of words between and among

members of the two groups has been common in the print and electronic media since 2016 and reflects the deep sentiments and differences the two groups hold against each other. Such events have made the government to occasionally come in to calm the situation but conflicts still continue.

### **3.3 Impact of the conflicts between the Nyaribari and the Kitutu at Keroka**

Conflict is a major impediment to development wherever it occurs. Historically, conflicts have many causes and are inevitable. They also require immense efforts to solve. But not all conflicts are negative. There are both positive and negative aspects of conflicts found within societies.

The term conflict, according to the theory of conflict used in this work, could be understood in three basic ways namely, functional, situational and interactive forms of conflict. In the first instance, conflict is seen as serving a social function within society and may therefore be negative or positive. In the second instance, conflict is seen as an expression under some kind of situation that arises in society and attracts opposing interventions. In the third instance, conflict is seen as an interactive phenomenon in society. Coser (1967) saw conflict as serving the function of propelling society forward creating new institutions, technologies, as well as, economic systems. In this case, conflict impacts society positively helping to improve societal activities and operations. Robin (2005) also sees functional conflict as positive as it supports groups in improving their performance towards achieving particular goals while putting aside dysfunctional or destructive forms of conflict, which hinder development.

In the situational category of conflict, it is seen as a situation which generates incorruptible goals or values between and among parties (Bercovitch, 2011). Influence of a politician or the construction of an institution like a dispensary in an area may cause a situation that attracts conflict. Such a situation may impact the parties involved positively or negatively.

In the interactive category, conflict is seen as the interaction of interdependent people pursuing incompatible goals. Because of incompatibility, the activities of the parties on both sides interfere with each other therefore causing conflict. Some of these may degenerate into negative impacts while others, depending on how they are sorted out, may still yield positive impacts as they result into some form of competition. In the overall, however, conflicts have negative connotations, provoke negative feelings and often lead to either good or bad results (Rahim 1986).

Conflict at Keroka involving the Kitutu and Nyaribari sub-clans has been there for a long time. Over the years, the two groups have struggled to have control of resources in the area. It started with land as a resource that was competed for by the two groups and this grew to include need to control the economic activities in the fast-growing urban centre. Apart from the resources whose control has caused conflict between the two groups, there has also been struggle over political or leadership power. The two groups have been organized along shared identities but have a common history, culture and core values. The key aspects that cause conflict include attitude and the sharing of resources available. One of the informants interviewed regarding why there is continued conflicts and disputes between the two groups stated as follows:

Our brothers the Nyaribari are always obsessed with the need to control what belongs to us. When we wanted to ascend to the throne, they opposed us leading to them killing Chief Kibagendi. We still took over the throne and chased them away from Nyakoe Forest. Even here at Keroka, we have struggled with them politically to put them where they belong. They always contest what we stand for and this is a very bad attitude (Oral Informant No. 12, 15/07 2018).

The Kitutu consider themselves as the original owners of the Keroka area and township. Their man started the first business premise at the site. They, therefore, consider the Nyaribari as outsiders. This attitude has resulted into conflict over the years. Table 3.2 gives a summarized list of impacts of the Keroka conflicts and disputes between the Kitutu and Nyaribari sub-clans of the Sweta Clan. While the 93 respondents interviewed mention different forms of impacts or effects of the conflicts and downplay others depending on the degree of impact on society, there is a general agreement that the persistent conflict between the two communities or groups has had a significant impact on society politically, socially and economically.

Socially, 81.7% of the respondents say the two groups have had a relationship characterized by perennial distrust. While this is a common situation all over the world, it is interesting to have such a relationship between groups that have a common history, culture and social values. Declining trust affects relationships between people, as well as, between social institutions. In the world today, such decline is seen in the social media and in local politics within communities. It also appears in public rhetoric and political debates, where utterances carry the potential of blocking actions geared towards public interest. Lack of trust also undermines the proper functioning of public institutions and renders them unable to provide effective services to the society.

As respondents interviewed stated, conflict between the Kitutu and Nyaribari at Keroka is historical. This is discussed earlier in Section 3.2 and in Chapter 2. This has resulted into perennial distrust between the two groups, which in turn has impacted negatively on the people. The distrust between them has created occasional poisonous public rhetoric, especially from the leaders that at times have been embarrassing. Distrust emanating from the conflict has also led to the government or leadership being unable to provide unbiased security and social services to the people at Keroka.

Table 3.2: Respondents View on the impact of the conflicts between the Nyaribari and Kitutu at Keroka

Impacts of Conflict at Keroka	Number of Respondents	Percentage of Respondents
Perennial Distrust	76	81.7
Political wrangles	72	77.4
Bias in the distribution of resources	67	72.0
Negative competition between the two groups	56	60.2
Retardation of community development	48	51.6
Disruption of economic activities	47	50.5
Loss of property (shops, goods, etc)	30	32.3
Relocation of business	32	34.4
Delay of government projects	48	51.6
Decline in income	25	26.9
Disunity among politicians, hindrance to service delivery	20	21.5

This has led to some form of economic inequality and corruption where the elites from both sides have been seen to benefit themselves and their supporters or their own groups without following strictly the regulations for distributing resources. An informant stated that

*These Kitutu people can never be trusted. Whenever they are chosen by the government to do something like distribute resources, such as, scholarships, they do not do it fairly but favor their people. That is why we cannot trust them with anything and must oppose their move all the time. (OI No. 14, 12/6/2018)*

The situation in the above observation is captured by other respondents that felt that conflict between the Kitutu and Nyaribari has caused biased distribution of resources (72.0%) and has also caused political wrangles (77.4%) throughout since independence. The contest between the two groups has seen some leaders such as Simeon Nyachae elevated into national politics and favoring one group over the other, a situation that has caused conflict. One respondent stated this openly:

Nyachae while in government during the Moi era favored his people the Kitutu and dished out government positions without considering our sons who came from the Nyaribari. This made us to hate him and his people. We cannot trust them. (OI No. 10, 06/05/2018).

In terms of economic impacts of conflict at Keroka, respondents mentioned negative competition (60.2%), retardation of community development (51.6%), disruption of economic activities (50.5%), loss of property such as shops (30.3%), decline in income (26.9%), and relocation of business (21.5%) as indicated in Table 3.2. While it was not possible to gather all details to support these assertions, it was clear that conflict had affected the economic activities of the two groups, especially within the border at Keroka Urban centre. Negative competition has gone forth between the two groups with each trying to outdo the other. This kind of attitude has overshadowed positive elements of competition with each group wanting to be superior to the other. As Keroka town grew through time, economic activities have stabilized as members of other communities arrived to conduct business. These other communities neutralized the competition that enabled the town to grow steadily into an urban centre. However, since 2013 when the devolution split Keroka town into two, with one part in Nyamira County and the other part in Kisii County traders have lost businesses and income due to struggle between the two counties to control the town. Collection of taxes and realignment of roads and government services have seen the two communities display their distrust and historical conflicts at the expense of putting in place mechanisms to provide services for all. This situation has led to some demolitions taking place as well as, running battles between the two groups as was reported by Jackson Brighton (2016).

In the recent decades, political wrangles and disunity among politicians have impacted negatively on the two communities. Respondents mentioned political wrangles (77.4%),

disunity among politicians (21.5%), and delay in the implementation of government projects (51.6%) as some of the impacts of conflict at Keroka. While boundaries between the two groups at Keroka are well marked and known, politicians have politicized their issue leading to chaotic confrontations. According to Hezron Manduku, a former MP for Nyaribari Masaba Constituency, the two communities have always lived in harmony solving the few differences they have had over time. Some politicians, however, have come up with the boundary issue to gain political mileage. Such issues have led to the two communities being suspicious of each other and in the process, businesses have been affected. Figure 3.3 shows demolitions being done by the Nyamira County to benefit the Nyamira residents at the expense of the others who do not belong to Nyamira County. Keroka is shared between Nyamira and Kisii Counties. The two groups are also divided with Nyamira having the Kitutu and Kisii County having the Nyaribari. Any activity that takes place at the urban centre affects the two communities and enhances the conflict and disputes that have gone on between them for a long time (Mbula, 2020).



Figure 3.3: Demolitions at Keroka which have resulted from Differences between Nyamira and Kisii Counties on boundaries between Kitutu and Nyaribari sub-clans (Source: Daily Nation)

### **3.4. Some impacts related to Growth of Keroka Town**

A number of issues emerge that are related to conflict and disputes between the Nyaribari and Kitutu at Keroka. The nature and extent of interaction between and among residents of the town and other stakeholders has depended on existing policies and their implementation at managerial level in the town. Okeyo (2016) observes that the implementation of such policies has not been fair to all and this has made some parts of the town to suffer, especially in the face of rapid population increase. Services within the town remained unimproved. Both social and economic services have not been upgraded to match the increase in population therefore causing tension which was always attributed to disputes between the two groups.

Another important observation is that conflict between the two groups and between the two counties of Nyamira and Kisii has led to bias distribution of services and resources. Better services, such as, the distribution of water and sewer services are found on the Nyaribari side. The central part, mostly occupied by the Kitutu and other communities does not have educational and health care facilities (OI No.7, 12/2/2018; OI No.15, 11/1/2018).

