

**WOMEN AND CONFLICT IN MT. ELGON:
ASSESSING RAPE AS A WEAPON IN ARMED CONFLICT,
1991 – 2008**

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Declaration

I declare that this is my original work and that it has not been presented in any other university.

Signed

Heri Ryanga

This study has been submitted for examination with our approval as University Supervisors.

Signed

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Signed

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Dedication

This project report is dedicated to my parents, Ambassador Reuben Ryanga and Prof. Sheila Ali Ryanga, and to my sisters, Mrs. Nuru Orono and Ms. Tima Ryanga, who have always supported me and encouraged me to pursue my dreams. You have inspired and motivated me to be the best that I can be.

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I would first of all like to thank my awesome God who gave me the will power and determination to complete my research. May all glory and honour go to Him!

I also wish to thank my supervisors, Dr. Mary C. Mwiandi and Dr. Herbert Misigo Amatsimbi, for their continued support and advice throughout my research. Your assistance is highly appreciated.

I further wish to thank the residents of Mt. Elgon who provided the information for my research and were very instrumental in the collection of my data without which, this study would not have been realized.

Finally, I would like to thank my classmates, friends – especially Abba, CJ and Bud - and all those who encouraged and motivated me throughout the course of my research.

My deepest gratitude to all of you!

Abstract

The objectives of the project are to determine the use of rape as a weapon in the Mt. Elgon conflict, its effectiveness as a weapon and its impact on society. The study used the strategic rape theory which propagates that sexual violence is calculated and premeditated to achieve a certain end. This theory was complemented by the conflict theory of sexual stratification which bases the roots of violence towards women as a consequence of societal stratification that exalts male domination which manifests in the battle field through the violation of women.

The study was carried out in Kapsokwony, Cheptais and Kopsiro Divisions. Primary and secondary data was used in the study. Secondary sources included books, scholarly journals and articles from the University of Nairobi's Jomo Kenyatta Library as well as newspaper and magazine articles and Non Governmental Organization reports. Primary sources included women and men victims of the violence as well as former Sabaot Land Defence Force (SLDF) militia men (fifty seven in total) in the area that were targeted through the snow - balling technique. This data was collected using interviews, focused group discussions and open ended questionnaires. This data was then analyzed and conclusions reached.

The study established that rape was the ultimate weapon of terror and the SLDF used it to their advantage. Rape when wielded as a weapon is often used to terrorize the masses and demoralize the enemy in a way only sexual violence

can do. Rape is the violation of the woman. It signals the enemy's failure as a man to protect his woman. It is an effective way to dishearten and break the enemy's resistance. Physical weapons, such as *pangas* and guns, were used but they were not as damaging as rape as a weapon. A broken leg heals faster than a broken heart or spirit which is exactly why rape was used. This is because it has destructive effects. In the Mt. Elgon conflict, rape achieved what bullets and guns could not; humiliation, abject fear and total submission of the enemy.

The study concludes that sexual violence not only affected the women but the entire society. It not only impacts the victim, but the perpetrator as well. They both grapple with the wide range of consequences that have shattered the values and integrity of the Mt. Elgon community. These ramifications run from social issues, such as the rise of prostitution and divorce, to physical impacts like miscarriages, disabilities or diseases like HIV to psychological results like depression, low self esteem and even suicide. These and a host of other consequences have indeed torn the fabric of the Mt. Elgon community in terms of trust, security and harmony.

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Working Definitions

Armed conflict: A contested incompatibility which concerns government and/or territory, where the use of armed force between two parties (of which at least one is the government of a state) results in at least 25 battle – related deaths.

Autochthony: The claims that land belongs to a certain group of people who were born and bred on the land.

Civilian: Non – participants of war or conflict.

Combatant: Individuals who actively participate in conflict.

Kalenjin: An ethnic group that comprises of several communities: Nandi, Tugen, Kipsigis, Keiyo, Marakwet, Pokot, Sabaot.

Mosop: Name given to people of the Sabaot community who live in the moorlands/ highlands of Mt. Elgon/ also referred to as the Ndorobo.

Okoa maisha: Swahili for ‘Save A Life’. A military operation conducted by the Kenya Army in March 2008 to combat the SLDF insurgency in Mt. Elgon.

Oloibon: A spiritual leader whose counsel is revered and respected by the Sabaot of Mt. Elgon.

Physical violence: The intentional use of physical force with the potential for causing death, injury or harm.

Psychological violence: An action or set of actions that directly impair the victim's psychological integrity or the condition of one's mind.

Rape: Unlawful sexual activity, usually sexual intercourse, carried out forcibly or under threat of injury and against the will of the victim.

Sabaot: Branch of the Kalenjin ethnic group that comprises of sub clans: Sapiny or Sebei, Bok, Bongomek, Kony, and the Ndorobo or Ogiek.

Sexual violence: Any sexual act or attempt to obtain a sexual act, unwanted sexual comments or advances against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting.

Soy: Name given to people of the Sabaot community living in the lowland in the Mt. Elgon Region; also used to refer to the other members of the Sabaot, excluding the Ndorobo.

Torture: The intentional infliction of severe pain or suffering, whether physical or mental, upon a person in the custody or under the control of the accused.

Violence: The intentional use of physical force or power, threatened or actual, against oneself, another person, or a group or a community, that

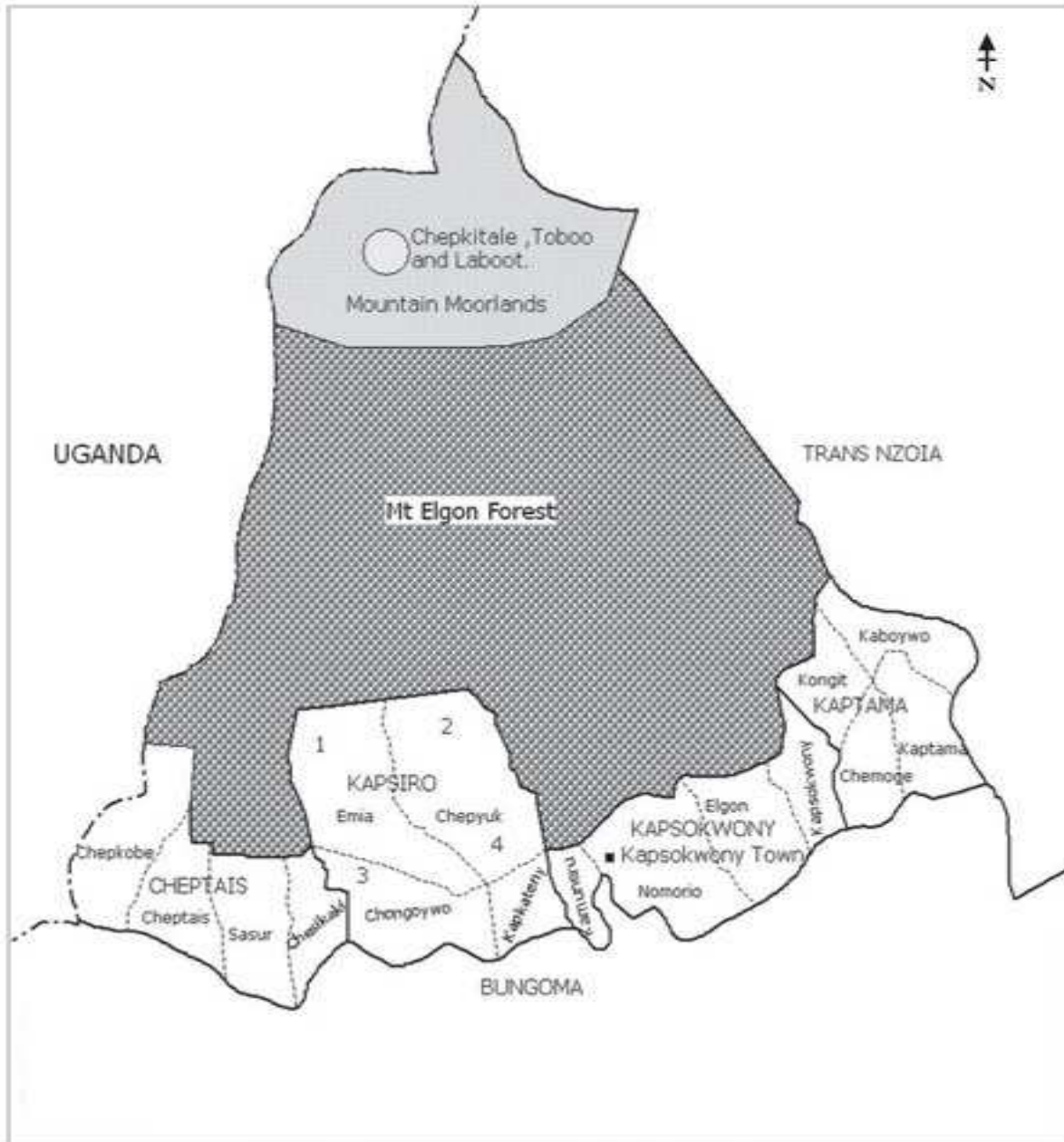
either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment, or deprivation.

War rape: Systematic and methodical rape occurring in war that is carried out for specific strategic purposes.

Weapon: Instruments used either in defence or offence or a type of behaviour or knowledge of a particular subject that you can use against someone.

Map of Mt. Elgon

Map 2 Administrative map of Mount Elgon



Source: www.issafrica.org/maps/mt.elgon

Chapter One

Introduction

1.0 Introduction

Africa has been engulfed in civil wars since the end of the Cold War. These civil wars have taken on a new dimension where civilians are now the targets of this emerging type of warfare.¹ It appears that civilians are progressively being attacked by militia men as part of the overall battle strategy for various reasons. These reasons range from demoralizing the population to punishment, revenge, destroying the culture and ethnicity of the enemy by forcefully impregnating women as was done in the Bosnia - Serb war in the late 1980s.² Whatever the reason, the end goal is to wreak terror and totally annihilate the enemy society in a way that is almost irreparable.³

Rape has long been a part of war, and past conflicts like those in Vietnam, Bosnia and Rwanda demonstrate that it has become an even more integral strategy of modern warfare.⁴ It was no longer just used to 'satisfy' sexual needs, but to achieve military objectives which focused on subduing the enemy. In the Vietnam War, raping women became a hallmark of the guerilla phase of the war in the early 1970s. For young American males intent on asserting their superiority, their potency, their manhood, (and by extension their country's) raping a woman in a combat zone is something a man 'has' to do, 'needs' to do, has the 'right' to do.⁵

¹ Wolff, Stefan, *Ethnic Conflict: A Global Perspective*, Oxford: Oxford University Press, 2007.

² Cockburn, Cynthia, *The Space between Us: Negotiating Gender and National Identities in Conflict*, London: Zed Books, 1998.

³ Brownmiller, Susan, *Against Our Will: Men, Women And Rape*, New York: Simon & Schuster, 1975.

⁴ Weaver, Gina Marie, "Ideologies of Forgetting: Rape in the Vietnam War (SUNY Series in Feminist Criticism and Theory)," State University of New York Press, New York, 2010.

⁵ Lawson, Jacqueline E, "She's A Pretty Woman...For A Gook": *The Misogyny Of The Vietnam War* in Philip, Jason. K. (Ed), *Fourteen Landing Zones: Approaches to Literature of the Vietnam War*, Iowa: University of Iowa Press, 1991.

The Rwandan Genocide in 1994 is another example of how women were victims and indeed deliberate targets of sexual violence. Tutsi women were violated by Hutu men. This rape was used in the conflict as an ethno – nationalist policy.⁶ It was the ultimate expression of Hutu hatred for the Tutsi. According to Merrill D. Smith, an estimated 500,000 women were raped during the genocide.⁷ The manner in which the sexual violence was perpetrated as well as the large number of victims, leads us to believe that it was calculated and planned to meet a certain end.

Conflicts, specifically those over land, are no strange occurrence in Kenya. Since pre – colonial times, communities have been disputing over land whether due to the use of it or claims of ownership.⁸ The main cause of these land disputes was autochthony; the claims that land belongs to a certain group of people who were born and bred on the land.⁹ ‘Intruders’ are, therefore, forcibly removed from this land. Such have been the reasons for the land clashes since Kenya’s independence in 1963.

The return to multipartism in 1991 saw the introduction of widespread politicization of land and ethnicity. Politicians, in a bid to garner support and get elected, used land and ethnicity as a mobilization tool to rally the masses.¹⁰ They capitalized on the already existing bitterness as a result of certain communities being marginalized as far as land allocation was concerned. These have been manifested in land clashes that were seen in 1992 and 1997. In 2008, Kenya experienced the Post Election Violence as a result of the disputed

⁶ Jenkins, Richard, *Rethinking Ethnicity, 2nd Ed*, California: Sage Publications, 1997.

⁷ Smith, Merrill D, *Encyclopedia of Rape*, Connecticut: Greenwood Press, 2004.

⁸ Simiyu, Robert Romborah, *Militanisation Of Resource Conflicts: The Case Of Land – Based Conflict In The Mount Elgon Region Of Western Kenya*, Netherlands: Institute For Security Studies, 2008.

⁹ Medard, Claire, “Key Issues in disentangling the Kenyan Issue: Evictions, Autochthony and Land Privatization,” *Le Cahier d’Afrique de l’ Est*, No. 37, Pp. 81-98.

¹⁰ Medard, Claire, ‘Indegenous’ Land Claims in Kenya: A Case Study of Chebyuk, Mt. Elgon District in Alden, Chris and Anseeuw, Ward (eds), *The Changing Politics of Land in Africa, Domestic Policies, Crisis Management and Regional Norms*, Human Science Research Council Press, 2010.

general elections of 2007. This was a violence that rocked the country and was a conflict that primarily targeted civilians. Thousands were displaced, others were maimed and killed. In addition to this physical violence, women were raped. Insecurity was high in various parts of the country, therefore, some of the rapes may have been opportunistic. However, despite this breakdown of law, some of the rapes were deliberate and targeted specific victims.

Likewise, Mt. Elgon had been experiencing land conflicts since independence but the dawn of multiparty politics heightened the conflicts. Ethnic tensions were exploited over the years until they reached a climax and erupted. In 2006, violence erupted in Mt. Elgon in western Kenya. The conflict was between the Soy and the Mosop. This violence was a manifestation of pent up tensions resulting from a land dispute that had spanned decades.¹¹ It saw the formation of the Sabaot Land Defence Force (hereafter referred to as the SLDF) to protect the land interests of the Soy against the Mosop and their sympathizers. The SLDF perpetrated many forms of violence on the people of Mt. Elgon. They forcibly conscripted men into their militia, murdered suspected traitors, extorted money from people, stole livestock, and maimed others.

In this conflict, women played various roles. Some actively took part as spies and informants and provided logistical support such as food or firewood. Other women were, however, unwillingly made participants as porters and even bush wives. As seen, women were active players in this conflict. However, some became victims, especially of sexual violence and its consequences.

As in other conflicts, rape was also a feature of the Mt. Elgon conflict. The SLDF are said to have been the major perpetrators of sexual violence in the conflict. Once again, the nature of its use in the conflict causes us to question

¹¹ Simiyu, Robert Romborah, *Militanisation Of Resource Conflicts: The Case Of Land – Based Conflict In The Mount Elgon Region Of Western Kenya*, Netherlands: Institute For Security Studies, 2008.

if it was deliberate or a mere by – product of the lawless atmosphere created by the conflict.

Sexual violence, specifically rape, is now recognized as a means to an end; a valid method to win a war.¹² It can thus be argued that rape is used as a weapon making it no different than a gun used in war to annihilate the enemy. Carl Von Clausewitz argues that the object of war is to compel the enemy to submit to one’s will. He further states that the utmost force must be used to achieve this end.¹³ The ‘utmost force’ here relates to military might and prowess needed to subdue one’s foe. Therefore, as a weapon, rape may be considered a plausible, albeit underhanded, exercise of this ‘utmost force’ pertinent to the subjugation of the enemy.

1.1 Historical Background of the Mt. Elgon Conflict

Mt. Elgon is located in the Western Province of Kenya, on the Kenya – Uganda border. It lies within two districts; Mt. Elgon district and Cheptais district. Mt. Elgon district consists of Kapsokwony and Kaptama divisions while Cheptais district consists of Kopsiro, and Cheptais divisions.

Kenya’s side of the mountain is separated into three geographical sectors: the lowlands, the moorlands / highlands and a government protected forest that divides the two.¹⁴ The lowlands are the foothills of the mountain in an area called Chepyuk. The moorlands comprise of an area known as Chepkitale. The area was inhabited by the Mosop who are the Ogiek and Ndorobo. The lowlands were inhabited by the Soy who are the Bok Kony, Bongomek and Sapiny. Mosop was the name given to the people who lived in the moorlands of Mt. Elgon, while Soy was the name given to those living in the lowlands of the

¹² Bennett, Olivia. Bexley, Jo and Warnock, Kitty (eds), *Arms To Fight – Arms To Protect: Women Speak Out About Conflict*, London: Panos Publications Ltd, 1995.

¹³ Clausewitz, Carl Von, *On War*, London: Penguin Books Ltd, 1968.

¹⁴Lynch, Gabrielle, “The wars of who belongs where: the unstable politics of autochthony on Kenya’s Mt Elgon,” *Ethnopolitics*, Vol. 10, Issue 3-4, 2011, Pp.391-410

mountain.¹⁵ The name Mosop, or Mosoobiisyek, is also argued to refer to those who originated from Chepkitale while the Soy is used to categorize all the other Sabaot.¹⁶

The Soy and Mosop are Sabaot who fall under the Kalenjin ethnic group. The term Sabaot came about in the late 1940s as a way for the Soy and Mosop to identify themselves as the Kalenjin speaking people of Mt. Elgon.¹⁷ An early first written reference to the term 'Sabaot' dates back to 1949 when a local District Commissioner mentioned that local 'Nandi-speaking people' "now call themselves Sabaot".¹⁸ They include the Bok, Kony, Bongomek, Sapiny, Ndorobo, and Sebei who mostly live in the neighbouring Uganda.

The Mosop and the Soy are basically one community only divided by their geographical living area. This separation was the result of the colonial land policy of alienating African land to create room for the white settler farms. The Sabaot community had lived in the plains of what is now called Trans Nzoia district. The colonial government took away this land without compensation during the land alienation process in the colonization period. This caused the Sabaot to disperse to the moorlands and lowlands. Those living in the moorlands, as discussed earlier, became the Mosop and those in the lowlands the Soy. The two groups were separated by the thick forest reserve between the moorlands and lowlands. Over time, this separation in location created

¹⁵ Lynch, Gabrielle, "The wars of who belongs where: the unstable politics of autochthony on Kenya's Mt Elgon," *Ethnopolitics*, Vol. 10, Issue 3-4, 2011, Pp.391-410

¹⁶ Medard, Claire, *'Indegenous' Land Claims in Kenya: A Case Study of Chebyuk, Mt. Elgon District* in Alden, Chris and Anseeuw, Ward (eds), *The Changing Politics of Land in Africa, Domestic Policies, Crisis Management and Regional Norms*, Human Science Research Council Press, 2010.

¹⁷ Lynch, Gabrielle, "Negotiating ethnicity: identity politics in contemporary Kenya," *Review of African Political Economy*, Vol. 33, No. 107, 2006, Pp. 49-65.

¹⁸ Lynch, Gabrielle, "The wars of who belongs where: the unstable politics of autochthony on Kenya's Mt Elgon," *Ethnopolitics*, Vol. 10, Issue 3-4, 2011, Pp.391-410

disparities in their social identities. As a result of their limited interactions with each other, they solidified their emerging different social distinctions.¹⁹

Their disparate environmental conditions caused them to adapt new distinct patterns despite their similarities in language and ancestry. This led the Mosop to become hunters and gatherers, foraging in the forest for food, while the Soy became farmers in the more arable lowlands during the colonization period. With the passage of time, the Soy and Mosop have adapted and employed new methods to sustain their livelihoods other than farming and hunting and gathering although agriculture still remains a large part of their economy.

After independence, however, the Mosop were resettled nearer their Soy counterparts. A game reserve was created in 1968 in Chepkitale. The newly established government saw Chepkitale as a water catchment area that needed to be conserved. Thus the government instituted a game reserve that would also generate income intended for tourism. This reserve took up a large portion of the land on which the Mosop grazed their livestock and practiced their hunting and gathering activities. Therefore, the Mosop who were living there had to be relocated. In 1971, the government set out to resettle them down the slopes of the mountain in Chepyuk. This meant that the area, which was a forest reserve, had to be de-gazetted. The government began the process of de-gazetting 3,686 hectares of government forest on the lower slopes of the mountain to relocate the families from Chepkitale.²⁰ Legal Notice No. 35 of 1968 saw the establishment of the Chepyuk Settlement Scheme to settle the Mosop. This first resettlement took place from 1971 to 1974 and is commonly

¹⁹ Simiyu, Robert Romborah, *Militanisation Of Resource Conflicts: The Case Of Land – Based Conflict In The Mount Elgon Region Of Western Kenya*, Netherlands: Institute For Security Studies, 2008.

²⁰ Lynch, Gabrielle, “The wars of who belongs where: the unstable politics of autochthony on Kenya’s Mt Elgon,” *Ethnopolitics*, Vol. 10, Issue 3-4, 2011, Pp.391-410

referred to as Chepyuk Phase I.²¹ Thus the Mosop were now once again nearer the Soy.

The Mosop, having been hunters and gatherers from the colonial period, were unable to clear the forest and till the land. They thus sought the help of their Soy relatives who were farmers. The Soy in turn helped cultivate in exchange for land.²² The Soy thus slowly settled in Chepyuk I. No formal documents of land ownership were given to the Soy to prove their land claims. When the land was de-gazetted in 1974, the official process of land allocation commenced. By this time, the Mosop and Soy had already cleared the forest and divided land amongst themselves. Some Mosop had even sold their plots of land to the Soy and had moved away. The government thus formed a committee to confirm the claims of those living on the land. This led to the eviction of those whose claims were considered illegitimate. Most of the evictees were the Soy who had no legal documents to back up their land claims. The Mosop had kept the documents for themselves. This was the start of the land feud between the two groups.

A new settlement, Chepyuk II, was created in 1979 after the Mosop who had missed land in Chepyuk I had petitioned the government to address their plight.²³ The Mosop thus settled into this settlement scheme. They once again welcomed the Soy to help them farm their land. Some of the Mosop rented and even sold their land to the Soy in exchange for labour on their farms. This resulted in the Soy dominating the settlement scheme which had been initially created to primarily settle the Mosop. The Mosop realized that they no longer owned their land and demanded it back. The Soy, on the other hand,

²¹ Simiyu, Robert Romborah, *Militanisation Of Resource Conflicts: The Case Of Land – Based Conflict In The Mount Elgon Region Of Western Kenya*, Netherlands: Institute For Security Studies, 2008.

²² Medard, Claire, *'Indeginous' Land Claims in Kenya: A Case Study of Chebyuk, Mt. Elgon District* in Alden, Chris and Anseeuw, Ward (eds), *The Changing Politics of Land in Africa, Domestic Policies, Crisis Management and Regional Norms*, Human Science Research Council Press, 2010.

²³ Simiyu, Robert Romborah, *Militanisation Of Resource Conflicts: The Case Of Land – Based Conflict In The Mount Elgon Region Of Western Kenya*, Netherlands: Institute For Security Studies, 2008.

demanded a refund of their money and threatened to oust the Mosop out of the scheme if they did not comply.

In response, a re – evaluation of the land allocation process was carried out in 1989. The result was the annulment of the allocations and the creation of a vetting committee to determine who was to get the land. Applications came in from not only the Soy and the Mosop, but from members of other communities, the Bukusu particularly, settled in the area. Overwhelmed by the vast numbers, the committee reduced the amount of land for allocation to 2 hectares per family. It resulted in the Soy once again losing land to the Mosop.²⁴ The Soy, who had land in the area by way of purchase from the Mosop but lacked ownership documents, were excluded from the new land allocations.²⁵ Applicants who were unsuccessful were evicted from their lands. This enraged the Soy who saw this as the favouring of one group over another and resented ‘outsiders’ for coming to take their hard earned land.

The Soy who had missed land in Chepyuk II were not satisfied with their plight. Soy leaders petitioned the government to resettle the evictees and the other landless Sabaot. In 1993, land in Chepkurkur and Korung’otuny was set aside for settlement primarily of the Soy. This is what became Chepyuk Phase III. This land, however, had already been illegally occupied by the Soy. The government failed to expedite the allocation process until 2006. By this time, the land had already been illegally settled by the Soy since 1971.²⁶ They had cleared the forest and made it arable land over time. Each family to be settled in Chepyuk III was initially to be given two hectares of land. However in 2005,

²⁴ Médard, Claire, “Elected Leaders, militias and prophets: violence in Mt. Elgon (2006-2008),” pp. 339-361, in Lafargue, J. (ed), *The General Elections in Kenya, 2007, Les Cahiers d’Afrique de l’Est*, Special Issue, Mkuki na Nyota publishers, Dar Es Salaam, 2009.

²⁵ Simiyu, Robert Romborah, *Militanisation Of Resource Conflicts: The Case Of Land – Based Conflict In The Mount Elgon Region Of Western Kenya*, Netherlands: Institute For Security Studies, 2008.

²⁶ Medard, Claire, *‘Indeginous’ Land Claims in Kenya: A Case Study of Chebyuk, Mt. Elgon District* in Alden, Chris and Anseeuw, Ward (eds), *The Changing Politics of Land in Africa, Domestic Policies, Crisis Management and Regional Norms*, Human Science Research Council Press, 2010.

the land allocations were revised to one hectare per family.²⁷ In addition to this, the land was to be shared equally with the Mosop. The Soy who already had land in the scheme were unwilling to comply with this. It meant that those who had large tracts of land would have to surrender them for subdivision. In other words, it meant that many families who had been living on the land since 1971 faced eviction in order to accommodate the incoming Mosop.

This was more than the Soy could take. They had had enough of the Mosop being 'favoured' by the government. Tensions that had been brewing since the start of Chepyuk Settlement Scheme in 1971 had finally boiled to the surface. The Soy could no longer stand the Mosop taking 'their' land.²⁸ They rallied young men to defend their land. This is what led to the formation of the SLDF. The aim of the SLDF was to protect their land in Chepyuk III and eliminate anyone who tried to impede their mission.²⁹ They forcibly recruited young men to increase the number of soldiers. Furthermore, they formed a parallel government and levied tax on the people of Mt. Elgon by extorting them.³⁰ The SLDF killed anyone who did not co-operate with them. Scores of women were raped and physically assaulted. They poured their wrath out on the people who they deemed the cause of their landless state, the Mosop.

The Mosop thus were seen as the enemy who had to be eliminated by all means necessary. This may explain the nature of the rape and its uses in the conflict. In response, the Mosop formed the Political Revenge Movement (hereafter referred to as the PRM) and the Moorland Defence Forces (hereafter referred to as the MDF) and took up arms to defend themselves.³¹ They engaged in warfare

²⁷ Simiyu, Robert Romborah, *Militanisation Of Resource Conflicts: The Case Of Land – Based Conflict In The Mount Elgon Region Of Western Kenya*, Netherlands: Institute For Security Studies, 2008.

²⁸ Medard, Claire, "Key Issues in disentangling the Kenyan Issue: Evictions, Autochthony and Land Privatization," *Le Cahier d'Afrique de l' Est*, No. 37, Pp. 81-98.

²⁹ Oral Interview, Bert* (not real name), Cheptais, 14th September, 2011: Ex – SLDF Member.

³⁰ Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

³¹ Simiyu, Robert Romborah, *Militanisation Of Resource Conflicts: The Case Of Land – Based Conflict In The Mount Elgon Region Of Western Kenya*, Netherlands: Institute For Security Studies, 2008.

against the SLDF in retaliation to being attacked. These armed groups, however, were not large forces, neither were they as equipped or organized as the SLDF.

In March 2008, the Kenya Army took action against the SLDF insurgency. Through their military strategy, Operation Okoa Maisha, they managed to subdue the SLDF. They set up a military camp at Kapkoto in Cheptais Division which became the base of their operations. The killing of SLDF leader, Wycliffe Matakwei, in May 2008 indicated the demise of the conflict. Some of the SLDF militia men surrendered and were disarmed, while others were captured or killed. The Moorland Forces surrendered their weapons to the Kenya Army, too.

1.2 Statement of Research Problem

Rape and sexual violence have been features of war.³² Rape has even been established as an authentic weapon used in wartime.³³ There have been numerous studies conducted concerning rape as a weapon of war. However, these studies focus on wars in Europe and civil wars across Africa. Very little is written concerning rape as a weapon in the conflicts experienced in Kenya; more so in the Mt. Elgon conflict.

Various articles mention rape in the Mt. Elgon conflict but only in passing. When it is mentioned, it is not discussed as a weapon but as an opportunistic act. Thus there is no investigation into its effectiveness if used as a weapon. There is also no discussion on the specific impact of this sexual violence on the residents of Mt. Elgon. This research thus sought to fill these gaps. It sought to provide well researched and scholarly material on the use of rape as a weapon in the Mt. Elgon conflict as well as its impact on the society.

³² Bennett, Olivia. Bexley, Jo and Warnock, Kitty (eds), *Arms To Fight – Arms To Protect: Women Speak Out About Conflict*, London: Panos Publications Ltd, 1995.

³³ Brownmiller, Susan, *Against Our Will: Men, Women And Rape*, New York: Simon & Schuster, 1975.

1.3 Objectives

The objectives of this research are as follows:

- i. To assess the role of women in the Mt. Elgon Conflict
- ii. To assess the extent to which rape was used as a weapon in the Mt. Elgon Conflict
- iii. To investigate the impact of sexual violence on the women in Mt. Elgon

1.4 Justification of Study

Rape is recognized as a deliberate tool of war.³⁴ The Rome Statute even considers the calculated intentional use of rape in conflict as a punishable war crime. However, rape's effectiveness as a weapon in conflict has not been discussed by scholars.

Indeed, there is lack of scholarly material on the specific reasons for the use of rape against the women in Mt. Elgon. Although authors have given various reasons to try and explain the motivation for the use of rape in other conflicts, one cannot assume that they will automatically fit in the Mt. Elgon situation as each war is unique. Therefore, it is necessary to examine the precise reasons for the calculated use of rape in the conflict and deduce its effectiveness in the Mt. Elgon conflict.

Furthermore, there has not been any conclusive research on how the sexual violence on women has impacted the Mt. Elgon community. There is, therefore, need to investigate these gaps articulated above in order to assess the use of rape as a systematic weapon of war, the reasons for its use, and the role of women, if any, in the conflict as well its impact on the community.

³⁴ Brownmiller, Susan, *Against Our Will: Men, Women And Rape*, New York: Simon & Schuster, 1975.

1.5 Scope and Limitations of the Study

The study was conducted in Mt. Elgon specifically in three divisions, Cheptais and Kopsiro and Kapsokwony. These areas were chosen because they were the epicentre of the violence in Mt. Elgon, although it was widespread in the region.

The study focused on the time frame between 1991 to 2008 as this is the period that saw the intensified conflict between the Soy and the Mosop. Multipartism had been introduced in 1991 and had opened the door for politicians to use land and ethnicity to cause conflict.³⁵ As such, the tensions between the Soy and the Mosop were fanned by various political parties and saw them having clashes in 1992, 1997 and finally culminating in the civil war in 2006. The study extends to 2008 as this is when the Kenya Army intervened and was able to bring the armed conflict to an end, thus also marking the end of the intentional sexual violence.

The study was limited to women as they form the majority as far as victims of sexual violence are concerned. Men were also sexually violated. However; women are often especially targeted in conflict situations and make up the larger portion of victims in any battle.³⁶

Various challenges were experienced while collecting data in the field. Several respondents in Cheptais District Hospital declined to fill questionnaires. The reason for their refusal was fear. They believed that there were still SLDF spies in the area and thus did not want to be noted as having given information about them.

Another obstacle was the fact that it was hard to get respondents to interview due to distance. Most of them lived on the high slopes of the mountain which

³⁵ Médard, Claire, "Elected Leaders, militias and prophets: violence in Mt. Elgon (2006-2008)," pp. 339-361, in Lafargue, J. (ed), *The General Elections in Kenya, 2007, Les Cahiers d'Afrique de l'Est*, Special Issue, Mkuki na Nyota publishers, Dar Es Salaam, 2009.

³⁶ Cockburn, Cynthia, *The Space between Us: Negotiating Gender and National Identities in Conflict*, London: Zed Books, 1998.

meant that they had to travel a long distance to come to the division's centre where the researcher was conducting interviews. This resulted in the researcher not being able to interview the desired number of respondents.

A further setback was the failure of respondents to return questionnaires. Kapsokwony and Cheptais division returned the fewest as per the number distributed. Kopsiro division, however, returned all the distributed questionnaires.

1.6 Literature Review

Existing works on conflict have indicated that there is a shift in battle strategies. Civilians are now the targets in most wars. Women suffer the most in any conflict as they are targeted for sexual violence in its various forms. Rape is the most widespread form of this violence that is perpetrated on women. Scholars have discussed the various reasons for its prevalence as a deliberate tool in conflict. However, there is no debate on its effectiveness to defeat ones fiend.

In this section, the literature shall be reviewed starting with the presence and use of rape in conflicts around the world and will zero into cases in Africa and culminate in rape and its purpose in the armed conflict in Mt. Elgon in Kenya.

According to Gnanadson, Kanyoro and McSpadden, violence against women is apparent the world over, especially in conflict situations.³⁷ They, however, paint women not only as victims but as astute, creative, and successful actors in responding to it through nonviolent means. They purport that war by definition is violent and thus its violence increases the vulnerability of women. Women have been used as sexual weapons and objects of violence between warring factions. Women are silently defiled and are voiceless due to cultural restraints. Rape, however, is not investigated as a deliberate battle strategy; it

³⁷ Gnanadson, Aruna. Kanyoro, Musimbi and McSpadden, Lucia Ann, "*Women, Violence and Nonviolent Change*, Uppsala: Life and Peace Institute, 1996.

is mentioned in passing as a mere occurrence. This provided the study with an informed base with which to explore this unaddressed matter.

According to Hellen Callaway, women become the targets of specific sexual violence. This sexual violence is not only from enemy forces, but from men of their own society, even their own husbands, in a war where there is heightened aggression.³⁸ She views rape as a methodical occurrence rather than a random act and further insists that it is not only committed by the enemy, but by one's own society due to the increased impunity and violence in the community. The specific motives for using rape as a weapon of war are, however, not discussed at length which is what the study intended to investigate and establish.

Homa Nategh in her chapter, *Women: The Damned of the Iranian Revolution*, argues that the most extreme violence against women comes from the forces of the state itself.³⁹ According to Nategh, the state legitimizes violence as exemplified in Iran where new legal codes established made it not only possible, but mandatory for the Revolutionary Guards to 'marry' young girls arrested for committing counter – revolutionary acts and to rape them before putting them to death. The author names the state as the party responsible for the occurrence and legitimization of violence against women in war. She concentrates on sexual violence against women in wartime, but does not examine the reasons for its prevalence and whether it is a mere by-product of war or a specific aim. The study thus investigated these specific reasons for the use of rape in war.

According to Cynthia Cockburn, women suffer in a way specific to women in all wars.⁴⁰ She states that women are seen as symbols, guardians of home and

³⁸ Callaway, Helen, "Survival and Support: Women's Forms of Political Action" in Ridd, Rosemary & Callaway, Helen (ed), *Women & Political Conflict: Portraits of Struggle in Times of Crisis*, Washington Square, New York: New York University Press, 1987.

³⁹ Nategh, Homa, "Women: The Damned of the Iranian Revolution" in Ridd, Rosemary & Callaway, Helen (ed), *Women & Political Conflict: Portraits of Struggle in Times of Crisis*, Washington Square, New York: New York University Press, 1987.