The responsibility of the town council is to provide services to all residents of the town. The Council is to provide residents with water and finance all other services equally (Okeyo, 2016). However, management of garbage and placement of facilities such as, the hospital, open air markets and others have created disagreements as a result of conflict between the two main groups involved in the town.

Establishment of transport and communication within the town was also impacted by the conflict and disputes between the two competing groups. Few road networks within the town called for an increase in roads and by-pass roads. This called for more land to be obtained from the locals. This need rekindled the competition over land as a valuable resource in the town. It required negotiations to be carried out before the issue was resolved but after a long delay before the required land was made available.

In terms of distribution of facilities within the town, the growth of the town brought more development on the Nyaribari side compared to the Kitutu side. This was due to the cost of land that encouraged more investors on one side as opposed to the other. This was also a point of conflict as according to the Abagusii values land was not to be sold to foreigners that cheaply. Violation of this cultural value led to disputes and impacted the growth of the town unevenly as one group did not want to let in foreigners to buy land for investment while the other group readily brought in investor who improved the town.

An informant (OI No. 13, 2/3/2018) also mentioned an impact of the conflict between the two groups at Keroka as insecurity within town where the Nyaribari people and their business premises were particularly targeted. The respondent stated that most of the businesses were not safe after 8.00 PM in the town and that in most cases the Nyaribari were targeted.

### **3.5. Conclusion**

This chapter sought to answer the question, what was the nature, source, and impact of the disputes that arose between the Nyaribari and Kitutu sub-clans during their settlement at and occupation of Keroka Township area? Respondent views as collected from the field have been used to trace the sources/causes and forms of conflict between the two competing groups of Nyaribari and Kitutu. These are summarized in Table 3.1 and mainly revolved around historical differences regarding succession and leadership on the one hand and distribution and use of resources on the other hand. In the overall, we can see four main drivers of conflict at Keroka, namely i) conflicts of political and/or leadership nature, ii) conflicts related to distribution and use of resources, iii) socio-economic conflicts, and iv) conflicts related to boundaries between the two groups and between the two counties of Nyamira and Kisii.

The way different conflict drivers interact is likely to yield different impacts. The factors mentioned as being the sources and causes of conflict at Keroka, however, should be understood in the background of the relationship between the Nyaribari and Kitutu, as well as, among all the stakeholders within the Keroka Township area.

In the colonial period, internal conflicts were mainly over boundaries between ethnic communities. It was rare to find intra-ethnic conflicts of boundary nature and the Nyaribari-Kitutu case is unique in that right before the colonial authorities established themselves, they already had differences leading to conflict which in turn impacted their political and socio-economic lives. Conflicts made the two communities to sharpen their group identities in order to compete and lay claim to land and other resources around Keroka. Even political representation here was affected by the perennial conflicts with administrative boundaries and ward as well as, constituency boundaries drawn along the established identities. Just as the colonial authorities used boundaries to divide and rule Africans, boundaries have been used at Keroka to place the groups where they belong reflecting deep seated distrust and suspicion against each other. The government does not know this but the local politicians are aware that

the created boundaries and the distribution of resources and facilities at Keroka reflect the hatred and distrust between the two competing groups or sub-clans of Nyaribari and Kitutu.

The impact of the conflicts has also been discussed and includes the rise of distrust between the two communities and among the people from the two groups and by extension between the two counties of Nyamira and Kisii. The conflicts have affected the steady growth of the town and also development within the two competing groups. As has been said earlier, conflict affects development wherever it occurs. How conflict is resolved becomes an important aspect of society intervention in order to remove impediments to development. The next chapter looks at how the stakeholders affected by the Keroka conflicts have managed the conflict to date.

## **CHAPTER FOUR: STRATEGIES AND MANAGEMENT OF CONFLICTS AND DISPUTES AT KEROKA**

### **4.1. Introduction**

Since the first half of the 19<sup>th</sup> Century when the Nyaribari and Kitutu sub-clans of the Sweta Clan settled permanently in the Keroka area in Gusii land, their relationship has been characterized by conflict and disputes that yielded suspicion and distrust. While these have impacted the two groups both positively and negatively, those involved in solving the conflicts and disputes have had to employ different strategies and methods to realize their goals. Both traditional and modern methods have been used in attempts to make the two groups live harmoniously with each other.

This chapter looked at the intricate management of the conflicts and disputes through the identification of specific strategies and analysis of their implementation in order to contain the conflicts and disputes. One guiding question was raised and used in this work and this is “what strategies have been used through time to enable the two groups cope with conflicts and disputes between them at Keroka township area?” In different formats, this question was put to the respondents and their responses captured and tabulated to generate a possible list of strategies that have been used in the past. This was a first step in the identification of the strategies. The second step in understanding the working of these strategies was to analyze the statements given by the respondents in order to derive an understanding of the management of the conflicts.

In this chapter, therefore, we talk of strategies and management. Strategies referring to plans of action designed by the community, different stakeholders, and/or the government to achieve a desired solution to the conflicts the communities have faced. Management will refer to the practice of identifying and handling conflicts in a sensible, fair, and efficient manner in order to prevent the conflicts from escalating out of control and becoming violent. A discussion of the two is carried concurrently as identification and comparison of the positions, values, aims, issues, interests, and needs of conflict parties are considered.

Given the spectrum of strategies as gathered from the respondents, the discussion on strategies is hereby divided into two parts namely i) strategies that were traditionally used to solve conflicts and ii) modern strategies that have been used to solve the problems or conflict between the Nyaribari and the Kitutu.

#### **4.2. Clan-based and traditional strategies for conflict resolution at Keroka area**

Keroka town, which forms the boundary between the Nyaribari and Kitutu sub-clans, has been the centre of conflict between the two groups. Conflict and disputes can be traced at this particular boundary area since the second half of the 19<sup>th</sup> Century, when the two groups settled and became permanent neighbors in the area. While earlier on the cause of conflict and disputes was confined to rivalries regarding leadership and land and land related resources, recent decades has seen a myriad of causes to the conflicts. These include political decisions made during the eras of President Moi, Kibaki and Uhuru and eventually during the devolution which created two counties of Nyamira and Kisii. The creation of the two counties saw the elevation of the conflicts to involve not only the people but also the county governments which have since been entangled in the struggle to control the resources of the town hence attracting conflict.

As has been discussed in Chapter Two, conflicts in most cases are associated with negative impacts. They usually slow down development processes and are detrimental to positive social relationships between and among groups. Society usually adopts different strategies to neutralize their negative impact so that society lives in harmony with positive social relationships. This work sought to unveil strategies that have been used at Keroka. The respondents interviewed gave different strategies as presented on Table 4.1. This section deals with strategies developed by the two sub-clans in solving their disputes through time. It looks at the efforts of the community to maintain peaceful co-existence among its members.

Conflict and disputes at Keroka have been subjected to traditional systems of conflict resolution as a strategy to create harmonious living between and among the people of Nyaribari and Kitutu sub-clans. One respondent noted that:

“Elders from both Nyaribari and Kitutu sides usually sat down whenever there was a contested issue. The contested issue was then discussed and a solution arrived at. Such discussions were done with consultations by the elders who would also invite third parties to help solve the problem. In the end, the wisdom of the elders led to a solution to the conflict allowing the groups to move on with their lives” (Oral Informant No. 14, 12/07/2017).

In pre-colonial times, the Abagusii vested political power and other forms of authority in local male elders who formed council of elders and also people with special skills in society. Leadership was functionalized into descent-based groups of varying ramifications. The Kitutu, for example, had a political office of the chief that was called the *Omogambi* often referred to as (the) “giver of verdicts.” But while men played an important role through this

office, older women who gained power by virtue of the number of their sons and daughters-in-law were also given the opportunity to carry out negotiations between fighting or conflicted parties. The *Omogambi* however, remained the main body or institution used by the Abagusii to carry out mediation for peace and dialogue in order to bring peace among groups that had conflicts. (Ntabo 2006). As indicated in Table 4.1, 81.1% of the respondents stated that local mediation by community elders was one of the strategies the Nyaribari and Kitutu have used to manage conflicts between them. Mediation is an old method used all over Africa, especially, during the pre-colonial period to manage conflicts. It involves non-coercive intervention whereby mediators, as third parties, are called in to bring conflict to a peaceful settlement. It was so critical to traditional society and mediators had to endeavor that peace and harmony reigned supreme in society at whatever level of their work.

For the Nyaribari and Kitutu sub-clans, mediators came from the two groups with the elders from the institution of *Omogambi* taking responsibility to establish peace. Even in the face of conflict, such elders were respected, more so due to their accumulated experience and wisdom. They were able to play their roles based on traditions of the Abagusii, circumstances under which conflict occurred, and according to the personalities involved in the conflict. As is done elsewhere in Africa, the Abagusii elders in this process of mediation pressurized the conflicting parties to give peace a chance, made recommendations, gave their assessments to the situations at hand, conveyed appropriate suggestions on behalf of the parties, emphasized relevant norms and rules, and envisaged the situation if the agreement is not reached or repeating and maintaining the agreement reached (Bright-Brook, 2001).