⁴⁰ Cockburn, Cynthia, *The Space between Us: Negotiating Gender and National Identities in Conflict*, London: Zed Books, 1998.

homeland, as mothers, reproducers of children and culture. Thus, rape by alien men is the ultimate defilement of a nation. Cockburn examines the calculated use of rape in the Bosnia and Herzegovina war. She argues that rape is an endemic and not an incidental feature of war. The rape in the war was an organized, even strategic intention to demoralize the men through the defilement of their most treasured possessions, women's honour. The Croat Defence Council extremists used it as a tool of ethnic cleansing. The author further argues that rape is not an effect of men's sexual drive, but of gender power relations. Enemy men, too, were 'reduced' to women by being defiled. Cockburn outlines the methodical use of rape in war and the reasons for its employ. However, the effectiveness of the use of rape, since it was utilized as a battle strategy, is not discussed which is what this study aimed at doing.

Mercedes Olivera and Victoria Furio in their article, '*Violencia Femicida: Violence against Women and Mexico's Structural Crisis*', argue that violence is being exerted against women for simply being women.⁴¹ They state that it is an expression of male power and is a result of extreme poverty, unemployment and a patriarchal structure in society. The authors state that societal inequalities are expressed in direct or hidden messages, discriminatory actions and excluding omissions, lack of resources, limits on freedom and coercion, objectification, exploitation, self – depreciation, feelings of guilt and shame, deception and false justifications. They believe that in all these situations, violence against women progressively develops from insinuations, offensive comparisons, harassment, threats, verbal intimidation, abuse, irresponsibility, betrayals, and abandonment to beatings, forced sex, rape, and persecution. It eventually appears in other realms such as counter insurgency and war. Violence, they claim, is embedded in the fabric of society. It starts mildly at the family level and escalates in war situations, although the purposes for its use

⁴¹ Olivera, Mercedes and Furio, Victoria, "Violencia Femicida: Violence against Women and Mexico's Structural Crisis," *Latin American Perspectives*, Vol. 33, No. 2, March, 2006.

in war are not looked into. This provides an open avenue for this study to investigate.

Rape and the broader issues of sexual torture and sexual slavery are no longer strange phenomena in African civil wars. According to Turshen and Twagiramariya, women end up as legitimate spoils of war, booty if you will, in any conflict.⁴² They delve into the brutality against women in wars. The authors state that women are viewed as being the honour of the family; thus dishonouring a woman is likened to dishonouring a family. Rape here is portrayed as a tool of war used to dishonour and disgrace a family and in broader terms, a society.⁴³ This gave the study relevant information on rape as a weapon as well as a leeway to explore the other possible reasons for its use in war.

It is argued that sexual violence is more likely to be applied as a strategy in wars that are greatly communalized; the divide between civilian and combatant is nonexistent and there is an extensive loathing of an ethnic group that has been allowed to flourish.⁴⁴ In Sudan, the Janjaweed attacked civilians and raped women. The rapes were conducted as a form of punishment and warning against dissidence. As such, they were not sporadic, but calculated and precise. This granted the study a basis on which to compare the use of rape in other conflicts and decipher the other possible reasons for its overall use in war.

Human rights violations in war are becoming a common feature of African civil wars. Liberia is known for such violations as extra judicial killings, maiming of

⁴² Turshen, Meredith & Twagiramariya, Clotilde (ed), *What Women Do in Wartime: Gender & Conflict in Africa*, Zed Books Ltd, New York, USA, 1998.

⁴³ Turshen, Meredith & Twagiramariya, Clotilde (ed), *What Women Do in Wartime: Gender & Conflict in Africa*, Zed Books Ltd, New York, USA, 1998.

⁴⁴ Leaning, Jennifer and Gingerich, Tara, "The use of Rape as a Weapon of War in the Conflict in Darfur, Sudan," *Program on Humanitarian Crisis and Human Rights, Harvard School of Public Health*, USA, 2005.

civilians, the use of child soldiers, and the systematic use of rape in the war.⁴⁵ Here, rape is acknowledged as a tactic employed in warfare to reach specific objectives. Thus Steadman, Rothchild, and Cousens, enrich the study by providing a framework with which to compare the various reasons for the use of rape in war as well as its outcomes.

The Revolutionary United Front (RUF) in Sierra Leone targeted civilians in their warfare. They cut off noses, legs and plucked out the eyes of civilians. Women were also targeted by the RUF. They abducted them and forcibly conscripted them as sex slaves and combatants.⁴⁶ They were further sexually mutilated and raped. Ayissi and Poulton, however, do not mention the reasons for the rape of these women. They just indicate that rape took place during the war. It gives room for further investigation into reasons for the use of rape in warfare.

Richard Jenkins argues that rape as a weapon of war is deliberate, systematic, well-organized and is not about sexual gratification.⁴⁷ As a military strategy, rape can be used to systematically force people to flee their villages for fear of other atrocities. Thus this kind of rape induced ethnic cleansing acts in a domino- principle: people fleeing one village will tell their story to the next village that will in turn pass the message to the next, and so forth. Eventually, everyone flees in fear of their lives. Therefore, you only need a small number of cases to terrorize an entire ethnic group into leaving. He further propounds that rape can be wielded as an ethno-nationalist policy that expresses deep inter- ethnic hatred and manifests itself in the kind of mass rape in Rwanda in the 1994 Genocide. It was meant to humiliate, demoralize and eventually destroy an ethnic group. It went hand in hand with torture and killing. This

⁴⁵ Stedman, Stephen John. Rothchild, Donald & Cousens, Elizabeth M. (eds), *Ending Civil Wars: The Implementation of Peace Agreements*, Colorado: The International Peace Academy Inc, 2002.

⁴⁶ Ayissi, Anatole and Poulton, Robin Edward (Eds), *Bound To Cooperate: Conflict, Peace and People in Sierra Leone, 2nd Ed*, United Nations Institute for Disarmament Research, Geneva: United Nations, 2006.

⁴⁷ Jenkins, Richard, *Rethinking Ethnicity, 2nd Ed*, California: Sage Publications, 1997.

provides the researcher with a basis on which to investigate the true intent of the use of rape in the study.

The Mt. Elgon conflict was riddled with all forms of violence. The SLDF emerged as the government of the day and ruled via their own laws. Violence was the means to secure their control in the area. They were notorious for killing traitors and raping and maiming people.⁴⁸ Simiyu, however, does not speak of the reasons for the rape, but simply states that it occurred during the conflict. This reading enriched the study with pertinent information concerning the background of the conflict but left the purpose for the rapes unsaid, thus opening up the arena for exploration.

Medard has also examined the conflict in Mt. Elgon with specific focus on the outbreak in 2006. She cites the roots of the conflict from long standing tensions concerning land.⁴⁹ She explains the violence that occurred as a result of the conflict, such as the loss of life and property but does not mention the sexual violence. Rape is not mentioned at all in her work, creating an area open for research and investigation.

Civilians were subjected to all forms of violence during the conflict in 2006. Sexual violence was experienced both by men and women.⁵⁰ Men were exposed to torture of a sexual nature especially by the Kenyan Army which came in 2008 to restore peace and vanquish the SLDF militia. Women were raped by the SLDF militia. The motivation for this rape is, however, left unsaid. Rape is only mentioned as a feature of the conflict, but its purpose is unstated. This forms a basis for the necessity of the research to discover the reasons for the rape in the conflict.

⁴⁸ Simiyu, Robert Romborah, *Militanisation Of Resource Conflicts: The Case Of Land – Based Conflict In The Mount Elgon Region Of Western Kenya*, Netherlands: Institute For Security Studies, 2008.

⁴⁹ Médard, Claire, "Elected Leaders, militias and prophets: violence in Mt. Elgon (2006-2008)," pp. 339-361, in Lafargue, J. (ed), *The General Elections in Kenya, 2007, Les Cahiers d'Afrique de l'Est*, Special Issue, Mkuki na Nyota publishers, Dar Es Salaam, 2009.

⁵⁰ Medecins Sans Frontieres, "Mt. Elgon: Does Anybody Care? MSF takes stock after one year in the heart of the crisis in Mt Elgon," *Medecins Sans Frontieres*, Brussels, May, 2008.

1.7 Theoretical Framework

The intended research is based on two theories:

- i. The Strategic Rape Theory.
- ii. The Conflict Theory of Sexual Stratification.

Strategic rape theorists argue that sexual violence is a common feature of armed conflicts. According to Pratt and Werchick, differences exist in some cases within conflicts in terms of the extent to which sexual violence is used as well as the manner in which it is perpetrated.⁵¹ The authors have used the theory to explain the nature of the sexual violence experienced by women in the Congo crisis. They purport that considering sexual violence in conflict either as opportunity or as a war method is too simplistic. According to them, sexual violence in conflict is ‘motivated and perpetuated by a complex mix of individual and collective premeditated and circumstantial reasons’.

The authors propagate that sexual violence is calculated and premeditated to achieve a certain end. The theory thus helped elucidate the reasons for the prevalence of sexual violence and use in the conflict. It was instrumental in determining the aim of its use in the conflict as well as methods in which it was propagated.

The Strategic Rape Theory was used together with the Conflict Theory of Sexual Stratification which base the roots of violence towards women as a consequence of societal stratification. Randall Collins, a propagator of the theory, purports that societal discrimination against women is explained as a result of a distinctive system of stratification by sex.⁵² He holds that the fundamental bases of sexual stratification are human sexual drives in

⁵¹ Pratt, Marion and Werchick, Leah, “Sexual Terrorism: Rape as a weapon of War in Eastern Democratic Republic of Congo: an assessment of programmatic responses to sexual violence in North Kivu, South Kivu, Maniema and Orientale Provinces.” *USAID*, USA, 2004.

⁵² Collins, Randall, *Social Problems*, California: University of California Press, Vol. 19, No. 1, 1971.

conjunction with male physical dominance. In conflict situations, the theory validates the fact that there is still stratification in combat. Collins states that the male as the dominant individual asserts his control by violating the rights of the woman. According to this theory, the man is aware of his physical strength and wields it against the woman just because he can. It is a display of force and might; the ultimate humiliation of an 'inferior' being.

The Conflict Theory of Sexual Stratification was used to reveal the situations in the Mt. Elgon conflict where the man asserted his power on women through violence as an expression of physical dominance with special regard to rape and other forms of sexual violence. The theory also helped to explain the reasons behind the use of sexual violence against women in war.

1.8 Research Hypotheses

The study will test three hypotheses:

- i. Women played an active role in the Mt. Elgon conflict.
- ii. Rape was the most effective weapon used in the Mt. Elgon conflict
- iii. Sexual violence in the Mt. Elgon conflict irreparably shattered the society.

1.9 Methodology

The study utilized various tools and techniques in the process of collecting primary and secondary data required for the research. Secondary data was acquired from relevant books and scholarly journals from the University of Nairobi's Jomo Kenyatta Memorial Library. Newspapers, magazines, and NGO reports were used to gather pertinent data for the study. Gaps found within the secondary data were enhanced by primary data collected. This primary data was collected through oral interviews, questionnaires and observation.

Two sampling methods were used to select subjects for the study; purposive sampling and the snow ball sampling technique. First, a sample was attained through purposive sampling. It involved the use of respondents that had the required information about the conflict and the sexual violence that occurred within it. They included victims of the sexual violence and those who were generally affected by the conflict.

Secondly, the snow ball sampling technique was used. This is where one first identifies subjects with the said qualities. These subjects in turn mention others with the required characteristics. This ensured that data gathered was relevant as it was from credible sources. My key informant for this technique was Mrs. Mbatiani, the Chairlady of the Maendeleo Ya Wanawake organization in Mt. Elgon based in Kapsokwony Division. I acquired her as a source while at a TJRC (Truth, Justice and Reconciliation Committee) hearing for the human rights violations during the Mt. Elgon conflict that were held in Bungoma in August 2011. She was informative and was able to lead me to other informants with the required qualities in Cheptais and Kopsiro Division. In Cheptais, I liaised with Eunice Chepchumba, a social worker there who was able to direct me to other informants who I interviewed. In Kopsiro, I worked with the Division Officer there who was instrumental in getting informants to fill in my questionnaires. I further liaised with and interviewed a member of the Administration Police in Kopsiro who shall not be named for security reasons. This individual was pivotal in getting subjects for me to interview.

Oral interviews were guided by open - ended questions which allowed the subject to give auxiliary information that was relevant to the research. Note taking was done without the aid of a tape recorder as some of the informants were not comfortable with being taped for security reasons. In total, fifty seven subjects - men, women and former SLDF soldiers - were interviewed from the three divisions: sixteen in Kapsokwony, eighteen in Cheptais, and twenty in Kopsiro.

Questionnaires were used to gather data from respondents from the three divisions. The questionnaires had both structured and unstructured questions. Structured questions were easy to analyze and easy to administer. The unstructured questions permitted the respondent to respond in greater depth and write useful information that may not have been discovered otherwise. This ensured that those individuals who were not involved in oral interviews could still participate in the research. They further ensured that respondents had enough time to provide well thought out answers. Of the 100 questionnaires that were distributed, 35 were filled and returned. The unreturned 65 questionnaires unfortunately remained with the respondents.

Observation was also done. Informants were not able to voice some issues due to their sensitivity, but their words were etched on their faces as they recounted events. I observed their facial expressions and other forms of non – verbal cues, such as gestures and body language. This gave me an insight on the true feelings and motivations of the subjects.

To maintain the integrity of the report and the safety of the respondents, not all informants were named. Respondents who gave permission to use their real names are denoted by a first and last name. However, those who wished to remain anonymous for security reasons are denoted by fictitious first names only.

Data collected was then analyzed using qualitative analysis. This ensured that the primary and secondary data was placed in a historical context for better comprehension. It also ensured that a variety of explanations were explored in order to give a better picture on the topic in question.

Chapter Two

The Role Of Women In The Mt. Elgon Conflict

2.0 Introduction

This chapter seeks to investigate the nature of the involvement of women during the Mt. Elgon conflict, whether direct or indirect. In addition to this, the chapter also assesses the various reasons for their participation in the conflict.

War and conflict are common features in any society.⁵³ Whether the feud is within the society itself or between the society and its neighbours, disputes are not strange occurrences. In most battles, men are seen to be the warriors, the defenders and protectors. Indeed, manliness has often been defined by the unwillingness to shy away from danger and womanliness as that which is 'vulnerable to danger' and requiring protection.⁵⁴ As such, women are often perceived as victims and not actors in conflict.⁵⁵ This is because they are often seen to be peaceful or at least less warlike than men. However, the days where women were thought to be simple bystanders during wars have long passed.⁵⁶ Women play a varied number of roles in conflicts.⁵⁷ Whether it is through bearing arms or sheltering fighters, women no longer stand at the sidelines of any conflict.⁵⁸

⁵³ Alexander, Franz, "The Psychiatric Aspects of War and Peace," *The American Journal of Sociology*, Vol. 46, No. 4, January 1941.

⁵⁴ Enloe, Cynthia, *The Morning After: Sexual Politics at the End of the Cold War*, Berkeley and Los Angeles: University of California Press, 1993.

⁵⁵ Coulter, Chris. Person, Mariam & Utas, Mats, "Young Female Fighters In African Wars: Conflict And Its Consequence," *Policy Dialogue No.3, The Nordic Africa Institute*, Uppsala, 2008.

⁵⁶ Machel, Graca, "Report of the experts of the Secretary General on the Impact of Armed Conflict on Children," New York: United Nations, 2002.

⁵⁷ Bennett, Olivia. Bexley, Jo and Warnock, Kitty (eds), *Arms To Fight – Arms To Protect: Women Speak Out About Conflict*, London: Panos Publications Ltd, 1995.

⁵⁸ Bennett, Olivia. Bexley, Jo and Warnock, Kitty (eds), *Arms To Fight – Arms To Protect: Women Speak Out About Conflict*, London: Panos Publications Ltd, 1995.

History is filled with instances where women have played active and key roles in conflicts. From biblical times where women like Deborah⁵⁹ led the Israelites into battle against the Canaanites to Joan of Arc,⁶⁰ who fought to free France from British rule during the Renaissance period, to the Tigrayan women,⁶¹ who took up arms in the struggle against the Ethiopian government in the 1980s, the instances of women's active role in conflict is evident.

2.1 The Involvement of Women in the Mt. Elgon Conflict

The Mt. Elgon conflict is one that has brewed over time.⁶² Since the establishment of Phase I of the Chepyuk Land Settlement Scheme till the establishment of its Phase III, animosity has been building between the Soy and the Mosop. The Mosop benefitted more from the scheme in the eyes of the Soy and were 'favoured' by the government. Chepyuk I and II had been created to settle the Mosop and the Soy had continuously been evicted during the two phases from 1968 to the early 1990s. The Soy finally got their own settlement scheme (Chepyuk Phase III) after petitioning the government in 1993. However, the government failed to expedite the allocation process till 2006. When it finally allocated land, the government granted the Mosop an equal portion of land there, which resulted in the eviction of more Soy people.⁶³ This 'unfair' land allocation was the last straw for the Soy. The Soy mobilized young men and set out to fight the government in a bid to protect their land and avoid their own eviction.

⁵⁹ Judges Chapter 4, *The Holy Bible, New Living Translation (2nd Edition)*, Illinois: Tyndale Publishers Inc, 2005.

⁶⁰ Leon, Vicki, *Outrageous Women of the Renaissance*, New York: John Wiley and Sons Inc, 1999.

⁶¹ Bennett, Olivia. Bexley, Jo and Warnock, Kitty (eds), *Arms To Fight – Arms To Protect: Women Speak Out About Conflict*, London: Panos Publications Ltd, 1995.

⁶² Simiyu, Robert Romborah, *Militanisation Of Resource Conflicts: The Case Of Land – Based Conflict In The Mount Elgon Region Of Western Kenya*, Netherlands: Institute For Security Studies, 2008.

⁶³ Medard, Claire, "Key Issues in disentangling the Kenyan Issue: Evictions, Autochthony and Land Privatization," *Le Cahier d'Afrique de l' Est*, No. 37, Pp. 81-98.

For the people of Mt. Elgon, land is an important asset, it is their livelihood. Being an agricultural based community, land is very dear and necessary for their very survival.⁶⁴ Women make up a considerable percent of the population in Mt. Elgon. Therefore, the eviction of people from Phase III and the settlement of these squatters were of major concern to them.⁶⁵ It concerned them to the point of action. Having already participated indirectly by urging their men to petition the government for land which resulted in Phase III and having seen the disastrous results, the Soy women decided to rally behind their men and even support their men in the armed struggle against the government.

Given the nature of the war, the women saw it their best interests to participate in the conflict. The full blown conflict that spanned close to three years wreaked havoc on their lives.⁶⁶ It disrupted their social and economic life. Their families were torn apart as their husbands and sons went to war. They were left in poverty as their husbands could no longer provide for them. The period of war curtailed economic activities, such as farming which is the backbone of their economy, thus plunging them into further poverty and eventual disillusionment and eventual resentment at the whole conflict situation.⁶⁷ This led women to participate in two ways: there are those who aided the SLDF in their war and there are those who worked against them.

The women who aided the war effort were the ones who stood to lose their land and thus decided to be part of the process of retaining their land. They were mostly the Soy women. The first role the women played in the war was that of incitement and encouragement. In traditional African societies, women were known to sing war songs that were meant to encourage the men as they went to battle. In the same way, women who were about to lose their land rallied

⁶⁴ Simiyu, Robert Romborah, *Militanisation Of Resource Conflicts: The Case Of Land – Based Conflict In The Mount Elgon Region Of Western Kenya*, Netherlands: Institute For Security Studies, 2008.

⁶⁵ Oral Interview, Anne* (not real name), Kapsokwony, 6th September, 2011.

⁶⁶ Oral Interview, Brenda* (not real name), Cheptais, 12th September, 2011.

⁶⁷ Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

together and encouraged their sons and husbands to fight for their land.⁶⁸ This resulted in the formation of the SLDF, a militia group with the sole aim of defending their land from outside occupation.

For any military operation to be successful there needs to be an effective intelligence gathering system in order to be able to gauge the moves of the enemy. According to former SLDF soldiers, the SLDF had a fully operational chain of command inclusive of these spies who collected information. The statement below illustrates the intricate and structured SLDF organization:

The SLDF was a well organized group. At the top, it was ruled by a Council made up of advisors and oloibons who would give counsel. After that came the military commanders and their deputies. Those ones were followed by the sub commanders of various regions like those in charge of Cheptais or Kopsiro. Then there were camps kama the chui and simba camp. This is where training happened and they were also our hideouts. Then there were chairmen. These chairmen were like judges and they operated kangaroo courts. They coordinated who would be arrested or killed. There were informers at the bottom. They worked in cells that operated from different places like markets, government offices or even hospitals. Women were mostly used as these informers. They were like our spies.⁶⁹

From this, we deduce that the SLDF indeed had a sophisticated hierarchy of command which no doubt was instrumental for coordinating its moves and carrying out its objectives. At the top, there were oloibons who acted as advisors. These oloibons are spiritual leaders and widely respected. Their counsel was thus sought and they made up the council. They were followed by the military commanders and their deputies who were then followed by the sub commanders and their deputies. These individuals were the ones who were mostly involved in the armed conflict. They trained new recruits and carried out the military operations. Chairmen followed next. They acted like judges and prosecutors executing justice in 'courts'. At the bottom of the hierarchy were

⁶⁸ Oral Interview, Anne* (not real name), Kapsokwony, 6th September, 2011.

⁶⁹ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

the informers or spies. These spies gathered information from different places that were not so obvious, such as markets or even hospitals. Women and children often filled this position because they are not conspicuous and easily go unnoticed.

As stated, women worked as spies to gather information that would aid the SLDF in their mission.⁷⁰ This was crucial as the SLDF operated mostly from the forest and would, therefore, have no means of collecting the information themselves without being conspicuous. They needed an outside network that would be able to get the relevant facts without drawing attention to themselves. Hence, women were perfect spies because no one would suspect them and thus they easily went unnoticed.⁷¹ They were instrumental in informing the SLDF of impending police raids in order to avoid capture which would hinder their plans.

Women also participated in the conflict by providing logistical support. They would provide the SLDF with food in order to ensure their success. Crops would be left in their farms for the SLDF to collect for food.⁷² Aurora* is a farmer who owned an onion farm during the conflict. She narrates her role in the conflict:

Wakati vita vilianza, nilikuwa na shamba kubwa ya vitungu. Hizo vita zikanipata wakati wa kuvuna. Nilipojaribu kuvuna vitungu zangu, kijana wa jirani yangu alikuja kunionya. Alikuwa mmoja wa hao SLDF. Aliniambia nisivuna hizo vitungu, niziwache shambani ili hao SLDF wazichukue ama wataniua. Kwa hivyo sikuvuna vitungu na hao SLDF walizichukua. (When the violence started, I had a huge onion farm. The violence found me during harvest season. When I tried to harvest the onions, my neighbour's son came and warned me. He was one of the SLDF. He told me not to harvest my onions, I should leave them in the farm so that the SLDF could take them or they would kill me. Thus I did not harvest my onions; I left them for the SLDF who took them.)⁷³

⁷⁰ Oral Interview, Ben* (not real name), Cheptais, 12th September, 2011.

⁷¹ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

⁷² Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

⁷³ Aurora* (not real name), Kapsokwony, 7th September, 2011.

Thus we see how women, although forced to in this case, played a strategic role on sustaining the food supply of the SLDF. This supportive role went a long way to sustaining the SDF movement and help it achieve its goals.

Women also unwillingly participated in the conflict, mostly through coercion. The SLDF forced some women to act as porters. These women were forced to collect firewood or else the SLDF would kill them.⁷⁴ This firewood would be used for cooking and other activities of the SLDF. Barny* a human rights activist, attested to the participation of women in the conflict as porters used to ferry firewood for the SLDF. The statement below paints a vivid image of the role of women as porters:

There was a lot of insecurity during that time of conflict. Some women were hijacked and forced to carry things like firewood to the forest. The forest was where the SLDF was hiding and based. Once these women reached the forest, they were either forced to be bush wives or gang raped as a punishment.⁷⁵

Therefore, we see that women were also used as sex slaves. They were kidnapped and forced to become bush wives for the SLDF militia men.⁷⁶ According to former SLDF soldiers, bush wives were acquired in order to fulfill their sexual needs. They elaborate in their statement below how they went about it and their reason for abducting these bush wives:

Watu wa SLDF walifinywa kuwa wanyama. Tulikuwa tunalazimishwa kula bhangi. Hata pastors walilazimishwa. Ukikataa, unapigwa. Hiyo ndiyo sababu waliweza kuwapeleka wanawake msituni na kulazimisha walale nao. Waliona bibi zao wako mbali na wanataka kutekeleza mahitaji zao. Unachukua huoyo ambayo yuko karibu. (The people of the SLDF were made to be like animals. we were forced to eat bhangi. Even pastors were forced. If you refused, you were beaten. That was the reason they were able to take women to the forest and force them to sleep with them. They saw that their wives were far away and they wanted to

⁷⁴ Oral Interview, Bruce* (not real name), Cheptais, 12th September, 2011.

⁷⁵ Oral Interview, Barny * (not real name), Cheptais, 12th September, 2011.

⁷⁶ Oral Interview, Brenda* (not real name), Cheptais, 12th September, 2011.

satisfy their needs (sexual). You take the one (woman) who is close to you)⁷⁷

We can thus conclude that since these men were away from their wives or girlfriends, these bush wives were acquired to fulfill their sexual desires.⁷⁸ This is not an uncommon action and has been done in other wars, such as in World War Two with the 'Korea Comfort Women' where the Japanese Imperial Army abducted Korean and Chinese women and forced them to be their sex slaves.⁷⁹

Women were also forced to attend to wounds and injuries of the wounded soldiers. They were made to be healers. In the course of the conflict, some of the SLDF soldiers got injured and needed medical attention, but were not able to go to the hospital for fear of capture. Therefore, the SLDF often abducted women with medical training such as nurses, to tend to their wounded. Belinda*, a nurse at the Cheptais District Hospital was one of the victims of this. She narrates her experience as follows:

Wale vijana wa SLDF walinikuja kwa nyumba siku moja. Walinilazimisha kuenda nao. Walinipeleka kwa nyumba ndogo. Hiyo nyumba ilikuwa imejaa na vijana wa SLDF ambao walikuwa wameumia. Walinilazimisha kuwatibu. Nilikaa hapo muda mrefu. Sikujua kama wataniua ama wataniwachilia baadaye. Nilipomaliza, walinirudisha kwangu. (The youth from the SLDF came for me at my house. They forced me to go with them. They took me to a small house. That house was full of injured SLDF youth. They forced me to treat them. I stayed there for a long while. I did not know if they would kill me or set me free later. When I finished, they took me back home)⁸⁰

Lastly, there is a group of women who participated in the war but against the SLDF. They worked against the SLDF by hiding their sons and husbands from the SLDF.⁸¹ The SLDF had begun a compulsory recruitment drive. All men from the Soy were required to join the SLDF; however, not everyone shared the

⁷⁷ Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

⁷⁸ Oral Interview, Bernice* (not real name), Cheptais, 12th September, 2011.

⁷⁹ Peel, Michael (ed.), "Rape as a Method of Torture," Medical Foundation for the Care of Victims of Torture Report, 2004.

⁸⁰ Oral Interview, Belinda* (not real name), Cheptais, 12th September, 2011.

⁸¹ Oral Interview, Anita* (not real name), Kapsokwony, 6th September, 2011.

same objectives as the SLDF.⁸² As a result, they opted to hide themselves rather than participate in the conflict. Women were instrumental in hiding their sons and husbands and helping them avoid detection as well as taking food to them in their hiding places to ensure their survival.

When the Kenya Army intervened in March 2008, women also acted as informants against the SLDF.⁸³ They were key in helping the Army identify members of the SLDF as well as find their hiding places. These women were from both the Soy and Mosop community. At this point, women from both communities were tired of a war which according to them had done more harm than good. In a bid to restore peace and harmony back in society; these women assisted the Army to capture the members of the SLDF.

2.2 The Reasons for women's involvement in the Mt. Elgon conflict

Women's participation in war is for a varied number of reasons. Scholars indeed believe that women have their own agenda for going to war.⁸⁴ This can be said to be the case with the women of Mt. Elgon. Various factors prompted them to actively, whether directly or indirectly, take part in the conflict. As in most societies, women make up the larger portion of the Mt. Elgon community. Being the larger portion meant that they would also face the most ramifications of the conflict.⁸⁵ As such the women decided not to take the conflict sitting down.

Despite stereotypes of women being naturally peaceful individuals, they have been known to actively participate in war, especially if they believe in the cause.⁸⁶ In our case, the women of Mt. Elgon had a strong cause to believe in – the 'unfair' allocation of 'their' land. Some scholars indeed concur that the

⁸² Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

⁸³ Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

⁸⁴ Coulter, Chris. Person, Mariam & Utas, Mats, "Young Female Fighters In African Wars: Conflict And Its Consequence," *Policy Dialogue No.3, The Nordic Africa Institute*, Uppsala, 2008.

⁸⁵ Bennett, Olivia. Bexley, Jo and Warnock, Kitty (eds), *Arms To Fight – Arms To Protect: Women Speak Out About Conflict*, London: Panos Publications Ltd, 1995.

⁸⁶ Barth, Elise. F, *Peace as Disappointment: The Reintegration of Female Soldiers In Post – Conflict Societies. A Comparative Study From Africa*, Oslo: International Peace Institute, 2002.

access to and control or manipulation of various resources such as land is at the heart of any resource war.⁸⁷ The access to the land in Phase III of the Chepyuk Settlement Scheme is the very heart of the conflict in Mt. Elgon. Readings have also indicated that such forced migration always brings about conflict between the host community and the incoming community.⁸⁸

As earlier discussed, land is a core asset to the Mount Elgon community. Due to the fact that they are primarily farmers and livestock keepers, land is vital for their livelihood. Without it, they would not be able to support their families and prosper. According to Stefan Wolff, when one's sense of security or livelihood is threatened, conflict arises as a means to protect oneself and property from the enemy.⁸⁹ Bearing this in mind, any risk of the residents of Chepyuk Phase III losing their land was a worthy enough cause for their men to bear arms and fight. It was also a worthy cause for women to participate in the war and support these men in fighting for their rights.

In addition to the land being an important part of their livelihood, it also has sentimental and cultural value to them. According to Abiodun Alao, in Africa, land's importance transcends economics into a breadth of social, spiritual and political significance.⁹⁰ In this light, the residents of Chepyuk Phase III felt that a grievous wrong was being done by forcing them out of their ancestral land and bringing 'strangers' in. Their ancestors had been buried on that land; they themselves had been brought up on it and in turn had brought up their own children on it, too.⁹¹ This land was dear to them. The thought of parting with it was unthinkable. Therefore, the women opted to aid the war effort.

⁸⁷ Alao, Abiodun, *Natural Resources and Conflict in Africa: The Tragedy of Endowment*, New York: University of Rochester Press, 2007.

⁸⁸ Wood, William B, "Forced Migration: Local Conflicts and International Dilemmas," *Annals of the Association of American Geographers*, Vol. 84, No. 4, 1994.

⁸⁹ Wolff, Stefan, *Ethnic Conflict: A Global Perspective*, Oxford: Oxford University Press, 2007.

⁹⁰ Alao, Abiodun, *Natural Resources and Conflict in Africa: The Tragedy of Endowment*, New York: University of Rochester Press, 2007.

⁹¹ Oral Interview, Bert* (not real name), Cheptais, 14th September, 2011.

The women of Mt. Elgon also participated in the war as a survival tactic. The loss of their land meant subjection to poverty and hunger. As said earlier, land is their primary means of livelihood. Supporting their families would be near impossible without it. Therefore, to secure their means of survival, they supported their men in the struggle for land with the hopes of succeeding in retaining it in the end.⁹²

However, the toll of the war itself led to the hunger and poverty that they were hoping to evade. This is because no farming took place during the war; the SLDF forbid it.⁹³ Thus with no food, women found it better to support the SLDF so that they could get their land back, the war would end and they would be able to farm again. In this light, supporting the SLDF was more of a means to an end. It seemed to be the only way that the conflict would end and life would go back to 'normal'.

Another survival tactic was 'sleeping with the enemy'. Women had been left defenceless as their husbands had gone into hiding to evade SLDF recruitment. Women would sometimes have to exchange sexual favours for protection from the SLDF militia or the Police Officers in Mt. Elgon.⁹⁴ Women also 'accepted' to be bush wives in order to escape being killed. Failure to consent to sexual violation resulted in death. One had to lay aside their dignity in order to survive. Those who accepted to be violated had their lives spared while those who resisted were 'killed like animals'.⁹⁵ As such, women had no choice but to participate in the war as bush wives and instruments of sexual pleasure.

Twelfth century philosopher, St. Augustine, believed that war was justified if used as a last resort.⁹⁶ This may very well have been thought to be the case in Mt. Elgon. Women's participation in and support of the war may have been as

⁹² Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

⁹³ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

⁹⁴ Oral Interview, Beryl* (not real name), Cheptais, 12th September, 2011.

⁹⁵ Questionnaire, Andrew* (not real name), Kapsokwony, September, 2011.

⁹⁶ Waltz, Kenneth N, *Man, the State and War: A Theoretical Analysis*, New York: Columbia University Press, 2001.

a last alternative. Seeing no other way to secure their land as their previous attempts at dialogue and petition had fallen on deaf ears, war may have seemed like the only option left. For what is war and conflict but the continuance of dialogue or foreign policy by other means?⁹⁷ The women saw no other means with which to retain their land other than encourage their men to continue their 'dialogue' through violent means which the government will be forced to take seriously.

Many wars are also fought to achieve specific purposes as was the case with the Mt. Elgon conflict. Indeed, St. Augustine insisted that war would be justified if one had a right objective for engaging in it.⁹⁸ As far as the Mt. Elgon conflict is concerned, the sole aim of the conflict was to protect their Soy land from 'intruders'.⁹⁹ Thus the war would persist until this objective was achieved. Women were in favour of this goal as it would ensure their livelihood. By protecting their land, their means of survival would be intact; parting with their land was not an option.

2.3 Conclusion

From the discussions in this chapter, we have seen the role of women in the Mt. Elgon conflict, whether it was coerced or willing. Women played a variety of roles that both encouraged and ultimately brought an end to the violence. Some women were perpetrators and actors, while others were victims, coerced to participate in a war that they did not believe in.

This chapter has also looked into their motivations for participating in the war and it is safe to conclude that it was, for the most part, as a means of survival; a way of taking care of their families. Women are care givers; nurturers by

⁹⁷ Clausewitz, Carl Von, *On War*, London: Penguin Books Ltd, 1968.

⁹⁸ Waltz, Kenneth N, *Man, the State and War: A Theoretical Analysis*, New York: Columbia University Press, 2001.

⁹⁹ Oral Interview, Bert* (not real name), Cheptais, 14th September, 2011.

nature.¹⁰⁰ One may postulate that it is this instinct to care for and nurture their families that led them to take part in the war in order to ensure their very survival.

However, as in all conflicts, women still end up being targeted as victims no matter how much they participate. Women are vulnerable individuals, especially in war situations.¹⁰¹ Our next chapter hence will discuss their vulnerability with special regard to sexual violence.

¹⁰⁰ Coulter, Chris. Person, Mariam & Utas, Mats, "Young Female Fighters In African Wars: Conflict And Its Consequence," *Policy Dialogue No.3, The Nordic Africa Institute*, Uppsala, 2008.

¹⁰¹ Cockburn, Cynthia, *The Space between Us: Negotiating Gender and National Identities in Conflict*, London: Zed Books, 1998.

Chapter Three

Rape as a Weapon in Armed Conflict in Mt. Elgon (2006-2008)

3.0 Introduction

This chapter seeks to investigate whether rape was used as a weapon of war in the armed conflict in Mt. Elgon. If it was used, what were the reasons for its use and was it an effective weapon in comparison to the other weapons used such as guns, *pangas* and the like?

The object of any war is victory.¹⁰² As such, the utmost force, in terms of weaponry and military might must be used to defeat the enemy.¹⁰³ In order to win a war, the most effective weapons must be chosen. Material weapons, such as guns, machetes and other forms of artillery, are being used alongside other types of weapons. Ideas, strategies and concepts are now being wielded as weapons of mass destruction. Combatants are shifting from using material weapons that harm one physically to those that harm one emotionally and even psychologically. This can be seen in the new methods of violence employed in wars.¹⁰⁴

Violence - in all its forms - is being used as a weapon of war. In civil wars, violence is often meted out on the civilians due to the nature of the wars.¹⁰⁵ Civilians have hence become the targets of this new warfare.¹⁰⁶ This was the case in the Mt. Elgon conflict. The SLDF utilized various weapons and strategies to defeat their enemy, the Mosop.