Table 4.1: List of intervention strategies for solving Conflicts and Disputes at Keroka township area (93 Respondents interviewed)

S/N	Conflict Management Strategy	Number	Percentage
1	Mediation by Nyaribari and Kitutu Elders	81	87.1
2	Tolerance with parties letting the conflict to clear out slowly	72	77.4
3	Peaceful negotiation with the conflict being solved	69	74.2
4	Compromise in a win-win situation	54	58,1
5	Wishing the conflict away as an act of the gods	35	37.6
6	Withdrawal and allowing the conflict to care for itself and die off	30	32.3
7	Super-ordination where one party ends the conflict and submits to the other	25	26.9
8	Confrontation and the use of traditional and modern court systems to solve the matter	23	24.7
9	Use of government guidelines and policies	40	43.0
10	Use of other third parties apart from Community elders	15	16.1

While commenting on the important role of mediation done by Nyaribari and Kitutu elders, one respondent had this to say,

“The elders have a unique way of solving problems. While the Kitutu have been so aggressive wanting to grab land and other things/resources from the Nyaribari, the elders, right from the colonial period, have always brought the two sides together in a dialogue therefore pre-empting outbreak of war between the two ‘groups’ (Oral Informant No. 22, 13/07/2017).

Referring to socio-cultural conflicts that came up during the colonial period, when the British encouraged the Abagusii to embrace modernity leading to sections of the two groups not respecting their culture and destroying cultural sites like the shrines, one respondent tried to recall a speech given during one of the mediation forums stating as follows;

“What are we doing as the Abagusii –*Abana ba Abagusii*? Why are we abandoning our culture and destroying our cultural objects and sites senselessly? When you visit the shrines, you will be shocked. They are dilapidated and nobody visits the place anymore. People have taken to the Whiteman’s ways. One group is very zealous about this new way while the other at least have some respect for our culture and ancestors. We are divided as Nyaribari and Kitutu and we are under conflict whether or not to maintain our cultural practices. The new comers should not divide us and force us to embrace their culture and religion. Their actions have caused these conflicts between us and this is tearing us apart. Why are the elders silent? Have they abandoned their responsibility in upholding our traditions and solving conflicts among our people? Let the elders wake up!” (Oral Informant No. 11, 16/10/2017).

This informant’s recall underscores the important role of mediation by the elders when conflict arose in society. When colonial authorities occupied the Keroka area, the Kitutu were quick to embrace their ways at the expense of the cultural values that bound the Abagusii communities together. This was contested by the Nyaribari who at least still valued the traditions. There was conflict between the two groups due to this state of affairs. The elders brought the two groups together to solve the problem and rally the two groups to embrace their cultural values as opposed to taking to the new way of life blindly. As Indang (2015) holds, traditions, customs and norms of any community play an important role in conflict resolution. Traditions, norms and customs are usually highly valued and adhered to by the members of the community. Disregard to some of these could attract the wrath of the gods, ridicule, and reprimand from members of the society hence ensuring that persons shunned conflict-causing conduct. The elders’ role in upholding such traditions, customs, and norms was, therefore, of great significance.

Mediation, therefore, remained an important strategy and method that was used by the Nyaribari and Kitutu elders to create peaceful co-existence. It was applied during leadership conflicts whereby the elders had to come together and sort out disagreements. This started way back in the 19<sup>th</sup> Century when the two groups struggled against each other to find one leader, which became impossible leading to several violent occasions until the two groups parted company after the Nyaribari soldiers swore never to fight their brothers again. During

this early period, the voice of the elders in mediation was drowned by the intense rivalry that led to wars. But with time and with each group constituting themselves in organized units, the elders eventually found their voices and since the settlement at the Keroka township area, conflicts between the two groups have never ended up in war. Thanks to the active role of elders from the two groups that have handled leadership conflicts, as well as, conflicts regarding land, economic crimes and the use of other resources that are shared around Keroka boundary area.

Other strategies that were used by the Nyaribari and Kitutu sub-clans to fix their conflicts as indicated in Table 4.1 include tolerance (77.1%) where the two groups allowed their conflicts to slowly die off without any major intervention by the elders or other third parties. In such a scenario, the two groups went slow on the causes of the conflict and minimized the conflict's impact on those affected. Lowering the effects of the conflict therefore enabled the conflict to be tolerated and forgotten. There was also peaceful negotiation rated at 74.4% by the respondents. This method was used to settle differences with agreements reached while avoiding arguments and dispute. Each group's position was discussed with the aim of reaching a solution acceptable to both parties. Such negotiations were not about winners or losers but about benefits for the two parties engaged in a conflict.

Traditionally, negotiations were done by respected persons in society chosen for that particular purpose. The elders, members of the council of elders or persons with special skills in society would be selected to help or provide leadership in negotiations. African traditional mechanisms of conflict prevention, management, and resolution were largely effective and respected, and their decisions were binding on all parties, mainly because "the identity of an individual was linked to that of his or her family and these families were formed by the acceptance of marriage alliances" (Ademowo, 2015). Here, the importance of the family in the conflict management process was highlighted, as well as, the role of the chiefs, elders, family heads and others, to anticipate and resolve conflicts.

The major sources of conflict in Africa were land, chieftaincy, personal relationship issues, family property, honor, murder or poisoning, amongst others. In resolving these kinds of conflicts, the principles of equity and justice, which is entrenched in African customs and traditions, were upheld.

At Keroka the respondents mentioned a number of cases when negotiations were resorted to in solving conflicts. As the town expanded, the Nyaribari and Kitutu people had to negotiate for land for the expansion of business premises and space for roads and other infrastructural

facilities. Since the two groups rivaled each other in almost everything, suspicion of each other led them to questioning every form of development in town. This led to constant negotiations whenever even social amenities were being fixed within town.

The two groups also utilized the strategy of compromise (58.1%) where the parties resorted to a win-win situation in cases of conflict, and also scape-goating where supernatural powers are blamed for the conflict (37.6%). Respondents also state that at times the two parties used withdrawal strategy (32.3%) where they allowed the conflict to end by itself. Lastly there was also the use of super-ordination (26.9%) where one party ends the conflict and submits to the demands of the other.

Compromise balances the needs of both sides in a conflict by encouraging everyone to give in on at least some points. It is time consuming and requires more skills than other conflict resolution techniques. Its strengths are that it makes people feel listened to and each party walks away with some sense of victory. It is regarded positively as many people will respect those who are willing to compromise. However, compromise may hide bad faith actors and may also lead to resentment. Moreover, compromise is always elusive and not possible to achieve fully. This strategy was common with the Nyaribari and Kitutu conflicts at Keroka boundary area. One respondent stated that

“Almost in all disagreements regarding land, distribution of resources, and maintenance of cultural sites in which the Nyaribari competed with us as Kitutu, our leaders had to reach a compromise in order to have the activities carried out” (Oral Informant No. 19, 16/06/2017)

In other cases, the two parties looked at the conflicts between them as the act of the gods and simply let them pass seeing them as punishment from the gods for failing to live right. Traditional cleansing was, therefore, resorted to in order to solve such kinds of conflicts which the people could not understand their causes.

Withdrawing or avoiding a conflict is another conflict resolution strategy that allows emotions to subside. It's a solid choice for the conflicts that we can't win and for conflicts where the impact either way is insignificant. Perpetuating these types of conflicts is draining and unproductive, so it is best to retreat. However, if there's a pattern of being manipulated or being taken advantage of, then that is something else altogether that needs to be assessed. A case of withdrawal was seen between the two sub-clans when the Nyaribari stopped fighting the Kitutu over succession differences. The Nyaribari soldiers said they would fight their brothers no more and true to their word ever since their settlement at Keroka township area, the two groups have never been engaged in physical war/fight despite lots of disagreements.

The use of super-ordination was also mentioned. This is a technique that involves bringing conflicting sets of people together, and setting a common goal that makes them forget their differences and work towards attaining something that will benefit everyone. In some cases, one party will end the conflict and submit to the other. In most of the disputes in the Keroka boundary area, the Nyaribari and the Kitutu encouraged the use of super-ordinate goals to dominate and this made their conflicts less and less. At Keroka, the communities/groups aligned security operations with the needs of the residents in order to avoid conflict. The Nyaribari believed that they were targeted and their businesses vandalized by the Kitutu. This created conflict within the town. In order to solve this, the two groups aligned the security of the town to take care of all residents irrespective of which side they came from. This strategy worked as was confirmed by one respondent who said,

“When the Nyaribari people blamed the Kitutu for theft of goods from their shops in the 1970s, there was almost violent confrontation between the two groups. Elders from the two groups created a security team consisting of youths from both sides to oversee the security of premises in the town. This team worked without biasness and restored security for all. This solved the conflict between the two groups, at least until the 1980s” (Oral Informant No. 20, 15/10/2017)

From the traditional point of view and from the activities of clan elders, as well as, other persons with special skills, this work found out that conflict and disputes between the Nyaribari and the Kitutu sub-clans at Keroka have been managed using different strategies ranging from mediation to setting super-ordinate goals. These traditional forms of conflict resolution were used during the pre-colonial period, the colonial period, and the post-colonial period when new and modern forms of conflict resolution were introduced. Persistent conflicts and disputes between the Nyaribari and Kitutu at Keroka have been managed due to the vibrancy of these traditional strategies, especially, the skilled and experience use of mediation by the elders through time. It comes out that a significant amount of success has been realized in dealing with conflict and disputes at Keroka due to the constant intervention of the elders and other skilled people in the community but also due to the fact that the two groups share a common origin, history, and cultural values. At least this has made the conflicts not to be elevated to the violent stage. The parties have always seen themselves as brothers and this has always controlled the level of confrontation between them.

Modern strategies utilized to solve conflicts at Keroka boundary area

Colonization marks the boundary between traditional and modern practices in Africa. Section 4.2 discussed strategies that were used to settle conflicts and disputes between the Nyaribari and Kitutu at Keroka before and after colonization in line with the actions of the elders following a traditional set-up. African societies had institutional mechanisms, as well as, cultural sources for upholding values, such as peace, tolerance, solidarity, and respect. These traditional structures were responsible for “peace education, confidence-building, peacemaking, peace building, conflict monitoring, conflict prevention, conflict management, and conflict resolution” (Ademowo, 2015). These mechanisms were effective in handling and managing conflicts because they reflected the sociopolitical orientation of the African people, and addressed their social, political, and economic conflicts as they embraced communal lifestyle. People sat down and discussed and agreed on important issues that affected society.

This African system of handling issues was open and inclusive with leaders guiding the process. In most decision-making issues, Africans practiced participatory democracy, where decisions were taken by consensus at village meetings. However, with the arrival of colonization, African indigenous institutions were largely weakened and even destroyed in many societies, especially as the colonial masters introduced law courts, which came to pronounce judgments rather than resolve conflicts according to the African administration of justice. In the new system, which I refer to as modern, the police and the courts came up to handle cases of conflict at the expense of the traditional amicable settlements, which focused on reconciliation and the restoration of social harmony, rather than on punishment of the conflicting parties.

On the establishment of colonial rule in Kenya and British authority in Gusii Land, traditional ways of handling conflict were interfered with as the so called “modern” ways were introduced. Even though the traditional methods or strategies were not completely abandoned, there was more reliance on the modern methods in solving conflicts of different kinds. As indicated in Table 4.1, the respondents identified confrontation (24.7%), use of government guidelines (43.0%) and use of special committees (16.1%) as strategies used from the colonial to post-colonial period. These fall under what I call in this work as modern strategies.

Confrontation is the direct expression of one's view of the conflict situation and an invitation for the other party to express their views of the conflict. It involves describing behavior and one's reactions to that behavior. But it also involves clarifying and exploring issues in the conflict (substantive, relational, procedural), the nature, and strength of the parties' interests, needs, and concerns, and lastly disclosure of relevant feelings.

The requirements for confrontation are so robust that using the strategy has always involved the use of the courts. Traditional courts and modern courts have the expertise to carry out investigations and represent the parties involved in arguing their points in pursuit of solutions. So, since the colonial period, confrontation as a strategy for solving conflicts and disputes has used the courts, both traditional and modern to settle disputes. Respondents in this work agree that most of the conflicts since the colonial period could be handled by the courts. However, the courts are expensive and take long to settle disputes and that is why the number of informants agreeing that there is the use of confrontation through the courts regarding cases of conflict between the Nyaribari and Kitutu is low.

“The court in Keroka is supposed to help us sort out our differences and conflicts but the process is so slow and expensive that most of us opt for other methods of solving our problems. Many people cannot afford the fees so they run back to community elders to arbitrate in situations of conflict” (Oral Informant No. 23, 10/11/2017).

Since the colonial period, confrontation as a strategy has been used at Keroka to sort out issues of conflict not only between the Nyaribari and Kitutu sub-clans but among the residents of the town some of whom are non-locals. The courts have arbitrated on issues of land, unfair distribution of resources and even calming cases of political incitements. Crimes involving theft, especially, shop breakages have been handled by the courts when owners or security get hold of the culprits. So, confrontation through the courts has been a major strategy for conflict resolution at Keroka boundary.

Another strategy that has been used in the modern times is the use of government guidelines and policies. This started during the colonial period when the colonial authorities unveiled policies to guide on the usage of land and resources which hitherto were the source of conflict between the Nyaribari and the Kitutu. During this time the colonial author set out boundaries that confined the Nyaribari and the Kitutu to certain sections of the town therefore reducing land conflicts and disputes between the two groups. At independence, such boundaries were retained and others added especially in line with the new administrative guidelines, which created administrative units such as Locations and sub-locations headed by chiefs and Assistant Chiefs. There was also the creation of Constituency boundaries which separated the Nyaribari and Kitutu into different constituencies. Thus, the use of distinct boundaries between the two groups has been a guiding factor that has reduced conflicts to some extent. Figure 4.1 shows some of the boundaries that have been disputed in the past but which have helped to reduce cases of conflict between the two groups.

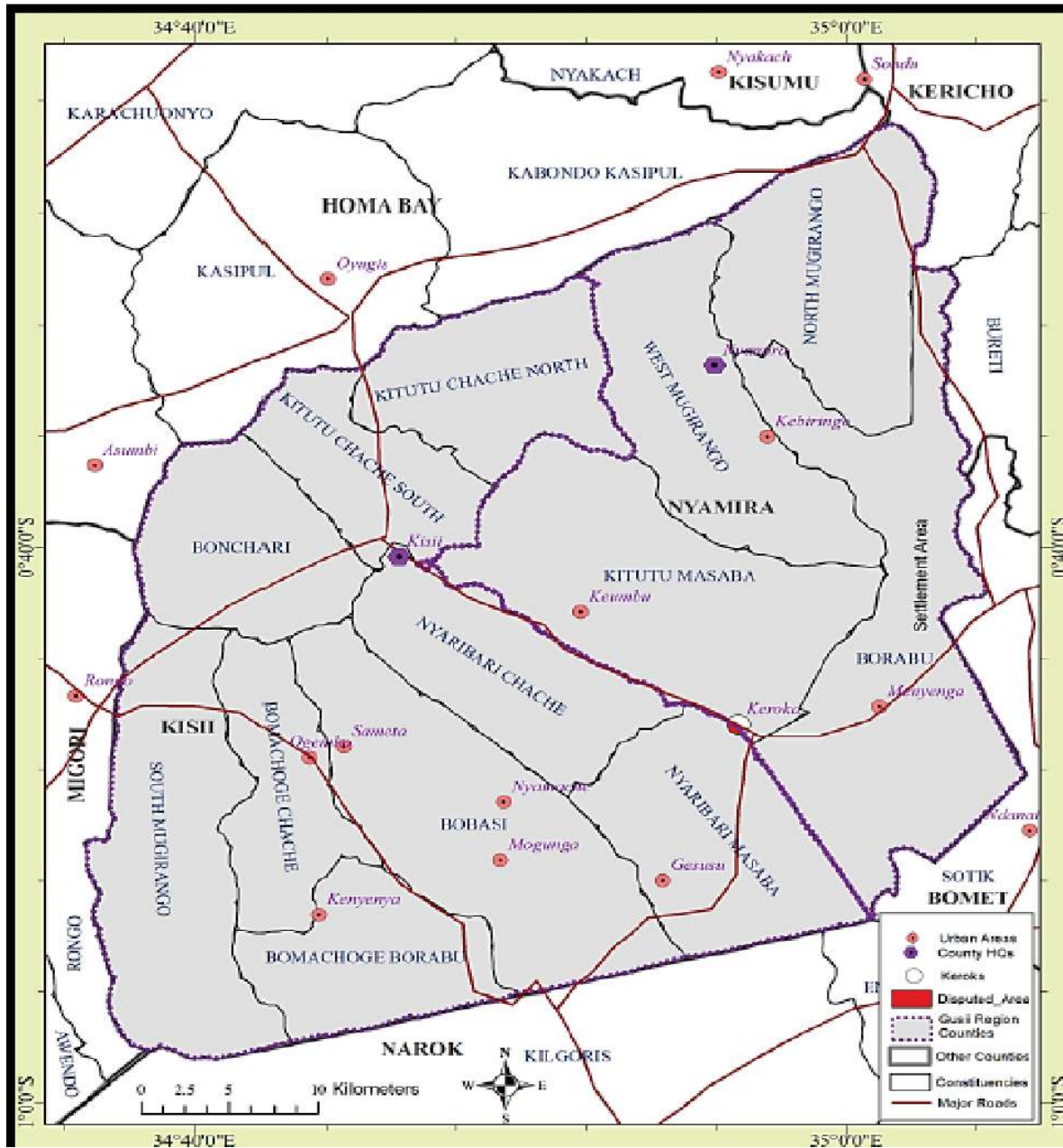


Figure 4.1: Map of Keroka town showing some disputed areas along the boundary and their use to sort out conflicts (Source: *Drawn by Samuel Nyangeso of JOOUST, 2019*)

Government policies have also been used to guide on the usage of resources such as land, water, space within the town and other natural resources that hitherto caused conflict between the Nyaribari and Kitutu sub-clans. The Water ACT 2016, which is an Act of Parliament

provided for the regulation, management, and development of water resources, water and sewerage services and other related purposes. Water resources have been a source of conflict in Keroka and between the Nyaribari and Kitutu sub-clans. The use of government laws policies and other guidelines have reduced the conflicts as people adhere to the laid down procedures in handling issues to do with water. Laws and guidelines regarding land have also been used to reduce land conflicts within Keroka town and among the residents of the two sub-clans. Land Registration Act Chapter 300, Government Lands Act Cap 280, Land Acquisition Act Cap 295 and Land Act 2012 No. 6 of 2012 have all given guidance in the use of land therefore reducing conflicts between the Nyaribari and Kitutu sub-clans. The policy of compulsory acquisition of land has been used to eliminate the conflicts surrounding land ownership within Keroka Town which was rampant from the colonial period. This refers to the power of the state to derive or acquire any title or other interest in land for public purpose subject to a prompt payment of the compensation required.