¹⁰² Tzu, Sun, *The Art of War*, Translated from Chinese by Lionel Giles (M.A), Britain: British Museum, 1910.

¹⁰³ Clausewitz, Carl Von, *On War*, London: Penguin Books Ltd, 1968.

¹⁰⁴ Wolff, Stefan, *Ethnic Conflict: A Global Perspective*, Oxford: Oxford University Press, 2007.

¹⁰⁵ Bennett, Olivia. Bexley, Jo and Warnock, Kitty (eds), *Arms To Fight – Arms To Protect: Women Speak Out About Conflict*, London: Panos Publications Ltd, 1995.

¹⁰⁶ Wolff, Stefan, *Ethnic Conflict: A Global Perspective*, Oxford: Oxford University Press, 2007.

This chapter hence discusses the different weapons used by the SLDF and the motivations for using those weapons. It especially investigates the use of rape as a weapon, the purposes of its use and its effectiveness as a weapon of war.

3.1 Tools of War Used by the SLDF

Sun Tzu, in his book *The Art of War*, argues that ‘to fight and conquer in your battle is not supreme excellence; supreme excellence consists in breaking the enemy’s resistance without fighting’.¹⁰⁷ Thus the weapons employed in battle must be those that break the enemy’s ability to resist, hence limiting the cases of actual combat. This is a philosophy that the SLDF seem to have used in their warfare. Their battle strategy employed assorted forms of organized violence that aimed at breaking the enemy’s spirits and hence rob them of their will to oppose them. The violence used by the SLDF can be categorized into three groups: physical, psychological and sexual violence. We will explore these three forms of violence and the particular weapons the SLDF used to conduct this violence.

3.1.1 Physical Violence

Physical violence is the intentional use of physical force with the potential for causing death, injury or harm. This was manifest in the conflict through killings, beatings and mutilations that were perpetrated on the civilians of Mt. Elgon.

The SLDF used various weapons to perpetuate this physical violence. These weapons include machetes, *pangas*, canes, automatic rifles, AK 47s, rocket launchers, grenades and machine guns, called SMGs. These guns and heavy artillery were procured from neighbouring Uganda. The Mt. Elgon region borders Uganda making it easy for this trade to occur. According to former

¹⁰⁷ Tzu, Sun, *The Art of War*, Translated from Chinese by Lionel Giles (M.A), Britain: British Museum, 1910.

SLDF soldiers, they would steal cattle from civilians and trade them for guns from Uganda.¹⁰⁸

The Mount Elgon Resident Association (hereafter referred to as MERA) estimates that over 1,600 civilians were killed within the three - year span of the conflict. This figure is, however, not exact as there are still those who are missing and thought to be dead in the forests of Mt. Elgon. The common method of killing used by the SLDF was beheading.¹⁰⁹ The weapon of choice for these beheadings was pangas and machetes. After beheading, the bodies were thrown in latrines.¹¹⁰ It was seen to be the easiest way of disposing of the corpses. Moses Matep, a victim of the brutality of the SLDF, compares the severity and callous killings by the SLDF to a slaughter house. He narrates that:

Walikuwa wanauwa watu tu. Walikuwa wanachinja watu kama wanyama. (They were just killing people. They were slaughtering people like animals) ¹¹¹

Furthermore, these killings were not random but organized. According to former SLDF soldiers, the SLDF had a 'hit list'.¹¹² This was a list of people who were marked for death. This hit list entailed individuals deemed to be a threat to the SLDF. These individuals included men who refused to join the SLDF militia or those who had deserted the SLDF. The SLDF had no mercy in their dealings with them. According to former SLDF soldiers:

Kulikuwa na hit list. Ukipatikana kwa hiyo list, lazima utauliwa. Tuliambiwa hao watu wanafaa kuuliwa mara moja. Tuliambiwa shoot on sight. (There was a hit list. If you were found on that list, you had to die. We were told that those people must be killed at once. We were told to shoot them on sight)¹¹³

¹⁰⁸ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

¹⁰⁹ Oral Interview, Patrick Rotich, Kopsiro, 15th September, 2011.

¹¹⁰ Oral Interview, Cleophas Chebus, Kopsiro, 15th September, 2011.

¹¹¹ Oral Interview, Moses Matep, Kopsiro, 15th September, 2011.

¹¹² Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

¹¹³ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

Other civilians who were marked for death were witches and wizards.¹¹⁴ The SLDF feared that they would cast spells or kill them and therefore eradicated them so that they would not impede their plans. Individuals found sheltering the ‘enemies’ of the SLDF, who were mainly deserters, were also killed as a form of punishment for aiding the enemy.¹¹⁵

Brokers were also killed. ‘Broker’ was the name given to snitches and deserters of the SLDF.¹¹⁶ They were killed as a means of preventing the secrets and strategies of the SLDF from being divulged to the police force. Patson Kotut, was one such man who was suspected to be a broker by the SLDF. He illustrates his story:

Walifikiria mimi ni broker kwa hivyo karibu wanichinje. Walidhani nilikuwa ninapatia serikali information. Lakini mwishowe walinikata sikio kama onyo. (They thought that I was a snitch and almost slaughtered me. They thought I was giving the government information. In the end, they cut my ear off as a warning)¹¹⁷

In an interesting turn of events, members of the SLDF were not exempt from these killings. The SLDF had a strict code of conduct which if not adhered to resulted in dire punishment.¹¹⁸ SLDF soldiers who failed to comply with the rules of operation or those who could not keep up with the regime were reprimanded by beatings, mutilations and even death. Bert, a former SLDF soldier, narrates his experience:

SLDF hawakuwa na urafiki na mtu yeyote. Hata kama ulikuwa mmoja wao, ukivunja sheria yao, wanakupiga viboko ama wanakuuwa. Ukishindwa na training pia kama kuroll na crawl ama kushika bunduki vizuri, unapigwa viboko. Hufai kuwacha bunduki yako. Nilishikua nikishika bunduki yangu usiku na hiyo baridi mapka vidole zangu haziwezi hata finya hiyo trigger. (The SLDF had no friends. Even if you were one of them, if you broke their rules, you got beaten or killed. If you were unable to keep up with

¹¹⁴ Oral Interview, Brenda* (not real name), Cheptais, 12th September, 2011.

¹¹⁵ Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

¹¹⁶ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

¹¹⁷ Oral Interview, Patson Kotut, Kopsiro, 15th September, 2011: Farmer, Victim of SLDF.

¹¹⁸ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

their training like learning how to roll, crawl or use a gun well, you got canned. You were never meant to leave your gun. I would hold my gun, on nights so cold, that my fingers were too stiff to even pull the trigger)¹¹⁹

The SLDF also used guns in their violence against the people of Mt. Elgon. As earlier mentioned, these guns were AK 47s and rifles bartered from Uganda. Civilians were shot and some were left permanently injured, while others died as a result of their wounds. The victims included adults and children. No one was spared from this violence. Cornelius*, was one such victim of the brutality of the SLDF as illustrated by his story:

I was tortured with deep cuts on the head, back and arms after my two brothers in standard four and five and a neighbour's son were killed with bullets at a Kapsokwony town attack. Others were shot and became lame.¹²⁰

Aside from the killings, the SLDF also were known to beat civilians. These beatings would be done either using their fists or canes. The SLDF would beat civilians who refused to join their cause. According to former SLDF soldiers, one could receive up to one hundred strokes of the cane.¹²¹ Christopher Juma was one such individual who received beatings. He revealed large scars on his legs and back as he narrated his experience:

*Hao SLDF walinipiga mgongoni kwa sababu nilikata kuwa mmoja wao. Baada ya kunipiga, walinikata sikio. Waliponipiga, aliniambia eti hiyo ni sindano ya tetanus. (Those SLDF beat me on my back because I refused to join them. When they beat me, they told me that that was the tetanus injection. After they beat me, they chopped off my ear)*¹²²

The last form of physical violence that the SLDF employed was mutilation. These mutilations ranged from chopping off of ears and hands to padlocking ones mouth. These mutilations were done for specific reasons. The most prevalent form of mutilation was the chopping off of ears. They mainly used

¹¹⁹ Oral Interview, Bert* (not real name), Cheptais, 14th September, 2011: Ex – SLDF Member.

¹²⁰ Questionnaire, Cornelius* (not real name), Kopsiro, September, 2011.

¹²¹ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

¹²² Oral Interview, Christopher Juma, Kopsiro, 15th September, 2011.

machetes to achieve this. It was done as a punishment to the disobedient and as a warning to others. Reasons for this form of mutilation were drunkenness, giving information to the police, disobedience and refusal to join the SLDF.¹²³ Drunkenness was outlawed by the SLDF. They feared that if one was drunk, he would blab information about the SLDF to the police and thus weaken their operations.¹²⁴ This served as a powerful deterrent for any opposition against the SLDF. Ronald Kipchoge and Martin Ndiwa are two individuals who incurred the wrath of the SLDF as a result of their excessive drinking.¹²⁵ Martin Ndiwa relates his encounter with the SLDF:

Nilikuwa mlevi. Nilikuwa nikinywa pombe sana. Siku moja hao SLDF wakanipata na kunichapa sana. Baadaye walinikata sikio kama onyo. Walisema wakinipata tena watakata sikio ingine. (I was a drunk. I used to really drink beer. One day those SLDF found me and really beat me up. Afterwards they cut off my ear as a warning. They said that if they found me drinking again, they would cut off my other ear)¹²⁶

Besides ear chopping, the SLDF also cut off people's hands. Weapons of choice in this case were pangas and machetes. The SLDF had its own court system where 'guilty' residents were accused, tried, charged and sentenced.¹²⁷ The SLDF became the prosecutor, judge and jury. The punishment of cutting off hands was for thievery.¹²⁸

Furthermore, the SLDF, in a bid to silence those who would reveal their secrets to the police, padlocked the mouth of police informants. This was done by taking a hot rod and piercing it through the upper and lower lip of the individual thus creating a hole; they would then insert a padlock in and lock the lips together.¹²⁹ This was meant to be a warning to 'loud mouths'; they

¹²³ Oral Interview, Patrick Rotich, Kopsiro, 15th September, 2011.

¹²⁴ Oral Interview, Cleophas Chebus, Kopsiro, 15th September, 2011.

¹²⁵ Oral Interview, Ronald Kipchoge & Martin Ndiwa, Kopsiro, 15th September, 2011: Farmers, Victims of SLDF.

¹²⁶ Oral Interview, Martin Ndiwa, Kopsiro, 15th September, 2011: Farmer, Victim of SLDF.

¹²⁷ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

¹²⁸ Oral Interview, Bert* (not real name), Cheptais, 14th September, 2011: Ex – SLDF Member.

¹²⁹ Oral Interview, Bernice* (not real name), Cheptais, 12th September, 2011.

would share the same fate if they divulged information about the SLDF to the police.¹³⁰

The brutal nature of the physical violence and the weapons used leads one to conclude that it was done with the intent of instilling abject fear in the residents and squash whatever resistance they may be harbouring in their hearts.¹³¹ Let us now examine the nature of the psychological violence that the SLDF employed in the conflict and their aims for using it as a weapon.

3.1.2 Psychological Violence

Psychological violence may be defined as an action or set of actions that directly impair the victim's psychological integrity. Psychological integrity may be interpreted as the condition of one's mind. Ergo, anything that harms or causes any form of injury to the human mind can be classified as psychological violence. Forms of psychological violence include intimidation, harassment and threats. In this case, words and the intent to act become weapons. In the Mt. Elgon conflict, the SLDF used these forms of violence as a tactic to make the residents of Mt. Elgon submit to their will.¹³²

In order to fully grasp the use of psychological violence, it is pertinent to define each of its forms. Intimidation is the act of striking fear in an individual in order to influence them to comply or give their consent. The SLDF achieved this intimidation through the use of harassment and threats.¹³³ Harassment involves one behaving toward another in a threatening way while threats can be elucidated as a declaration of an intention to inflict, punish or hurt another.

The SLDF openly harassed and threatened the residents of Mt. Elgon into complying with their rules. The conflict was still ongoing during the 2007 General Election period. The current Mt. Elgon Member of Parliament

¹³⁰ Oral Interview, Brenda* (not real name), Cheptais, 12th September, 2011.

¹³¹ Wolff, Stefan, *Ethnic Conflict: A Global Perspective*, Oxford: Oxford University Press, 2007.

¹³² Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

¹³³ Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

(hereafter referred to as MP), Fred Kapondi, was contesting for the parliamentary seat then. According to Bert*, a former SLDF soldier, Kapondi had promised the Soy that if they voted for him and made him MP, he would ensure they were not evicted from Chepyuk Phase III.¹³⁴ As a result, one of the objectives of the SLDF was to install Kapondi as the MP for Mt. Elgon constituency.¹³⁵ They achieved their goal by threatening residents with death unless they voted for him. The SLDF further harassed the residents by forcibly dragging them out of their houses in order to vote for Kapondi.¹³⁶ Failure to comply resulted in death. Patrick Rotich, a resident of Mt. Elgon, narrates how he was threatened with death unless he voted for Kapondi:

*Walikuja kwa nyumba yangu na kunionya ya kwamba 'councilor ni mmoja, mbunge ni mmoja; ukienda kando, shingo yako inaenda kando'. (They came to my house and warned me that there is only one councilor and MP; voting otherwise leads to death).*¹³⁷

If the purpose of intimidation is to force one to comply with one's will through instilling terror in them, we may conclude that the SLDF succeeded in this. The SLDF used psychological violence as a weapon to strike fear into the hearts of the residents. Those brutal acts effectively crushed any hope of salvation such that their will to resist was near nonexistent.

3.1.3 Sexual Violence in Mt. Elgon

General readings state that sexual violence against women, in the form of rape, can be argued to be an integral part of any conflict.¹³⁸ The occurrence of rape was initially thought to be an incident of war, a mere by product or opportunistic act. However, scholars now confirm that war rape is no longer

¹³⁴ Oral Interview, Bert* (not real name), Cheptais, 14th September, 2011.

¹³⁵ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

¹³⁶ Oral Interview, Patson Kotut, Kopsiro, 15th September, 2011.

¹³⁷ Oral Interview, Patrick Rotich, Kopsiro, 15th September, 2011.

¹³⁸ Peel, Michael (ed.), "Rape as a Method of Torture," *Medical Foundation for the Care of Victims of Torture Report*, 2004.

coincidental to conflict, but intentional.¹³⁹ If this rape is intentional, it means that it is being carried out for very specific reasons. War rape is now being wielded as a weapon like one would use a gun or machete.¹⁴⁰ The conflict in Mt. Elgon was no exception. Women were targeted for violence that was sexual in nature. The sexual violence in Mt. Elgon came in the form of rape, forced female genital mutilation and forced nudity. This is not to say that women and girls are the only victims of sexual violence in times of war. Men and boys are also victims, however, this paper focuses on women.

The next section explores the presence of rape in the Mt. Elgon conflict to determine whether it was opportunistic or strategic weapon of violence.

3.2 Rape as an opportunistic act

Proponents of the Conflict Theory of Sexual Stratification propagate that the fundamental basis of sexual stratification are human sexual drives together with male physical dominance.¹⁴¹ They purport that the male must always try to dominate the female in every way. They further argue that this stratification is present in combat situations. Men realize that they are dominant and wield their power over women just because they can or just because they feel like it. It is a display of force and might. In combat situations, this domination usually manifests itself in sexual violence against women.¹⁴² As such rape can be argued to be the outcome of a masculine dominated gender system.¹⁴³

¹³⁹ Pratt, Marion and Werchick, Leah, "Sexual Terrorism: Rape as a weapon of War in Eastern Democratic Republic of Congo: an assessment of programmatic responses to sexual violence in North Kivu, South Kivu, Maniema and Orientale Provinces." *USAID*, USA, 2004.

¹⁴⁰ Bennett, Olivia. Bexley, Jo and Warnock, Kitty (eds), *Arms To Fight – Arms To Protect: Women Speak Out About Conflict*, London: Panos Publications Ltd, 1995.

¹⁴¹ Collins, Randall, *Social Problems*, California: University of California Press, Vol. 19, No. 1, 1971.

¹⁴² Olivera, Mercedes and Furio, Victoria, "Violencia Femicida: Violence against Women and Mexico's Structural Crisis," *Latin American Perspectives*, Vol. 33, No. 2, March, 2006.

¹⁴³ Lawson, Jacqueline E, "She's A Pretty Woman...For A Gook": *The Misogyny Of The Vietnam War* in Philip, Jason. K. (Ed), *Fourteen Landing Zones: Approaches to Literature of the Vietnam War*, Iowa: University of Iowa Press, 1991.

Among the Sabaot as is found in most Kenyan cultures, the man is the head of the family and has the final say in the home. He is not to be defied. Women were to be 'seen and not heard'. Feminists may see this as another form of domination by the men which could morph into sexual violence in times of war.¹⁴⁴

The Mt. Elgon conflict created a high level of insecurity in the area. The SLDF were the law of the land; they were the dominating force in the area.¹⁴⁵ One had to abide by their rules or face dire ramifications. The state laws were disregarded. The SLDF had the last say on every matter. This lawlessness thus created an environment where impunity could reign free. Conrad*, a resident of Kopsiro further illustrates this in his statement:

They did it (rape) because they had all the power and nobody could say anything to them. They ignored the government and assumed all powers. They became the government.¹⁴⁶

As such, this 'assumed power' provided the SLDF with occasions to act on impulse just because they could; it was a display of their might.¹⁴⁷ Insecurity and a break down in the law became an 'excuse' for the rapes in Mt. Elgon.¹⁴⁸

Another fact that was said to lead to the rapes was the need for the SLDF soldiers to satisfy their sexual desires.¹⁴⁹ Being away from their wives and girlfriends, rape was seen to be the only way to curb their sexual urges. Thus they used the state of insecurity as a leeway to violate women in order to cater to their sexual urges. Bernice*, a victim of rape by the SLDF narrates her view point on this:

¹⁴⁴ Chafetz, Janet Saltzman, *Gender Equity: An Integrated Theory of Stability and Change*, Newbury Park, California: Sage, 1990.

¹⁴⁵ Oral Interview, Chris* (not real name), Kopsiro, 14th September, 2011.

¹⁴⁶ Questionnaire, Conrad* (not real name), Kopsiro, September, 2011.

¹⁴⁷ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

¹⁴⁸ Oral Interview, Cliff* (not real name), Kopsiro, 14th September, 2011.

¹⁴⁹ Oral Interview, Bernice* (not real name), Cheptais, 12th September, 2011.

They did not have a big reason for raping us girls. They just wanted to curb their lust. They did it because they were able to.¹⁵⁰

However, we cannot just dismiss rape in conflict as a result of their deprivation of female company and their need to satisfy their sexual desires. The 'boys will be boys' excuse is now wearing thin. Rape is often used as a military strategy as was seen in the Vietnam war where it was an SOP – Standard Operating Procedure – according to the American soldiers.¹⁵¹ Rape is no longer argued to be about sexuality or lust. Instead it is seen as an act of aggression. It does not manifest desire but despising and hatred.¹⁵² Bearing this in mind, the next section will examine the motivations for the use of rape in the Mt. Elgon conflict and determine its effectiveness as a weapon.

3.3 Rape as a weapon and the Motivations for its use

Soldiers no longer view guns and pangas as the best weapons in war. Over time, they have come to realize that there is an even more destructive weapon to be wielded because it is widely feared and has devastating consequences.¹⁵³ It is in fact argued to be perhaps one of the most violent and effective tools of war.¹⁵⁴ This weapon is a man's sexual organ. The penis can be used as a weapon; indeed in warfare it often becomes another weapon.¹⁵⁵ This weapon is used to rape thus making rape a weapon.

Rape and war can be argued to have much in common. Both involve the 'fight for domination - in rape of a woman, and in war of an 'enemy'. If successful

¹⁵⁰ Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

¹⁵¹ Stuhldreher, Karen, "State Rape: Representations of Rape in Vietnam in Nobody Gets Off the Bus," *The Vietnam Generation Big Book*, Vol. 5. No, 1 – 4, March, 1994.

¹⁵² Brownmiller, Susan, *Against Our Will: Men, Women And Rape*, New York: Simon & Schuster, 1975.

¹⁵³ Price, Lisa S, "Finding the man in the soldier-rapist: some reflections on comprehension and accountability," *Women's Studies International Forum*, Vol.24, Part 2, 2001, Pp.211-227.

¹⁵⁴ Hagen, Kristine T. and Yohani, Sophie C, "The Nature And Psychosocial Consequences Of War Rape For Individuals And Communities," *The International Journal of Psychological Studies*, Vol. 2, No. 2, December, 2010.

¹⁵⁵ Brownmiller, Susan, *Against Our Will: Men, Women And Rape*, New York: Simon & Schuster, 1975.

both involve the humiliation of the object of 'conquest'.¹⁵⁶ Rape during war is not a random sexual act carried out by individual soldiers, but rather a calculated military tool to tear apart individuals, families, and communities.¹⁵⁷

According to G. McDougall, war rape is “a deliberate and strategic decision on the part of combatants to intimidate and destroy ‘the enemy’ as a whole by raping and enslaving women who are identified as members of the opposition group”.¹⁵⁸ Therefore, we can deduce that rape as a weapon of war is premeditated, systematic, well-organized and is not about sexual gratification.¹⁵⁹

At this juncture, it is important to note that women are not the only ones who suffer sexual violence during times of conflict. Men fall prey to sexual violence too. This sexual violence often comes in the form of sodomy. The goal of sodomy is humiliation and submission.¹⁶⁰ In the Mt. Elgon conflict sodomy was used for this exact purpose. Crispin* a farmer from Kopsiro was one such victim who was assaulted and later forced to join the SLDF. He narrates his painful ordeal:

I was forced to do sodomy and oathing by many men so that I could not reveal their secrets and behave like them.¹⁶¹

Cecil* was also another farmer in Kopsiro who was sexually assaulted by the SLDF. He illustrates his harrowing experience:

I was forced to do sodomy by more than one person. Before that, I was beaten so that I could accept the same (sodomy). I was made to feel inhuman because they forced me to behave like a woman.¹⁶²

¹⁵⁶ Lees, Sue, *Carnal Knowledge: Rape on Trial*, London: Hamish Hamilton, 1996.

¹⁵⁷ Hagen, Kristine T. and Yohani, Sophie C, “The Nature And Psychosocial Consequences Of War Rape For Individuals And Communities,” *The International Journal of Psychological Studies*, Vol. 2, No. 2, December, 2010.

¹⁵⁸ McDougall, G, “Contemporary forms of slavery: Systematic rape, sexual slavery and slavery-like practices during armed conflict.” *United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities*, Geneva, 1998.

¹⁵⁹ Jenkins, Richard, *Rethinking Ethnicity, 2nd Ed*, California: Sage Publications, 1997.

¹⁶⁰ Cockburn, Cynthia, *The Space between Us: Negotiating Gender and National Identities in Conflict*, London: Zed Books, 1998.

¹⁶¹ Questionnaire, Crispin* (not real name), Kopsiro, September, 2011

¹⁶² Questionnaire, Cecil* (not real name), Kopsiro, September, 2011

It is evident that sodomy was employed as a weapon by the SLDF; a weapon to humiliate the 'enemy' men or force them to join the SLDF. However, this study will not focus on this particular weapon of war but on rape and how it was used to achieve the various military objectives.

Sexual violence against women in armed conflict situations is largely based on traditional views of women as property, and often as sexual objects.¹⁶³ Women are transmitters of culture and symbols of nation or community.¹⁶⁴ Hence defeating the enemy with the use of rape exhibits an expression of absolute power, a symbolic retribution, and blatant propaganda where "the body of a raped woman becomes a ceremonial battlefield, a parade ground for the victor's trooping of the colors".¹⁶⁵ As such, sexual violence directed against women is often considered an attack against the values or honour of a society and therefore is a particularly potent tool of war.

Women in the Sabaot community are not viewed any differently. They are seen as the keepers of the community's identity and culture.¹⁶⁶ Raping them thus is a violation of their cultural identity. Rape is considered a gross violation of the woman and Sabaot culture; it is lack of respect for the community.¹⁶⁷

Rape is further considered to be the highest form of humiliation in the Sabaot community; better death than rape. ¹⁶⁸ Rape is seen as "a way of killing a person while they were still alive".¹⁶⁹ Arthur*, a former SLDF soldier narrates the torture rape inflicts on the victim:

¹⁶³ Gnanadson, Aruna. Kanyoro, Musimbi and McSpadden, Lucia Ann, "Women, Violence and Nonviolent Change, Uppsala: Life and Peace Institute, 1996.

¹⁶⁴ Turshen, Meredith & Twagiramariya, Clotilde (ed), *What Women Do in Wartime: Gender & Conflict in Africa*, Zed Books Ltd, New York, USA, 1998.

¹⁶⁵ Brownmiller, Susan, *Against Our Will: Men, Women And Rape*, New York: Simon & Schuster, 1975.

¹⁶⁶ Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

¹⁶⁷ Questionnaire, Clara* (not real name), Kopsiro, September, 2011.

¹⁶⁸ Oral Interview, Charlie* (not real name), Kopsiro, 14th September, 2011.

¹⁶⁹ Questionnaire, Arnold* (not real name), Kapsokwony, September, 2011.

Rape is customarily evil. One who is could feel like not living and preferred death by suicide.¹⁷⁰

Therefore the systematic perpetration of rape in a society that considers it a taboo and curse - a fate worse than death - must be to achieve a certain aim rather than just a random act of lawlessness.¹⁷¹

According to former SLDF militia men, rape was not condoned by the leaders of the SLDF.¹⁷² Their elders and leaders outlawed the rape of women. Bert*, a former member of the SLDF stated that some of the youth of the SLDF, however, fell out with the elders and broke away although still operating under the title of SLDF.¹⁷³ These youth were the individuals within the SLDF who were said to have committed most of the rapes. On this account, the dissenting youth within the SLDF are labeled as the perpetrators because they were full of lust and found their only sexual outlet to be through rape.¹⁷⁴ Regardless of the no - rape policy given by the elders, the youth sexually abused women. So disconcerted with the violation of women were the SLDF leaders that SLDF Commander Wycliffe Matakwei is said to have remarked that “*wanawake wanadhulumiwa bure*” (women are meaninglessly being hurt).¹⁷⁵

Thus, rape was not in the initial plan of the SLDF. Women were meant to have been left alone and not included in the fight.¹⁷⁶ Their Oloibon and leaders specifically had instructed them not to harm women.¹⁷⁷ A few dissenting youth within the SLDF, however, introduced rape in the conflict. It may have started as opportunistic acts but they quickly morphed into pre - calculated moves to meet their goals.

¹⁷⁰ Questionnaire, Arthur* (not real name), Kapsokwony, September, 2011.

¹⁷¹ Price, Lisa S, “Finding the man in the soldier-rapist: some reflections on comprehension and accountability,” *Women’s Studies International Forum*, Vol.24, Part 2, 2001, Pp.211-227.

¹⁷² Focused Group Discussion (Ex - SLDF Soldiers): Kapsokwony, 7th September, 2011.

¹⁷³ Oral Interview, Bert* (not real name), Cheptais, 14th September, 2011.

¹⁷⁴ Questionnaire, Andrew* (not real name), Kapsokwony, September, 2011.

¹⁷⁵ Focused Group Discussion (Ex - SLDF Soldiers): Kapsokwony, 7th September, 2011.

¹⁷⁶ Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

¹⁷⁷ Focused Group Discussion (Ex - SLDF Soldiers): Kapsokwony, 7th September, 2011.

Sexual violence in war is often calculated and premeditated to achieve a certain end.¹⁷⁸ Rape is never just an ‘incidental’ occurrence but a strategy aimed at meeting various goals.¹⁷⁹ Rape, when used as a weapon of war, is systematically employed for a diversity of purposes.¹⁸⁰ The SLDF youth can be argued to have used rape as a weapon just like one would use a machete or gun to reach certain objectives that they felt would aid their cause no matter how misguided it may have been.

One purpose of war rape was as a punishment. As earlier discussed, the SLDF militia operated within its own system of rules and regulations and forced everyone to conform to them. Failures to co – operate or adhere to these rules resulted in dire repercussions; rape was one of the forms of these repercussions. If one was thought to be collaborating with the Mosop – the perceived enemy - she was raped as a punishment and warning to others.¹⁸¹

Another cause for punishment was for refusing to join the SLDF. If a man declined to join the SLDF, his wife was raped as a penalty for his refusal.¹⁸² This is corroborated by Amelia* (not real name) whose daughter – in - law was raped by the SLDF. She narrates her story with pain in her voice:

Hao SLDF walienda kwa nyumba ya mtoto wangu. Walimkuta hapo na bwana yake. Walimkamata bwana yake na kumlazimisha kuungana nao. Lakini yeye alikata. Hao SLDF walikasirika na kuwaambia watawa adhibu vibaya. Halafu hao SLDF walimchinja. Walimkata kichwa na kumuua. Walibeba kichwa yake. Tulizika mwili bila kichwa. Mtoto wangu naye alibakwa na hao vijana wa SLDF. Wakapatia ukimwi. Baadaye aligonjeka na kufa. Aliniwachia watoto wake nane kulea na mimi mwenye sina bwana na sina kazi.

¹⁷⁸ Pratt, Marion and Werchick, Leah, “Sexual Terrorism: Rape as a weapon of War in Eastern Democratic Republic of Congo: an assessment of programmatic responses to sexual violence in North Kivu, South Kivu, Maniema and Orientale Provinces.” USAID, USA, 2004.

¹⁷⁹ Bennett, Olivia. Bexley, Jo and Warnock, Kitty (eds), *Arms To Fight – Arms To Protect: Women Speak Out About Conflict*, London: Panos Publications Ltd, 1995.

¹⁸⁰ Hagen, Kristine T. and Yohani, Sophie C, “The Nature And Psychosocial Consequences Of War Rape For Individuals And Communities,” *The International Journal of Psychological Studies*, Vol. 2, No. 2, December, 2010.

¹⁸¹ Questionnaire, Arnold* (not real name), Kapsokwony, September, 2011.

¹⁸² Questionnaire, Agatha* (not real name), Kapsokwony, September, 2011.

(Those SLDF went to my daughter's house. They found her there with her husband. They seized him and forced him to join them but he refused. Those SLDF got angry and told them that they would severely punish them. Then the SLDF slaughtered him. They beheaded him and killed him. They carried his head. We buried his body without the head. My daughter was raped by the youth of the SLDF. They gave her HIV. She later got sick and died. I am now left with her eight children to care for and I myself am widowed and jobless)¹⁸³

Rape was also a punishment for refusing to pay 'tax' that the SLDF levied on the residents of Mt. Elgon, for seeking medical aid from the hospital or reporting injustices to the Police, according to Bill* a Health Officer at Cheptais District Hospital. He narrates:

Women were too scared to come for medical treatment from the hospital. Even after they had been raped, the SLDF warned them not to seek medical aid. Some women who came to us for treatment were later raped again by the SLDF as punishment for medical attention. They raped them as punishment for trying to get help.¹⁸⁴

The Fourth Geneva Convention of 1949, Article 51, paragraph 2 states that, "Acts of threats of violence the primary purpose of which is to spread terror among the civilian population is prohibited."¹⁸⁵ It prohibits any terroristic attack against the civilian population and even the threat thereof. The purpose of the action was to break the morale of the civilian population and with that, the will to continue the war.¹⁸⁶ War rape is now being classified as a terroristic act.¹⁸⁷ According to Hagen and Yohani, rape is one of the most violent and effective tools of war by virtue of the utter terror it wreaks on its victims.¹⁸⁸ The SLDF gave no credence to the Laws of War and used rape with the aim of

¹⁸³ Oral Interview, Amelia*(not real name), Kapsokwony, 7th September, 2011.

¹⁸⁴ Oral Interview, Bill* (not real name), Cheptais, 12th September, 2011.

¹⁸⁵ De Lupis, Ingrid Deter, *The Law of War*, Cambridge: Cambridge University Press, 1987.

¹⁸⁶ Kalshoven, Frits, *Constraints of the Waging of War*, Dordrecht: Martinus Nijhoff Publishers, 1987.

¹⁸⁷ Farwell, Nancy, "War Rape: New Conceptualizations and Response," *AFFILIA*, Vol. 19, No. 4, Winter 2004, Pp. 389-403.

¹⁸⁸ Hagen, Kristine T. and Yohani, Sophie C, "The Nature And Psychosocial Consequences Of War Rape For Individuals And Communities," *The International Journal of Psychological Studies*, Vol. 2, No. 2, December, 2010.

terrorizing the residents to cause widespread fear of their authority and ensure total obedience to their rule.¹⁸⁹ Some of the rapes were done in front of family members; especially in the presence of their husbands and children.¹⁹⁰ This was aimed at demoralizing the men who were unable to protect their wives from sexual violation.¹⁹¹ It was meant to crush their spirits and beat them into total submission and ensure the supremacy of the SLDF. Columbus, a teacher and resident of Mt. Elgon further illustrates this in his statement:

The SLDF used rape to cause fear and assault their enemies. They used it to oppress and traumatize their opponents.¹⁹²

Another motivation for rape was to silence the residents. According to Boris*, an Administration Police (AP) officer stationed in Cheptais, the SLDF aimed to cut off Mt. Elgon residents from all outside communication and aid.¹⁹³ He said that it was in order to establish a complete monopoly of the situation there. Victims of violence were not allowed to seek for medical treatment no matter how dire the situation. Women who sought medical attention after being sexually assaulted were raped again to silence them for fear that they would divulge information about the operations of the SLDF.¹⁹⁴ Bert*, a former SLDF soldier affirms their use of rape as a tool of silencing people:

Ku – rape ilikuwa kama silaha ya kunyamazisha familia au kutambua mtu ambaye wanamtafuta (Rape was used as a weapon to silence families and find the person they are searching for).¹⁹⁵

Rape was further used as a weapon to ensure recruitment. In order to evade the SLDF ‘recruitment drive’, men had fled their homes and chosen to hide in the forest or nearby villages.¹⁹⁶ The SLDF thus would rape their wives. This was done in order to lure the men out of hiding as they would hear about the

¹⁸⁹ Questionnaire, Clarence* (not real name), Kopsiro, September, 2011.

¹⁹⁰ Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

¹⁹¹ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

¹⁹² Questionnaire, Columbus* (not real name), Kopsiro, September, 2011

¹⁹³ Oral Interview, Boris* (not real name), Cheptais, 13th September, 2011.

¹⁹⁴ Oral Interview, Beryl* (not real name), Cheptais, 12th September, 2011.

¹⁹⁵ Oral Interview, Bert* (not real name), Cheptais, 14th September, 2011.

¹⁹⁶ Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

demise of their wives and return to check up on them.¹⁹⁷ Once they returned, they would find the SLDF waiting for them and thus be forcefully recruited. Former SLDF soldiers reinforced this use of rape in their statement:

Kubaka wanawake ilitumiwa sana kushika wanaume zao. Wanawake walibakwa ili wanaume zao wajitokezee mali walikuwa wanajificha na kujiuzulu na kuwa moja wetu (Raping women was used a lot to trap their husbands. Women were raped so that their husbands in hiding would reveal and surrender themselves and join the SLDF).¹⁹⁸

It was a means of forcing men to join them the SLDF. Men who declined to join had their wives raped and threatened with death.¹⁹⁹ Thus in order to save their wives, men would opt to join the militia group.

Women were also raped in a bid to force information out of them. The SLDF violated them in order to pry information from them concerning their husbands and sons who were in hiding. Clara* who was once severely beaten by SLDF narrates her tale of violence witnessed:

Women were tortured (by rape) to reveal the truth. The SLDF wanted them to reveal the location of the hide outs of their husbands. They used rape to force this information out of these women.²⁰⁰

It is however also the case with the Kenya Army that came to save the day in 2008. Most informants gave beaming reports concerning the Army's activities in Mt. Elgon and were reluctant to speak of them in bad light. However, Clarence*, a community elder in Kopsiro was able to briefly narrate that in spite of the good work they did; they were also perpetrators of the sexual violence during the conflict:

¹⁹⁷ Oral Interview, Brenda* (not real name), Cheptais, 12th September, 2011.