Such policies related to government laws have since streamlined the interaction and handling of resources between the two sub-clans. Land is no longer free within the town for members of the two groups who now have to follow government guidelines in acquiring land for business and or other purpose. This reduced conflict a great deal.

Government policies and guidelines have also streamlined the interaction between the two groups by providing the yardstick for engagement that does not allow for frequent conflicts and disputes. Social and community engagement policies have been rolled out in the past decades with the aim of creating a just society where people live harmoniously side by side. This has helped to reduce conflicts by providing guidance on how the causes of conflicts can be handled.

Lastly, there has been the use of special committees and interest groups to solve conflicts. Non-Governmental Organizations (NGOs) and Business committees in Keroka and its surrounding have been in the forefront in ensuring peaceful co-existence between the Nyaribari and the Kitutu both within the town and the rural areas surrounding the town.

Nationally, mitigation of conflicts focuses on the communities involved and may tackle issues of resources and projects within the area under question. The government has applied public participation in deciding where projects are located within Keroka as this had been a source of conflict between the two groups sharing boundary at town area. The constitution of Kenya further provides guidelines on interactions and intervention to sort out any conflicts (Kimenyi, 2001). Boundary issue has caused problems for the last fifty years in this area. Nyamwamu,

(2010) states that many infrastructural facilities were put in place in line with and in consideration of boundaries and the areas where the two groups occupied. Some residential areas were developed with parks but the town remained divided with places within the town centre still attracting disputes.

It is well acknowledged that disputes and conflicts are integral parts of human nature. That is why we see disputes at Keroka in the pre-colonial, colonial and post-colonial periods. Most of these were actually very unnecessary as since the colonial period, use of resources that caused conflict before were streamlined and conditions made in which the welfare of the people, especially the two competing communities was taken care of (Smith, 1981). This last objective in this work has tackled the strategies for handling or solving the conflicts at Keroka. However, even after the application of all the strategies discussed here, the Nyaribari and Kitutu still remain with a history of conflict and disputes between them. Peace and harmonious existence have been sporadic, for example, when the area was under one District before 1989 there was peace. But when new administrative units were created there was an upsurge of conflicts and disputes. In 1998 a new district was created for the town area. The boundary of this new district was a source of conflict between the two sub-clans. The boundaries were further amended during the devolution when the town was split into two, one part remaining in Nyamira and the other part going to Kisii County. From onwards, conflict emanated from the services offered in town with each group blaming each other and the two County Governments on biased service delivery.

Bhatta, (2010) confirms the need for arbitration to sort out some of the issues brought about by conflicts in town in order to allow for a vibrant economic environment to be created in the town. Even though conflicts did not lead into war in the town and its environs, they have contributed to some traders leaving town due to unfavorable business environment and this led to the decrease in economic gains for the people and the town.

In 2010, a historic event, the promulgation of the new constitution, created 47 counties that became centers of power and governance in Kenya. Local governors and county assembly members were elected for the first time in 2013 under this system. The new county governments were given significant power over fiscal resources and legislation, prompting concerns from several analysts that while devolution might diffuse the contest over national power, it also had the potential to intensify communal conflicts at the local level. In deed the creation of Nyamira and Kisii Counties, which split or divided Keroka town into two and put the Nyaribari and Kitutu in different counties has been a source of conflict. Service delivery

has not been uniform. Distribution of resources and infrastructural amenities has also been biased. It is only that the two governments are using government guidelines and policies on land and social services or service delivery that the impacts of conflict has been reduced in the past few years.

#### **4.4 Conclusion**

This chapter dealt with the strategies that have been used in solving the conflicts and disputes between the Nyaribari and Kitutu sub-clans at Keroka where the two groups share a common boundary. The discussion has revealed that both traditional and modern types of strategies were used to enable the two groups to leave peacefully side by side. Traditionally, mediation was very important and was used alongside traditionally applied strategies such as, tolerance negotiation, compromise, acts of God attitude, withdrawal and super-ordination. In the modern category of strategies, the work revealed that confrontation, use of government guidelines and policies, as well as, use of special committees and organization like NGOs were important in the pursuit of solutions to conflicts that were encountered. On top of these strategies, the new devolved government system in place started to carry out measures such as advocacy for tolerance by religious leaders, organizing conflict resolution training for the community members by the grass root tier of government, sensitivity of government to the people's needs and prompt intervention of the local and political leaders in order to stem the emergence of conflicts and disputes between the two sub-clans and within the Keroka town, which has since become a cosmopolitan area.

## CHAPTER FIVE: SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

### 5.1. Introduction

This chapter provides the summary, conclusions and recommendations of this study. The study investigated conflict between the Nyaribari and Kitutu (N-K) sub-clans of the Sweta Clan of the Abagusii community under the title “*A History of Conflict between Nyaribari and Kitutu sub-clans at Keroka, 1820 to 2017*”. Three objectives were utilized. First, the study sought to analyze the history of the Sweta Clan and the relationship between N-K sub-clans during their settlement at Keroka and after. Secondly, the work sought to determine and document the nature, source, and impact of the disputes between the N-K sub-clans at the Keroka Township area. Thirdly, the work looked at the strategies employed to cope with disputes and resource conflicts between the Nyaribari and Kitutu sub-clans at Keroka Township.

To match the objectives, three questions were used to guide in the collection of data in the field and all questions in the interview schedule that were used to collect data were structured around the three questions. The questions included i) who were the Sweta and how did the members of this clan relate and interact with each other in the past? ii) what was the nature, source, and impact of the disputes that arose between the N-K sub-clans during their settlement at and occupation of Keroka Township area? and, iii) what strategies helped the two communities to cope with the disputes that emerged between them at the Keroka Township area? As has been stated above, these were guiding questions that informed all other questions that were raised in the process of data collection in the field. These questions were thought to be appropriate as they allowed for the collection of data from a period before the settlement of the two sub-clans at Keroka so that it was possible to trace any forms of earlier conflicts during the migration to their permanent settlements at Keroka.

The study utilized descriptive survey design with both quantitative and qualitative approaches being used to gain a deeper insight into the problem under investigation. In terms of theory, the study applied the concepts of Conflict Theory, which holds that society is in a state of constant conflict. The theory is stronger in examining inequality, whether it be gender, racial and/or other group inequalities. Data was collected using interviews and administration of questionnaires to a sample of 100 individuals that were sampled through purposive and snowballing sampling techniques within Keroka town and its environs, which forms the boundary between the N-K sub-clans. The questionnaires and interview schedules were based

on the objectives of the study, as well as, on the research questions that were formulated to guide in the collection of data. Apart from this primary data, which formed the bulk of the information used in the work, there was the use of secondary data in the literature review section to enhance understanding of the gap of knowledge that necessitated this research and for corroboration of the primary data or information and that was also heavily used to provide information for objective one.

Analysis of the data was done using both quantitative and qualitative methods. First there was the use of statistical methods to summarize the measures using graphs and charts. This was possible after sorting out the information into categories that were changed into percentages after tabulations and computations of frequencies and percentages from quantitative data derived from closed ended questions. The remaining data was analyzed using thematic analysis with different themes being created in the process of analyzing the data in order to understand the relationship between the N-K during their migration and settlement at Keroka and the causes and impact of conflicts between them. This chapter, therefore, presents the summary and conclusions of this work and makes recommendations based on the findings about the conflict and disputes between the two sub-clans.

## **5.2 Summary of the study**

The broad objective of this study was to examine the underlying factors for persistent conflicts and disputes between the N-K sub-clans of Abagusii at Keroka township area in Kenya, and, the impact these may have had on the people. It is argued that conflict, whether violent or non-violent, has the potential of hurting peaceful co-existence in society and causes retardation to economic and other development activities. In a majority of cases, conflict leads to negative impact in society and only helps when conflicting parties choose to use it to improve the situation that led to a specific conflict. In this context, therefore, conflict may lead to putting in place new ideas, use of new technology, and an informed approach to dealing with societal issues that may enhance harmony between and among parties and/or organizations engaged in conflict. It is, therefore, clear that while conflict is most of the times associated with negative impact, it also has a positive side when it causes the creation of new elements that assist society to leave peacefully and in a better way. Further, conflict may bring third parties to participate in a situation thereby improving linkages and social relations in society, which is important for socio-economic and political development. This study,

therefore, arises out of concerns to understand the underlying factors for conflict between the N-K brothers and how the conflicts have impacted the two groups, and what management strategies have been applied in the situation over time.