¹⁹⁸ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

¹⁹⁹ Oral Interview, Bert* (not real name), Cheptais, 14th September, 2011.

²⁰⁰ Questionnaire, Clara* (not real name), Kopsiro, September, 2011.

Rape was used as a weapon to make victims comply and release information. The Army raped wives of the perceived members of the SLDF to reveal where their husbands were. The Kenya Army is also used rape so that women could retreat to where the enemies and weapons were hidden.²⁰¹

Whether used by the SLDF or Kenya Army, rape appears to be an effective torture mechanism to derive information. Although under duress, one will confess to almost anything; even that which is not true.²⁰² Anything will be said to make the torture cease.

Rape was also used to annihilate the Mosop; it was a silent killing machine.²⁰³ The SLDF youth intentionally never used condoms during the act.²⁰⁴ This was to ensure that women were infected with the HIV virus. This was a method of slowly killing them rather than ‘wasting’ their bullets.²⁰⁵ The infected women would in turn infect their own husbands and thus slowly kill their community.²⁰⁶ It was meant to wipe out the ‘enemy’ community.

On a less strategic level, rape was also used as a tool of vengeance. The SLDF youth raped girls who had refused to date or marry them before the war as a payback for their earlier rejection.²⁰⁷ This was the consequences of “*maringo yao*” (their pride).²⁰⁸ The Moorland Defence Forces are said to have also raped Soy women in retaliation of their own women being defiled by the SLDF.²⁰⁹ It is also said that the Kenya Army and GSU raped women on both sides as a tit for tat for all the female officers who had been raped while on the reconnaissance fact gathering mission. According to Brenda*, a bar owner in Cheptais, the Kenya Army carried out a reconnaissance mission in December 2007 prior to

²⁰¹ Questionnaire, Charlotte* (not real name), Kopsiro, September, 2011.

²⁰² Peel, Michael (ed.), “Rape as a Method of Torture,” *Medical Foundation for the Care of Victims of Torture Report*, 2004.

²⁰³ Oral Interview, Alice*(not real name), Kapsokwony, 6th September, 2011.

²⁰⁴ Oral Interview, Brenda* (not real name), Cheptais, 12th September, 2011.

²⁰⁵ Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

²⁰⁶ Oral Interview, Bert* (not real name), Cheptais, 14th September, 2011.

²⁰⁷ Oral Interview, Brenda* (not real name), Cheptais, 12th September, 2011.

²⁰⁸ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

²⁰⁹ Oral Interview, Anne* (not real name), Kapsokwony, 6th September, 2011.

their coming in March 2008. They infiltrated Mt. Elgon as peddlers, storekeepers and barmaids for the female officers. Some of these undercover barmaids were raped by the SLDF. Therefore, the Kenya Army are said to have raped women as a payback for the rape of their own female comrades.²¹⁰

3.4 Conclusion

Women are no longer mere 'spoils of war' but actual targets.²¹¹ War rape is no longer a result of sexually deprived soldiers on the battlefield, but a standard operating procedure.²¹² Women are vulnerable by nature and it is this very nature that is taken advantage of.²¹³ In war there are many weapons that may be employed and while the machine guns and grenades may be favoured arms in modern warfare, there is "one weapon all men carry and more often use. Men are choosing to use their bodies as weapons - in fact their manhood - to attack." ²¹⁴ The use of rape as a weapon is one of the most violent and humiliating offences inflicted on the enemy. In the evolution of war, sexual violence has now become a potent tool of war.

It can be concluded that of all the weapons wielded by the SLDF during the conflict, war rape was the most effective one. Despite the fact that it was not part of the initial plan or even condoned by the elders and leaders of the SLDF, and the fact that it initially appeared as a mere opportunistic act, it turned out to be a superior - albeit - violent and inhumane weapon. Since the Mt. Elgon community view rape as a 'fate worse than death' it was the perfect weapon – one that killed people while they were still alive. It was the weapon that was able to illicit ultimate terror and fear in the hearts of the residents and broker complete submission. The SLDF were able to attain most of their objectives

²¹⁰ Oral Interview, Brenda* (not real name), Cheptais, 12th September, 2011.

²¹¹ Lees, Sue, *Carnal Knowledge: Rape on Trial*, London: Hamish Hamilton, 1996.

²¹² Stuhldreher, Karen, "State Rape: Representations of Rape in Vietnam in Nobody Gets Off the Bus," *The Vietnam Generation Big Book*, Vol. 5. No, 1 – 4, March, 1994.

²¹³ Cockburn, Cynthia, *The Space between Us: Negotiating Gender and National Identities in Conflict*, London: Zed Books, 1998.

²¹⁴ Clifford, Cassandra, "Rape as a Weapon of War and its Long-term Effects on Victims and Society," *7th Global Conference on Violence and the Contexts of Hostility*, Budapest, May, 2008.

using rape as their battle strategy. What clubs, fists and threats could not achieve was effectively attained through the use of war rape.

Chapter Four

Impacts of Sexual Violence on the Mt. Elgon Society

4.0 Introduction

Sexual violence especially in the form of rape has a way of affecting all aspects of life for the victim and the community. According to Nordstrom, “Rape, as with all terror-warfare, is not exclusively an attack on the body- it is an attack on the ‘body-politic’. Its goal is not to maim or kill one person but to control an entire socio-political process by crippling it. It is an attack directed equally against personal identity and cultural integrity”.²¹⁵ Rape as a weapon of war affects not only the rape victim, but their entire family, village and community.²¹⁶

This can be argued to be the case in Mt. Elgon. Women were targeted for sexual violence in the form of rape and the society is still reeling from its consequences.²¹⁷ Women were systematically raped by the SLDF for various reasons discussed in the previous chapter. No matter the reason behind the rape, these women are now bearing the consequences of the sexual violence. These consequences are, however, not limited to them. As Nordstrom argues, the whole ‘body-politic’ is affected. This chapter hence seeks to investigate the specific ramifications of sexual violence on women and its eventual impact on the society as a whole.

4.1 Sexual Violence Shatters Society

According to Clifford, “the scourge of rape as a weapon, affects not only the individual lives of the victims, but the entire family and community in which

²¹⁵ Nordstrom, C. “Women and War: Observations from Afeild,” *Quarterly Report on Women and the Military*, Minerva, Vol. 9, 1991.

²¹⁶ Clifford, Cassandra, “Rape as a Weapon of War and its Long-term Effects on Victims and Society,” *7th Global Conference on Violence and the Contexts of Hostility*, Budapest, May, 2008.

²¹⁷ Medecins Sans Frontieres, “Mt. Elgon: Does Anybody Care? MSF takes stock after one year in the heart of the crisis in Mt Elgon,” *Medecins Sans Frontieres*, Brussels, May, 2008.

they live”.²¹⁸ As such it affects the social fabric of the community. The society’s way of life is disrupted; the way people operate and relate to one another is forever changed.

Abortions and Miscarriages

The Mt. Elgon conflict was no different; it left a big impact on its people. Lines which were never meant to be crossed were now blurred. Activities that may have been shunned suddenly are reverted to as a method of survival; abortions became prevalent. Scores of women were raped in Mt. Elgon during the conflict. Some of these resulted in unwanted pregnancies and miscarriages. Women were stuck with pregnancies that they did not want or plan for. Some women who got pregnant after rape opted to rid themselves of their ‘misfortunes’ by procuring abortions.²¹⁹ For fear of stigmatization first as rape victims and then as single mothers, they decided to ‘flush’ away their problems. Miscarriages mostly resulted from beatings. Women were not exempted from beatings. Some expectant women miscarried after receiving beatings from the SLDF.²²⁰ Others who were raped while they were pregnant ended up losing their babies, too. Once again, practices heavily frowned upon by society are now being done. Abortion is not allowed or even considered as an option in the community, but now due to the circumstances, it is being reverted to as a plausible solution to ‘unwanted’ pregnancies.²²¹ This erodes the values and ethics of society that were initially meant to protect people. The unborn child is no longer safe but terminated even if it is no fault of his/her for being ‘unwanted’.

²¹⁸ Clifford, Cassandra, “Rape as a Weapon of War and its Long-term Effects on Victims and Society,” *7th Global Conference on Violence and the Contexts of Hostility*, Budapest, May, 2008.

²¹⁹ Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

²²⁰ Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

²²¹ Oral Interview, Ben* (not real name), Cheptais, 12th September, 2011.

Sexually transmitted diseases (STDs)

Sexually transmitted diseases (STDs) and HIV/ AIDS were spread during the conflict through the rapes that were conducted by the various individuals. According to Bill*, a Health Officer at Cheptais District Hospital, gonorrhoea was the most spread STD.²²² These STDs were intentionally spread by the SLDF. Brenda*, a bar owner in Cheptais, attests to this. Her bar was greatly frequented by the SLDF. On several occasions she stated that the SLDF would forcibly take her bar maids and rape them. She narrates a clear picture of this scenario below:

Hao SLDF walikuwa wakija kwa bar yangu. Wakati mwingine wakija, walikuwa wanashika bar maids wangu na kuwalazimisha kulala na wao. Wakikata waliambiwa watauliwa. Waliwaomba hao SLDF watumie condom at least lakini hao SLDF walikata na kusema lazima wawapatie AIDS. (Those SLDF would come to my bar. Sometimes when they came, they would grab my bar maids and force them to sleep with them. If they refused, they were threatened with death. They would plead with the SLDF soldiers to at least use condoms but the soldiers would refuse saying that they must give them AIDS)²²³

Sterility and Fistula

The sexual violence also wrought damage on men and women's reproductive organs. Young girls who were raped especially had their reproductive organs damaged during the ordeal.²²⁴ This has rendered them infertile and incapable of having children in the future. This results in a reduced birth rate for the community. For men, impotency arose as a result of the torture incurred in the hands of the Kenya Army in the military base at Kaptama.²²⁵ Bert*, a victim of this sexual torture, testifies that most men incurred beating on their genitals while some were simply castrated.²²⁶ This has curtailed any plan of theirs to

²²² Oral Interview, Bill* (not real name), Cheptais, 12th September, 2011.

²²³ Oral Interview, Brenda* (not real name), Cheptais, 12th September, 2011.

²²⁴ Oral Interview, Ben* (not real name), Cheptais, 12th September, 2011.

²²⁵ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

²²⁶ Oral Interview, Bert* (not real name), Cheptais, 14th September, 2011.

have children or even satisfy their wives sexually. This has led to a society of discouraged and demoralized men who are incapable of providing for their families and building themselves. Bert further illustrates this point:

Vile jeshi ilifika, niliona vita vitaisha tu. Niliamua kujiuzulu kwa jeshi kwa sababu niona hatutaweza kuwashinda. Hapo kumbe ndiyo ilikuwa mwanzo wa mateso. Hao majeshi walinifinya kwa sehemu ya siri na sasa mimi si mwanaume kamili. Hata siwezi kumpatia bibi yangu haki yake. (When the Army arrived, I saw that the war would just end. I decided to surrender to the Army because I knew we would not be able to beat them. That was the beginning of my suffering. The Army squeezed my private parts and now I am not a full man. I cannot even give my wife her conjugal rights)

Another consequence of rape is vaginal fistula. This is a severe medical condition in which a fistula (hole) develops between either the rectum and vagina or between the bladder and vagina after severe or failed childbirth, when adequate medical care was not available. Fistula can result in severe infections, ulcerations of the vaginal tract and often paralysis caused by nerve damage. Individuals with this disorder also endure social stigma due to odour and in some cases the inability to have children.²²⁷ Fistula can be caused by poorly performed abortions or severe childbirth situations. Women who were raped were not allowed to seek medical attention. Therefore, those who underwent abortions went to locals or quacks who may not have conducted the procedure properly, thus resulting in them getting fistula.²²⁸ As no one was allowed medical attention, women were forced to give birth at home. Any complications arising during the birth were dealt with as best as possible, but once left untreated, resulted in them getting fistula.²²⁹ The ability to bear children is regarded as the ultimate symbol of womanhood in the community. Thus fistula, which inhibits this, robs women of their esteem as women as they are looked down upon in society. This denigrates the position of women in society

²²⁷ Oral Interview, Bill* (not real name), Cheptais, 12th September, 2011.

²²⁸ Oral Interview, Beryl* (not real name), Cheptais, 12th September, 2011.

²²⁹ Oral Interview, Bill* (not real name), Cheptais, 12th September, 2011.

and thus destroys the very individuals who are said to be the transmitters of culture and traditions.

Prostitution

The Mt. Elgon conflict left women and young girls vulnerable with no source of livelihood or family as their husbands, fathers or brothers had been killed during the war. These women have thus resorted to prostitution especially in towns like Bungoma and Kimilili in a bid to feed themselves.²³⁰ Prostitution is highly looked down upon in their community, but these desperate times have called for desperate measures.²³¹ Some of these 'prostitutes' had been raped during the conflict and thus are 'damaged' goods in the eyes of the society.²³² They cannot be married off to get dowry so they are deemed as a wasted investment.²³³ Thus with no other alternative, these women engage in prostitution in order to fend for themselves. In the long run, the moral code of society is slowly rotting with the introduction of such prior forbidden activities as methods of survival. Alex*, a social worker in Kapsokwony, asserts this point further in his illustration:

It is so sad. So many girls are turning to prostitution to earn a living. These children are as young as sixteen. They have no one to care for them so they sell themselves for money. Some of them were raped so they feel like they will never even get the chance to be married. They feel valueless. These days if you go to Kimilili, you can see the girls hanging around bars hoping to get a client. It is very sad.²³⁴

²³⁰ Oral Interview, Brenda* (not real name), Cheptais, 12th September, 2011.

²³¹ Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

²³² Oral Interview, Bernice* (not real name), Cheptais, 12th September, 2011.

²³³ Oral Interview, Anita* (not real name), Kapsokwony, 6th September, 2011.

²³⁴ Oral Interview, Alex* (not real name), Kapsokwony, 6th September, 2011.

Divorce

Divorce, another frowned upon practice in the community, has risen especially in the case of a woman who has been raped.²³⁵ Husbands have been unable to come to terms with the situation and opted to leave their wives and remarry.²³⁶ The husbands feared that the wives had been given sexually transmitted diseases.²³⁷ For the women who gave birth as a result, the illegitimate child is a constant reminder of the rape.²³⁸

Husbands left their wives out of guilt and shame. This was the case with those who saw their wives being raped in their presence and were not able to do anything to stop it. They felt that they had failed as men to protect their wives and thus opted to leave rather than face their wives.²³⁹ Wives of former SLDF militia men also left their husbands due to the stigma attached to their husbands. They felt that it was better to remarry than be ostracized because of the actions of their husbands.²⁴⁰ Albert* is one such SLDF soldier whose wife left him after the conflict because of the entire stigma attached to him. He laments with a lot of pain in his voice that:

Bibi yangu aliniwacha kwa sababu nilikuwa SLDF na watu walikuwa hawataki kunisaidia baada ya vita. Sasa nikopekee yangu na mawazo ya kuhuzunisha (my wife has left me because I was an SLDF and no one wanted to financially help me after the war. Now I am alone with only my disturbing thoughts)²⁴¹

This has led to disintegration of the family unit and a rise in the case of single mothers thus, causing a strain in the social fabric.

²³⁵ Oral Interview, Beryl* (not real name), Cheptais, 12th September, 2011.

²³⁶ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

²³⁷ Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

²³⁸ Oral Interview, Brenda* (not real name), Cheptais, 12th September, 2011.

²³⁹ Oral Interview, Bert* (not real name), Cheptais, 14th September, 2011.

²⁴⁰ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

²⁴¹ Questionnaire, Albert* (not real name), Kapsokwony, September, 2011.

The rise of Orphans

Orphans also resulted as a consequence of broken families. This resulted due to death or abandonment of parents.²⁴² Parents were most likely killed by the SLDF or slowly died of sexually transmitted diseases (STDS). These STDs were a result of the rape. Some other parents abandoned their children in a bid to escape from the SLDF, believing that the soldiers would not hurt children.²⁴³ This led to the rise in the number of orphans. Amelia*, as earlier seen, is a having to care for her eight grandchildren.²⁴⁴ She was a widow and her daughter had been raped and killed by the SLDF along with her son – in – law. With no one to care for them, she took them in but acknowledges that it is a heavy burden as she herself is a widow and jobless. Children who were conscripted as child soldiers also found it hard to return to normal life and sometimes never went back home, thus becoming street urchins.²⁴⁵ Such broken families are the mark of a three - year conflict whose effects are still felt to date.

Stigmatization

Stigmatization and ostracizing is another impact of the violence. Ex – SLDF militia men found it hard to reintegrate back into society even after the rehabilitation process they went through with the Free Pentecostal Fellowship Church in Kenya (hereafter referred to as FPFK) in Kitale.²⁴⁶ Over 600 soldiers were rehabilitated in this programme.²⁴⁷ Upon return to society, they were ill received due to the pain and suffering they had wrought, especially in the form of sexual violence. Rape being a highly frowned upon act, is not permitted among the Mt. Elgon community. For the SLDF to use it in the war as a strategy went against the moral code of society. It was, therefore, hard for the

²⁴² Oral Interview, Alex* (not real name), Kapsokwony, 6th September, 2011.

²⁴³ Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

²⁴⁴ Oral Interview, Amelia*(not real name), Kapsokwony, 7th September, 2011.

²⁴⁵ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

²⁴⁶ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

²⁴⁷ Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

society to welcome back these men who had violated their wives and in essence the whole moral fabric of society. FPFK however also held reintegration seminars with the members of the communities and urged them to forgive and accept the former combatants back home. This greatly helped although some have not fully forgiven them. Patrick Rotich, a farmer who was assaulted by the SLDF, vehemently declared that there would be no forgiveness for the SLDF from him:

Kwa nini niwasamehe? Walinipiga viboko zaidi ya mia mbili. Wakanikata sikio kwa nini niwasamehe? Wanaweza kunigeukia tena na kunidhulumu tena. (Why should I forgive them? They beat me more than two hundred strokes of the cane. They chopped off my ear. Why should I forgive them? They can turn on me again and hurt me again)²⁴⁸

Furthermore when it came to government aid, families of ex – SLDF militia men were not aided as they were seen as being part of the people who started the chaos in the first place.²⁴⁹ This stigmatization creates division and disunity in society which disrupts the cohesion and bonds of cooperation that should bind a community together.