Conflict in society arises as a result of the competitive nature of human beings. Conflict Theory, whose concepts have been used in this work, explains that human beings are constantly in a state of conflict. Literature from across the globe, and, particularly from Africa and Kenya address this situation. The debate or narrative on what causes conflict and the impact it has on different communities is discussed in detail in the literature review section. There is also a discussion on the possible ways of mitigating the problem of conflict at different levels. But much of the discussion by scholars is on macro-level conflicts, involving communities, nations and/or organizations or special groups whose information is abundant in the literature as provided. The commonality, impact, and intervention strategies at different localities and levels provide evidence for the need to understand underlying factors for conflicts. The relations between N-K characterized by conflict, which is a micro-level type of conflict needed to be understood. Finally, it can be said that a historical approach to understand the conflict between N-K is justified, but a broader framework considering harmful externalities is still needed.

In Chapter 2, an analytical framework based on insights from secondary data is established. A migratory narrative for the ancestors of N-K is put in place. This migration process from the Abagusii settlement at Goye, east of Lake Victoria, through Kisumu, Kano plains and eventually the Gusii highland is presented accordingly. Besides this, relationship issues with other communities, as well as, between the Abagusii clans and sub-clans are discussed. This chapter, therefore, provides an opportunity for understanding not only the history of migration, that is, how the Abagusii moved from their lake-side settlement to their current abode in the Gusii highlands, but also the history of relationships with other communities they encountered or interacted with on the way. More importantly, traces of strained relationships between the Abagusii clans leading to conflicts are mentioned and discussed.

In Chapter 3, a list of possible sources/causes of conflict between N-K, and, impact of the conflicts is fully discussed. The factors that have historically caused conflict between N-K include, competition over leadership/political positions, inheritance and memories from the past, common difference between community members, maintenance and use of cultural values, competition over resources, location of public institutions, urban sprawl at Keroka, lack of structured communication between N-K, and failure of government to give guidance

in solving conflicts. Equally, the impacts of conflicts between N-K are fully discussed. These include distrust, political wrangles, bias in resource distribution, negative competition, retardation of community development, disruption of economic activities, loss of property, relocation of business, delay of government projects, decline in income, and disunity among politicians and government officials, which has been a hindrance to effective service delivery. Meanwhile, the cause-and-effect scenario that is presented is given a historical perspective, therefore, revealing the evolution of conflict through time. Clear timelines are mentioned and discussed. The pre-colonial/migratory period, colonial period, and the post-colonial period, all had their unique sources and impacts of conflicts between N-K. While some were shared, each period remained unique in terms of conflicts and impacts as N-K interacted at Keroka. The cause-effect factors as provided in this chapter, however, are basic minimum and a summary of what may be the ideal situation given the long history of interaction and conflict between N-K.

Following the description and discussion of cause & effect factors as presented in chapter 3, in Chapter 4 a discussion on how the conflicts between N-K were managed is presented and discussed. Two categories are presented. The first one is the Traditional Conflict Resolution Strategies (TCRS) while the second one is the Modern Conflict Resolution Strategies (MCRS). It is argued that while traditional methods were dominant during the pre-colonial period, both TCRS and MCRS seamlessly during the colonial and post-colonial periods.

Traditional strategies used to solve conflicts between N-K included mediation, tolerance, negotiation, compromise, withdrawal, and wishing the conflict away as the “act of the gods.” Modern strategies have been seen to include confrontation, which involves the use of the courts, police, and other law enforcement agencies. It also includes use of government guidelines and policies, as well as, use of other non-governmental agencies or committees dealing with peace and peaceful co-existence, such as Non-Governmental Organizations (NGOs) within and among communities. Modern methods are, however, robust and dynamic, and include mediated dialogues, community education, and self-awareness forums amongst others not discussed here in detail due to the historical limitations.

Furthermore, the possible strategies as given by the respondents were analyzed under different historical periods within which they fell: pre-colonial (purely traditional), colonial period (a mixture of modern and traditional), and post-colonial (a mixture of modern and traditional). The dynamism of modern strategies, especially since independence, required input from a

multiplicity of sources so as to understand the functionality of each strategy and its application to N-K situation.

Overall, the origins of conflict, its manifestation, and how it impacted, not only the N-K communities, but the entire residents of Keroka, and how it was dealt with, in terms of management, has been presented in this work. As a study of micro-conflict within one community, it is interesting to note how conflict can penetrate and divide even those belonging to one 'household'. N-K shares the same origin, history, and cultural values.

### **5.3 Conclusion of the Study**

As has been noted, cases of conflict are common between communities, nations and/or specially organized groups across the globe. These occur, and, are managed at macro-levels, at times involving the intervention of multinational organizations, such as, the United Nations (UN). Conflicts occurring at micro-levels, especially involving people belonging to the same community are rare but have the potential of causing damage to socio-economic and political development in society. This study investigated the unique situation of continued conflict between the N-K sub-clans who share a common boundary at Keroka town. Since N-K have the same origin, history and shared cultural values, the study considered this a micro-level conflict but which had the potential of affecting the socio-economic and political wellbeing of the parties involved. Understanding the underlying factors of this type of conflict, its origin, and causes, manifestations, impact in society, as well as, how it has been managed through time was considered important hence necessitating this research.

The study provides some of the first empirical data about a micro-level conflict situation between members of the same community. Information was derived from both secondary and primary data, mainly coming from interview schedules and the administration of questionnaires. While this information was useful, the results must be viewed with caution because of the low number of respondents selected and a possible response bias, especially at Keroka town, which is cosmopolitan in nature. Those at the border area, who were the main target, may have been victims of the changes brought about by the urban sprawl, and, therefore, may have responded indifferently to the research questions. In addition, the respondents may have interpreted the questions in a multiple of ways. Despite these limitations, the data obtained offer new insights and helps in documenting information about conflict between N-K, which has been lacking in history. The responses also suggest that there has always been need to discuss and sort out the causes of conflict between N-K for the

establishment of peaceful co-existence and effective socio-economic and political development along this boundary area.

**Migration, Relationships and Conflict:** The findings suggest that at the formation of the Abagusii social structures, while they stayed at the Kano Plains, four main groups formed and these ushered in competition which saw the introduction of conflicts. Secondary data reveal that by the time the groups reached the Gusii highlands and settled in their respective areas, the groups had witnessed intense competition over resources especially land, leading to a number of conflicts. The study reveals that Sweta Clan, which was one of the bigger divisions of the Abagusii with smaller sub-clans, such as N-K was heavily affected by competition and conflict. N-K were constantly in conflict caused by competition for leadership and over resources. Information from scholars reveal that N-K started their rivalries earlier before they settled at Keroka area during the first half of the 19<sup>th</sup> century. There were conflicts and signs of conflict during their migration from Goye, east of Lake Victoria, to the Gusii highlands where they eventually settled. Some of these conflicts turned violent and such events remained as memories that later caused and sustained conflict at Keroka boundary area. This study talks about who the Sweta Clan was and describes the relationship between N-K as characterized by suspicion and conflicts.

**Cause and effect:** Although the response to the question of source and impact of conflicts between N-K indicate that history has a greater contribution to the continued conflicts and disputes between the two groups, the results also indicate that relationships and effective community dialogue through time was lacking. A higher percentage of respondents see the continued conflict between N-K as emanating from historical rivalries, and political competition and supremacy battles. Resources were a factor for conflict, but, since the colonial period, distribution of resources, to a large extent, has been handled by government and community leaders. The impacts of the conflicts have been greatly felt within the two groups. Most respondents think that distrust and political wrangles witnessed between N-K over the years is a result of conflict. This has in turn impacted on the socio-economic and political well-being of the two parties. Together with the other impacts as indicated in Table 3.2, the study argues that there has always been need to put in place suitable strategies to manage and/or eliminate source-effect factors.

**Strategies and Management:** The study also reveals that a number of strategies have been used to mitigate cases of conflict between N-K. TCRS were dominant as they have been in use throughout the 3 time-periods of pre-colonial, colonial, and post-colonial periods. MCRS

gained currently since the colonial period but have remained punitive and expensive, therefore, making most conflicts to be handled using the traditional methods. Third parties, such as, NGOs dealing with peace and peaceful co-existence, as well as, government guidelines, and special committees have been instrumental in managing conflicts between N-K.

Overall, the study has traced the origins of conflict and dispute between N-K from the strained relationships during the migration and settlement period in the Gusii highlands. The cause-effect factors can be pinned to historical memories and continued unimproved relationships between the two parties. The two parties have applied both traditional and modern methods to cope with each other without the conflicts escalating into war. The research has provided a historical narrative and documentation within which the persistent conflicts and disputes, as stated in the statement of the problem can be understood and managed.

While the literature review covered mainly macro-level conflicts, this research focused on micro-level conflict between N-K who belong to the same community and share same origin, history, and cultural values. The discussion and the results in this work, therefore, confirm the concepts advanced by the Conflict Theory, which holds that human beings are constantly in a state of conflict due to their competing and incompatible views in society. This work, therefore, documents the history of this unique case of conflict between N-K and contributes to the understanding that even closely related groups can be engaged in conflict that may impact negatively on their socio-economic and political developments. There is, therefore, need to check and manage any forms of conflict in society in order to have peaceful co-existence and progressive development.

#### 5.4 Recommendations

Based on these conclusions, the following recommendations can be made.

The national government, the county governments, as well as, the local administrative units, should be aware of the possibility of the existence of micro-level conflicts pitting smaller groups within larger communities or ethnicities. Such micro-level conflicts have the potential of interfering with the socio-economic and political developments in the communities where they occur. The government, and those concerned should, therefore, invest in information gathering and awareness creation in establishing that there are no conflicts and divisions within communities that may cause retardation to socio-economic and political development.

While history or the past is important in building stable communities and planning for the future, communities should be encouraged to use what is inherited from the past positively and avoid making history to be the source of group conflict as has been seen in the case of N-K. There is, therefore, need for public education to create awareness on the dangers of using the past negatively and also the benefits of history.

Since the investigation of conflict between N-K covered only one small geographical area, there is need for more research to understand the relationship between more sub-clans of the Abagusii in regard to conflict and antagonism with each other which is a hindrance to development. Such kind of research may also be designed for other communities such as the Luo and Kikuyu. In some of these larger communities there are differential levels of development. Could it be as a result of conflict and disputes hindering the rolling out of uniform socio-economic and political development? Case studies may be conducted along these lines.

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## **GLOSSARY**

Abamaasai:	Adopted Children of Maasai
Ababiare:	Either Father(s) of the bride
Abanaba Abagusii:	All members (plural) of the next generation
Asante Sana:	Thank you
Abamenyi:	Dwellers in the community
Abang'ina:	Old grannies
Chinsoni:	Moral laws
Chindwaki:	Stone forts (Stockade)
E'amate:	Patrilineal Clans
Ebisarate:	Kraals
Eburi:	Stockade Kraals
Egesaku	Village
Enyomba:	Household in singular, plural "chinyomba" houses
Ekerauni:	Colonial government
Etugo:	Livestock
E'nchogu:	Elephant
E'ngubo:	Hippopotamus
Jimbos:	Counties
Nyasae/E'ngoro:	God
Omwana:	One member from and of the next generation
Omochie:	Homestead
Okomi'nchana :	Misbehaviors
Usalama:	Village Security

## APPENDICES

### Appendix 1: List of cited Oral Informants

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A/N.	NAME OF INFORMANT.	GENDER.	DATE OF INTERVIEW.
1.	Martha, N.	F	13/6/2017
2.	Abaga, O.	M	15/6/2017
3.	Kerina, Z.	M	25/11/2017
4.	Obanyi, V. & Omosa, K.	M & F	25/11/2017
5.	Omosa, J.	F	28/6/2017
6.	Ong'era, O.	M	28/6/2017; 26/11/2017
7.	Peter, O.	M	01/02/2018; 12/02/2018
8.	Jones, M.	M	01/02/2018
9.	Zablon, M.	M	01/02/2018
10.	Lydia, C.	F	06/05/2018
11.	Kenyanja, A.	F	16/10/2017
12.	Erastus, J.	M	15/07/2018
13.	Keraro, Z.	M	02/03/2018
14.	Nyambisa, D	F	122/06/2018;12/07/2017
15.	Ombori, M.	M	11/01/2018
16.	Nyansimera, O.	M	25/07/2018
17.	Mamboleo, O.	M	25/07/2018
18.	Moturi, N.	M	29/07/2018
19.	Mogusu, H.	F	10/08/2017
20.	Patrick, R.	M	15/08/2018
21.	Abel, M.	M	12/08/2018
22.	Wilson, N.	M	13/07/2017
23.	Ann, James, O.	F	20/11/2017

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## APPENDIX 2: QUESTIONNAIRE: FOR HOUSEHOLDS HEADS

Sub County \_\_\_\_\_ Location \_\_\_\_\_ Sub-Location \_\_\_\_\_ village  
\_\_\_\_\_ Date \_\_\_\_\_

Put a tick in the box to choose the appropriate response.

1. Gender (Please indicate your gender).
  - Male
  - Female.
  - Others (specify) \_\_\_\_\_
2. (Please indicate your level of education).
  - No formal education
  - Primary Level
  - Secondary level
  - Post-Secondary Level
3. Age Bracket
  - 10-20 years
  - 21-35 years
  - 26-50 years
  - 51-75 years
  - Above 75 years
4. What is your occupation?
  - Business
  - Salaried
  - Peasant Farmer (pastoral)
  - Unemployed.
  - Other (specify) \_\_\_\_\_
5. What is your religion?
  - Muslim
  - Christian
  - Traditional (cultural) religion.
  - Any other (specify) \_\_\_\_\_
6. Which is your ethnic group? (Please indicate the community where you belong)
  - Nyaribari
  - Kitutu

Any Other (Specify) \_\_\_\_\_

7. Your place of residence/ \_\_\_\_\_

**SECTION B:**

7. Are members of the public aware of the conflicts in Keroka between Nyaribari and Kitutu clans?

Yes

No

8. What are the common types/Nature of conflicts in Keroka township

Inter-clan Conflicts

Intra-state Conflicts

Intra-state Conflicts

Inter-ethnic Conflicts

10. What factors according to you contribute to conflicts within Keroka township?

11. From your view point who are the main agents of conflicts within Keroka township?

Youth

Community Leaders

Security Officers

Politicians

12. From your observation and experience do you see any probability of eradicating conflict situation within Keroka township?

Yes----- No-----

13. What measures can be put in place to reduce conflicts in Keroka township?.....

.....

14. What is the role of community in reducing conflicts in Keroka township?.....

.....

15. What are the effects/impacts of Conflicts in Keroka township according to you?.....

16. In your view point does the Government respond towards curbing conflicts in Keroka township?.....

17. In what/which manner has conflict(s) affected you as an individual? Explain.....

.....  
.....

..... 18. Without ethnic conflicts in Keroka, what do you expect?

A peaceful county

A united County

Developed County

Undeveloped County

Others (If any)

19. Has the various peace initiatives been successful in resolving conflicts in Keroka township

Yes..... No.....

Give reasons.....

20. According to you how has been the management of conflicts in the Keroka township (Tick one)

Very good

Good Average

Below Average

Poor

21. What are the positive impacts of the peace initiatives in Keroka township?.....

22. What are the socio- economic factors influencing management of conflict in Keroka township?

23. What are the socio-economic challenges affecting management of conflict in Keroka township?

**APPENDIX 3: INTERVIEW SCHEDULES**

For key informants (chiefs/assistant chiefs, clan elders, Business Entities)

Venue \_\_\_\_\_ Sub-County \_\_\_\_\_

Location \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

**SECTION: A**

Factors that cause conflicts in Keroka township?

1. What do you think has contributed to conflicts in Keroka township?.....

.....

2. What do you think according to you has caused conflict in Keroka township?.....

.....

3. What type and nature of conflicts has Keroka township experienced so far?.....

.....

**SECTION B**

4. What is your view point on effect of conflicts in Keroka township?.....

.....

5. What can you say on the magnitude/ level of conflicts in Keroka township?.....

.....

6. According to your experience: what is the most impact that the conflict has caused on the parties to conflict/residents within Keroka township?.....

.....

**SECTION C:**

7. Measures that can be used to arrest /control conflicts within Keroka township

8. Have the conflict management strategies been a success in Keroka township?.....

.....

9. Which mechanism(s) according to you have bore fruits towards conflict management and resolution within Keroka township?

.....

.....

10. According to you what measures can be taken to curb conflicts within Keroka township (Explain).

.....

.....

**APPENDIX 4: FOCUS GROUP DISCUSSION:**

For Village elders and Youth leaders in peace committee

Venue \_\_\_\_\_ Sub-County \_\_\_\_\_

Location \_\_\_\_\_ Sub-Location \_\_\_\_\_

Village \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

**SECTION A:**

Factors that cause conflicts in Keroka township.

1. What are Causes of conflicts in Keroka township?
2. In what ways has resources in Keroka township?
3. What socio- economic factors influence management of ethnic conflicts in Keroka township?
4. According to you, is the government responsible of Conflicts in Keroka township?

**SECTION B:**

Effects/impacts of conflicts in Keroka township

5. What is your view-point on the effects of conflicts in Keroka township?
6. What roles have conflicts played within Keroka township?
7. From your experience is there any violation of human rights and Democracy as a result of conflicts within Keroka township?

**SECTION C:**

Measures/Mechanisms that can be used to arrest (curb) Conflicts within Keroka township.

8. Basing on your view point what measures can be taken to arrest conflicts within Keroka township?

9. What can you say about success of strategies employed to manage conflict within Keroka township?

10. Which strategy has produced good results towards conflict management and resolution?

#### **APPENDIX 4: OBSERVATION CHECKLISTS**

1. Any visible disagreements/confrontations that can be seen with Nyaribari and Kitutu clans in Keroka township, Kenya.
2. What can be seen on the level of relationship between Nyaribari and Kitutu clans, in the study area.
3. Whether the residents in the study area are free in accessing socio-economic resources without any barrier in the study area.
4. Any noticeable effect(s) of conflict that come as a result of clan conflict in the study area.
5. Measures that can be seen to be successful in managing conflicts between Nyaribari and Kitutu clans.

**Appendix 5: Introductory Letter from JOOUST**



**JARAMOGI OGINGA ODINGA UNIVERSITY OF SCIENCE & TECHNOLOGY**  
**BOARD OF POSTGRADUATE STUDIES**  
*Office of the Director*

Tel. 057-2501804  
Email: [bps@joooust.ac.ke](mailto:bps@joooust.ac.ke)

P.O. BOX 210 - 40601  
**BONDO**

Our Ref: **Z152/4022/2016A**

**Date:** 9<sup>th</sup> November, 2017

**TO WHOM IT MAY CONCERN**

**RE: SAMUEL BENN MOTURI - Z152/4022/2016A**

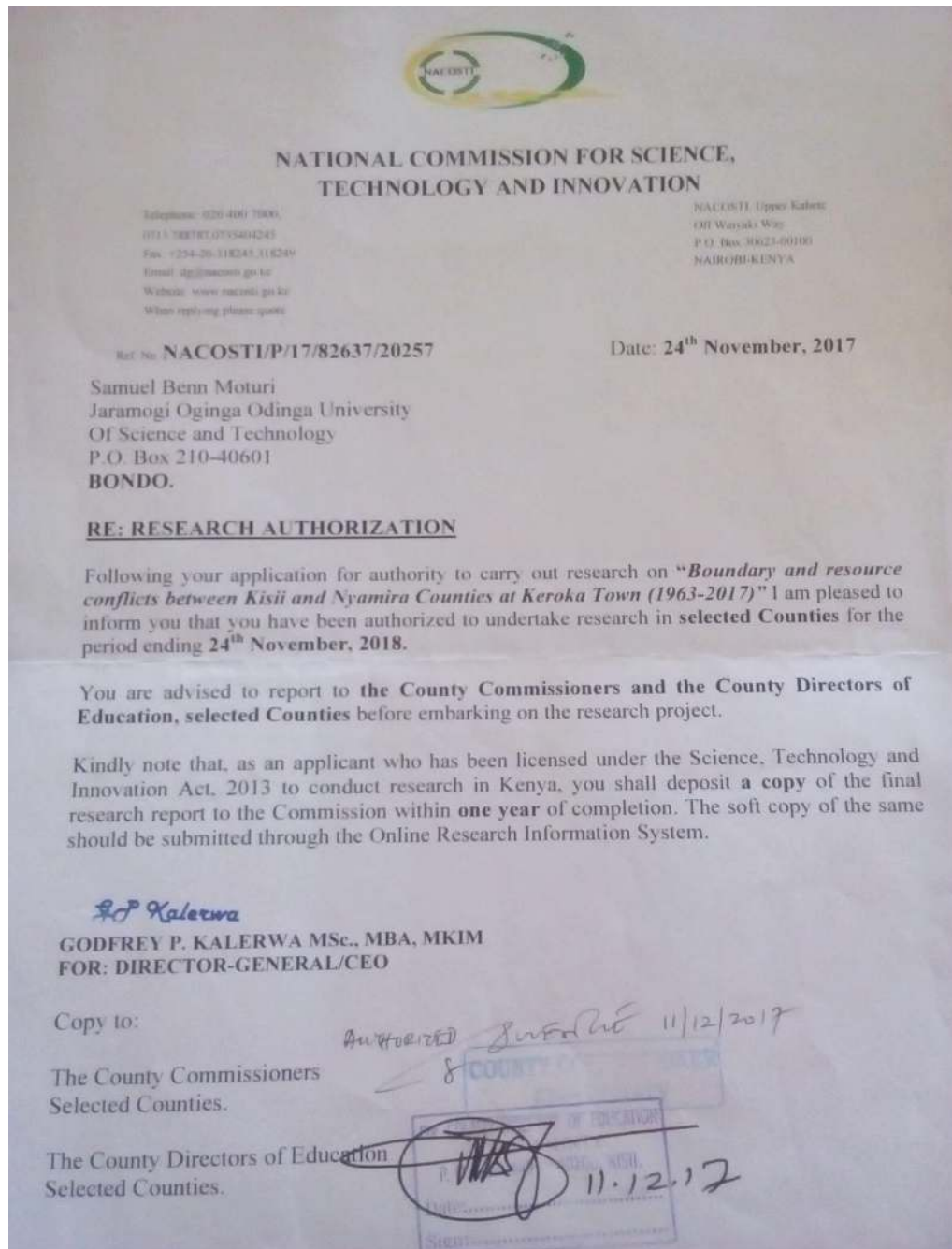
The above person is a bona fide postgraduate student of Jaramogi Oginga Odinga University of Science and Technology in the School of Humanities and Social Sciences pursuing Degree of Master of Arts in History. He has been authorized by the University to undertake research on the topic: "*Boundary and Resource Conflicts between Kisii and Nyamira Countries at Keroka Town (1963-2017)*"

Any assistance accorded to him shall be appreciated.

Thank you.

Prof. Beatrice Anyango  
**DIRECTOR, BOARD OF POSTGRADUATE STUDIES**

Appendix 6: Research Authorization from NACOSTI



Appendix 7: Research Permit from NACOSTI

THIS IS TO CERTIFY THAT:  
**MR. SAMUEL BENN MOTURI**  
of **JARAMOGI OGINGA ODINGA**  
**UNIVERSITY OF SCIENCE AND**  
**TECHNOLOGY, 665-40500 NYAMIRA,** has  
been permitted to conduct research in  
*Kisii , Nyamira Counties*

Permit No : NACOSTI/P/17/B2637/20257  
Date Of Issue : 24th November,2017  
Fee Recieved :Ksh 1000

on the topic: **BOUNDARY AND**  
**RESOURCE CONFLICTS BETWEEN KISII**  
**AND NYAMIRA COUNTIES AT KEROKA**  
**TOWN (1963-2017)**

for the period ending:  
**24th November,2018**



*[Signature]*  
Applicant's  
Signature

*[Signature]*  
Director General  
National Commission for Science,  
Technology & Innovation

**CONDITIONS**

1. The License is valid for the proposed research, research site specified period.
2. Both the License and any rights thereunder are non-transferable.
3. Upon request of the Commission, the Licensee shall submit a progress report.
4. The Licensee shall report to the County Director of Education and County Governor in the area of research before commencement of the research.
5. Excavation, filming and collection of specimens are subject to further permissions from relevant Government agencies.
6. This License does not give authority to transfer research materials.
7. The Licensee shall submit two (2) hard copies and upload a soft copy of their final report.
8. The Commission reserves the right to modify the conditions of this License including its cancellation without prior notice.



REPUBLIC OF KENYA




National Commission for Science  
Technology and Innovation

**RESEARCH CLEARANCE  
PERMIT**

Serial No.A 16653  
CONDITIONS: see back page

**Appendix 8:** Authorization from the Ministry of Interior and Coordination of National Government

**REPUBLIC OF KENYA**



**THE PRESIDENCY**

*Ministry of Interior and Coordination of National Government*

Telephone: 020-2012491	OFFICE OF THE COUNTY COMMISSIONER
Fax: 058-6144446	NYAMIRA COUNTY
Email: <a href="mailto:cc.nyamira@interior.go.ke">cc.nyamira@interior.go.ke</a>	P.O. BOX 2 - 40500
<a href="mailto:ccnyamira2012@gmail.com">ccnyamira2012@gmail.com</a>	NYAMIRA

When replying please quote our

REF: NYRC/ED.2/VOL.II/57      DATE: 4<sup>th</sup> December, 2017

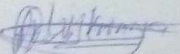
All Deputy County Commissioners  
NYAMIRA COUNTY

RE: SAMUEL BENN MOTURI- JARAMOGI OGINGA ODINGA UNIVERSITY  
RESEARCH AUTHORIZATION

Reference is made to letter Ref. No. NACOSTI/P/17/82637/20257 dated 24<sup>th</sup> November, 2017 from the Director General/CEO, National Commission for Science, Technology and Innovation, Nairobi authorizing *Samuel benn Moturi* to carry out research on "*Boundary and resource conflicts between Kisii and Nyamira Counties at Keroka Town (1963-2017)*", in Nyamira County"

This is to inform you that the planned research will be conducted in Nyamira County, upto 24<sup>th</sup> November, 2018.

Kindly accord him the necessary assistance.

  
PATRICK O. KWANGA  
FOR: COUNTY COMMISSIONER  
NYAMIRA

Copy to:

National Commission for Science, Technology  
& Innovation,  
P.O. Box 30623  
NAIROBI

✓ County Director of Education  
P.O Box 4  
NYAMIRA

Appendix 9: Authority to Conduct Research from Ministry of Education Nyamira

MINISTRY OF EDUCATION



Telegram: "EDUCATION", Nyamira  
Telephone: (058) 6144224

COUNTY DIRECTOR OF EDUCATION  
NYAMIRA COUNTY  
P.O.BOX 745  
NYAMIRA

When replying please quote

NCEO/1/25/20  
REF.....

19<sup>th</sup> DECEMBER, 2017  
DATE: .....

TO WHOM IT MAY CONCERN

**RE: AUTHORITY TO CONDUCT RESEARCH BY SAMUEL BENN MOTURI**

The above named person is a student at **JARAMONGI OGINGA ODINGA UNIVERSITY**. He has been given authority by the National Commission for Science, Technology and innovation to conduct Research on "**boundary and resource conflicts between kisii and nyamira counties at keroka town (1963-2017) in Nyamira County**"

The research will commence immediately and end on **24<sup>th</sup> November, 2018**.

Please accord her your assistance.

**ROBERT ASUTA**  
**FOR; COUNTY DIRECTOR OF EDUCATION**  
**NYAMIRA COUNTY.**

**Appendix 10: Authority to Conduct Research from Ministry Of Education Kisii**