Victims of rape and sodomy were also stigmatized and looked down upon though it was not their fault that they were assaulted. Rape and sodomy being viewed as sacrilege in the community and a hush - hush topic views its victims as near valueless and thus not worth bothering with.²⁵⁰ Bernice*, a rape victim and currently a single mother as a result, had this to say about the stigma she felt after the rape ordeal:

I could not mingle with others because of fear. I could not talk with anyone and I was always afraid of standing in a group. My mind was always racing and I could think of who I will be in future. I

²⁴⁸ Oral Interview, Patrick Rotich, Kopsiro, 15th September, 2011.

²⁴⁹ Oral Interview, Bert* (not real name), Cheptais, 14th September, 2011.

²⁵⁰ Oral Interview, Charlie* (not real name), Kopsiro, 14th September, 2011.

sometimes thought I would become insane. I felt like a person who came into the world without a purpose. I felt ashamed.²⁵¹

Low Self Esteem and Depression

Victims of rape thus developed low self esteems and became depressed. Rape is viewed as the highest form of humiliation, thus they felt valueless. No one would want to marry them especially if they had given birth to a child out of the rape.²⁵² Some married women who were raped were left by their husbands. This caused them to question their self worth. Men also suffered from low self esteems. They were no longer able to provide for their families as they had lost their means to earn a living; their businesses had been destroyed and they had lost their farms. Those who became impotent, as a result of the torture at the hand of the Kenya Army, especially suffered from low self esteems.²⁵³ They felt 'useless' as they could not fulfill their conjugal rights with their wives.²⁵⁴

The Rise of Drunks

This in turn led to a large number of drunks. Most of these are men who are using their drinking as a coping mechanism for their current life situation. Bert*, a former SLDF militia man, attested to the fact that drinking helps him forget the atrocities he underwent as well as the horrors he saw during the conflict:

Sasa mimi ni mlevi. Ninajua si vizuri lakini pombe pekee yake ndiyo inaweza kunisaidia kusahau ile maovu niliona. Najua pombe ikiisha nitakumbuka kwa hivyo ninakunywa zaidi. Tulilazimishwa kufanya vitu mbaya. Lazima nisahau na pombe ama nitakuwa na wazimu. (Now I am a drunkard. I know it is not right but beer is the only thing that can help me forget all the bad I saw. I know that when the beer wears off I'll remember so I drink more. We were forced to commit atrocities. I must drink to forget or I'll go insane)²⁵⁵

²⁵¹ Oral Interview, Bernice* (not real name), Cheptais, 12th September, 2011.

²⁵² Oral Interview, Anita* (not real name), Kapsokwony, 6th September, 2011.

²⁵³ Oral Interview, Bert* (not real name), Cheptais, 14th September, 2011.

²⁵⁴ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

²⁵⁵ Oral Interview, Bert* (not real name), Cheptais, 14th September, 2011.

Men who lost their homes, farms, and sources of livelihood during the conflict find it hard to cope with their circumstances and thus seek to drown their woes and feelings of hopelessness in their drinks. Men and women – mostly those who were brutally raped - who were totally unable to cope with the situation and were grossly scarred lost their minds.²⁵⁶ This poor self esteem and drunkenness leads to a society of defeated individuals; people who have given up on life and thus are in no position to progress in life. This greatly impedes the development of a community and destroys any chance of it advancing forward.

Post Traumatic Stress Disorder

Another impact of the violence, especially, rape is Post Traumatic Stress Disorder (hereafter referred to as PTSD). PTSD is a severe anxiety disorder that can develop after exposure to any event that results in psychological trauma. This event may involve the threat of death to oneself or to someone else, or to one's own or someone else's physical, sexual, or psychological integrity, overwhelming the individual's ability to cope. Residents in Mt. Elgon were subjected to many situations that warranted psychological trauma. As a result, some have developed PTSD and are unable to deal with the reality of the conflict. Becky*, a rape victim, despite having undergone counseling was still too traumatized by her rape incident to volunteer answers during the interview.²⁵⁷ She would look down most of the times and refuse to make eye contact with the interviewer. She also barely spoke and when she did, her voice was barely above a whisper.

Beryl*, a nurse in Cheptais district Hospital, declined to grant me an interview on the premise that she was severely traumatized by the conflict and still has nightmares about it to date. ²⁵⁸ She was reluctant to talk about it lest she remembers details that she had buried in her subconscious because they were

²⁵⁶ Oral Interview, Cleophas Chebus, Kopsiro, 15th September, 2011.

²⁵⁷ Oral Interview, Becky* (not real name), Cheptais, 12th September, 2011.

²⁵⁸ Oral Interview, Beryl* (not real name), Cheptais, 12th September, 2011.

too horrific. She had been abducted and forced to treat wounded SLDF militia men. Her experience was so traumatizing that she was unwilling to recall it. Such trauma can be a great hindrance to the individual, if it is not properly dealt with. It breeds a society of fearful and timid individuals who are not able to wholly develop themselves and in the long run not develop society.²⁵⁹

Broken Dreams and Lost Hope

The conflict robbed the members of society of its hopes and dreams. Their worlds changed for the worst and they are no longer able, whether due to finances or their situation, to pursue their dreams.²⁶⁰ Bernice*, a rape victim, is an example of someone who was unable to fulfill her dreams. She narrates her situation giving an insight to others who may face the same challenge:

I wanted to be a doctor. I really liked history and physics in high school. I was in form three when I was raped. I was on my way home from school when ten SLDF soldiers grabbed me and raped me. After that, I got pregnant. I had to drop out of school. When I delivered my baby, I could not go back to school because my parents could not afford to pay for fees and also take care of my baby. My dream of becoming a doctor looks like it may not happen but maybe things will get better.²⁶¹

Alvin,^{*262} who is currently a teacher, also wanted to be a doctor. At the time of the conflict, he was a form three student who was caught in the cross fire at his school and was shot by the Kenya Army in the arm and leg. He was hospitalized for close to a year. He eventually resumed his studies and finished, but was unable to go further as a result of his lack of finances. His injuries have rendered him incapable of doing strenuous work. This has limited his work ability and curtailed his dreams. Rape and the other atrocities inflicted on the community have impeded the progress of many youth who are the 'leaders

²⁵⁹ Oral Interview, Barny* (not real name), Cheptais, 12th September, 2011.

²⁶⁰ Oral Interview, Bert* (not real name), Cheptais, 14th September, 2011.

²⁶¹ Oral Interview, Bernice* (not real name), Cheptais, 12th September, 2011.

²⁶² Questionnaire, Alvin* (not real name), Kapsokwony, September, 2011.

of tomorrow'.²⁶³ If these 'leaders' are not given the opportunity to develop themselves and reach their full potential, the society has failed in providing a positive and sustainable environment to nurture and encourage innovation and development thus impeding its own progress as a whole.

Disillusionment

Disillusionment also came about after the war. For all the ideals thought to be fought for and weapons used in the war, it all seemed to be for naught. Bert*, an ex – SLDF militia man, admitted that they had been fighting a pointless war. He narrates his story with bitterness:

Tulipigana bure. Hakuna mtu alipata shamba. Tulidanganywa na viongozi wetu. Tulipigana kwa sababu gani? Nilikuwa tajiri sana. Nilikuwa na shamba kubwa. Sasa hiyo shamba yangu sina. Nimepoteza kilakitu. Tulipigana bure. (We fought for nothing. Our leaders lied to us. Why did we fight? I was a very rich man. I had a big farm. Now I don't have my farm. I lost everything. We fought for nothing)²⁶⁴

The cause they had been fighting for had been lost somewhere in the chaos and the resulting bloodshed and violence had been meaningless. Women and children had been violated for nothing. Men had been senselessly killed. He indicated that they had not even been able to keep the land that they had initially set off to protect. The allocation of land in Phase 3 of the Chepyuk Land Settlement Scheme had continued as planned and they lost their land. They had fought for nothing. The rug was pulled from under them and they realized that their illusions of grandeur were nothing but an unattainable mirage. This disenchantment is further portrayed in the songs written by Elvis Kiplang'at, a former SLDF soldier.²⁶⁵ After the conflict ended, Elvis became a Christian and recorded an Album, *Vumilia*, which contains a song entitled *Elgon* where he speaks of the pointlessness of the war and its repercussions. He reveals his sadness in the lyrics of his song:

²⁶³ Oral Interview, Beryl* (not real name), Cheptais, 12th September, 2011.

²⁶⁴ Oral Interview, Bert* (not real name), Cheptais, 14th September, 2011.

²⁶⁵ Elvis Kiplang'at, *Elgon*, *Vumilia*, Vol. 1, 2008.

“Ewe Mungu, tuangalie tulivyoteswa. Wasichana walibakwa, wanaume walifinywa. Ewe Mungu, sisi tumekosa. Tusamehe. Mtoto, kijana, wazee tumeua. Tusamehe. Tumekosa kama watu wa Elgon. Tusamehe.” (Translation: “Oh, God, see how we are suffering. Girls were raped. Men were tortured. Oh, God, we have sinned. Forgive us. We killed children, the youth, and the old. Forgive us. We have sinned as the Mt. Elgon people. Forgive us”)

The close of the conflict saw many of the SLDF soldiers realizing the actual cost of the war and acknowledging that it was not worth it. They realized that they had crossed the line with the violation of women, which had in the end not helped their cause one bit. This disillusionment has deeply shattered the society as most of its members are now living in a daze, unable to cope with reality and has led to further consequences, such as suicide.²⁶⁶ Suicide resulted because men who were suffering from depression and hopelessness were unable to deal with the reality of life.²⁶⁷ It was a coping mechanism, a final way of taking charge of their life by ending it and their feelings of inadequacy.²⁶⁸ The victims of suicide were the jobless men who had become impotent and were unable to deal with their inability to perform their duties as men of the house.²⁶⁹

Standstill in Education

The conflict has also destroyed the progress of education in Mt. Elgon. As earlier stated, women were raped during the conflict. A percentage of the victims of rape were unmarried girls. Some of these girls got pregnant as a result and delivered babies. These girls thus ended up becoming single mothers. This led to the rise of school drop outs. Most of these girls were unable to continue with their education as well as take care of their children. This is attested by Bernice*, an 18 year old girl, who had been in form three when she was raped by ten SLDF soldiers, and has not been able to resume

²⁶⁶ Focused Group Discussion (Women): Kapsokwony, 7th September, 2011.

²⁶⁷ Oral Interview, Bill* (not real name), Cheptais, 12th September, 2011.

²⁶⁸ Oral Interview, Bert* (not real name), Cheptais, 14th September, 2011.

²⁶⁹ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

her education as she has had to take care of her five year old son who was a result of the rape.²⁷⁰ Boys who had been recruited to the SLDF had also dropped out of school and were not able to rejoin after the war for fear of stigmatization.²⁷¹ Furthermore, most of the schools in the region had also been destroyed during the conflict so there was also nowhere for them to resume their education from.²⁷² This has taken the society several steps back. There is a large increase in uneducated youth. This cripples society as it deprives it of learned individuals who are able to develop their communities.

Atmosphere of Suspicion and Mistrust

When the conflict ended, the reign of terror ended but it was replaced with an air of suspicion and mistrust.²⁷³ The SLDF had had spies everywhere and thus there was a feeling that they were still there and operational. Residents were fearful of speaking freely lest they be caught and punished by the SLDF although it had been defeated.²⁷⁴ The suspicion remains to date and can be seen in how personnel within the Cheptais District Hospital declined to fill in questionnaires despite the reassurance of anonymity for fear of who would see or hear them giving information concerning the past conflict. Indeed one doctor at the Cheptais District Hospital warily remarked:

Hatuwezi kujaza hizi forms zako. Hatujui nani anatusikiza. Huwezi kujua. Bado wako. Hatuwezi kujua nani ni mmoja wao. (We cannot fill your forms. We do not know who is listening in. You can never know. They (the SLDF) are still there. We cannot know who is with them)²⁷⁵

Such suspicion tears down the cohesion that is meant to be inherent in any society. It robs the community of the ability to rely on one's neighbour and be

²⁷⁰ Oral Interview, Bernice* (not real name), Cheptais, 12th September, 2011.

²⁷¹ Focused Group Discussion (Ex – SLDF Soldiers): Kapsokwony, 7th September, 2011.

²⁷² Oral Interview, Cliff* (not real name), Kopsiro, 14th September, 2011.

²⁷³ Oral Interview, Patson Kotut, Kopsiro, 15th September, 2011.

²⁷⁴ Oral Interview, Bill* (not real name), Cheptais, 12th September, 2011.

²⁷⁵ Oral Interview, Brian* (not real name), Cheptais, 12th September, 2011

at peace that they have your best interests at heart. It slowly corrodes a society's togetherness.

4.2 Conclusion

According to St. Augustine, the results of the war should be greater or better than the situation without it.²⁷⁶ This is rarely, if ever, the case. Wars bring about destruction and suffering of some kind. No war is lacking in its casualties. Women and children, however, are unfortunately often the majority of the targets and the victims of the war and bear its consequences.²⁷⁷

In any war, women suffer in a way that is only specific to women.²⁷⁸ They bear the brunt of the war and hence bear most of the long term consequences of the war.²⁷⁹ In the instance where sexual violence is inflicted on them, these consequences may become even harder to bear.

It can be deduced that rape shatters the victim, perpetrator as well as the society. In Mt. Elgon, most of the perpetrators of the sexual violence were members of the community. Therefore, it affected the society two fold. Rape victims felt betrayed by the society that was meant to protect them and safeguard them from harm.²⁸⁰ Men who were meant to uphold their integrity violated their women. As such, core society values were corroded. The trust and security that one is meant to feel in one's community was robbed from

²⁷⁶ Waltz, Kenneth N, *Man, the State and War: A Theoretical Analysis*, New York: Columbia University Press, 2001.

²⁷⁷ Bennett, Olivia. Bexley, Jo and Warnock, Kitty (eds), *Arms To Fight – Arms To Protect: Women Speak Out About Conflict*, London: Panos Publications Ltd, 1995.

²⁷⁸ Cockburn, Cynthia, *The Space between Us: Negotiating Gender and National Identities in Conflict*, London: Zed Books, 1998.

²⁷⁹ Oldfield, Sybil, *Women against the Iron Fist: Alternatives to Militarism 1900 – 1989*, Oxford: Basil Blackwell Limited, 1989.

²⁸⁰ Ridd, Rosemary & Callaway, Helen (ed), *Women & Political Conflict: Portraits of Struggle in Times of Crisis*, Washington Square, New York: New York University Press, 1987.

them.²⁸¹ Instead, rape victims are exposed to stigma and children who serve as permanent reminders of society's failure to protect them.

Society, on the other hand, is also left with scars that are not likely to heal fast. Mistrust and discord are the remnant of a once harmonious community. Ethics and morals are now discarded in a bid to survive. Men walk around depressed and women are left to head their households. The roles of individuals have been reversed. The balance of society destroyed. Rape was thought to be a way of hurting the 'enemy' but the perpetrators quickly realized that they were only hurting themselves in the long run.²⁸² A chain is said to be as strong as its weakest link. The Mt. Elgon community 'chain' has multiple self - inflicted 'weak links'. We can only then infer that it is not strong at all, but shattered to its very core. Given the long-term effects of sexual violence on its victims and the community at large, it may be safe to say that rape is perhaps one of the most violent and effective tools of war.²⁸³

²⁸¹Bennett, Olivia. Bexley, Jo and Warnock, Kitty (eds), *Arms To Fight – Arms To Protect: Women Speak Out About Conflict*, London: Panos Publications Ltd, 1995.

²⁸² Weaver, Gina Marie, "Ideologies of Forgetting: Rape in the Vietnam War (SUNY Series in Feminist Criticism and Theory)," State University of New York Press, New York, 2010.

²⁸³ Hagen, Kristine T. and Yohani, Sophie C, "The Nature And Psychosocial Consequences Of War Rape For Individuals And Communities," *The International Journal of Psychological Studies*, Vol. 2, No. 2, December, 2010.

Chapter Five

Conclusion

The Mt. Elgon conflict revolved around the allocation of land in Chepyuk in the Chepyuk Land Scheme. This was a scheme initiated in 1968 to settle Mosop who had been displaced from their land which was being created into a game reserve by the government. It resulted in the creation of Chepyuk Phase I (1971) and Chepyuk Phase II (1979) for the Mosop. The Soy petitioned the government and had their own scheme installed in 1993, Chepyuk Phase III. The trouble came when the government sought to include the Mosop in Chepyuk III which was meant to be solely for the landless Soy. In the whole allocation process, the Soy felt marginalized as opposed to the Mosop who were seen to be favoured by the government.

The Soy got fed up of constantly being sidelined by the government and rallied young men in order to protect their land. This resulted in the formation of the SLDF to protect Chepyuk III which resulted in a three – year armed conflict. The Kenya Army intervened in 2008 and was able to restore order in Mt Elgon.

A number of scholars have written on the Mt. Elgon conflict and its effects on the community. Some have even written about the presence of the sexual violence in the conflict which seems to be a ‘characteristic of any war’.²⁸⁴ However, there were several gaps that were left out in these documented works; the role of women during the Mt. Elgon conflict, the use of rape as a weapon in the war, as well as the impact of this sexual violence on the society. These gaps are what formed the objectives of this study.

The study was hinged on the strategic rape theory which states that sexual violence is intentional and deliberate to meet various objectives. This theory

²⁸⁴ Peel, Michael (ed.), “Rape as a Method of Torture,” *Medical Foundation for the Care of Victims of Torture Report*, 2004.

was used alongside the conflict theory of sexual stratification which propagates that violence towards women is as a consequence of societal stratification. It further insists that this stratification exalts male domination which is evident in the battle field through the sexual violation of women.

The study was carried out in three divisions: Kapsokwony, Cheptais and Kopsiro. Primary and secondary data was used in the study. Secondary sources included books, scholarly journals and articles from the University of Nairobi's Jomo Kenyatta Library as well as newspaper and magazine articles and Non Governmental Organization reports. Primary sources entailed women and men victims of the violence as well as ex - SLDF militia men. The interviewees were fifty seven in total. They were targeted through the snow - balling technique. This data was collected using interviews, focused group discussions and open ended questionnaires. Based on data gathered and analyzed, it is safe to make a few conclusions.

Women participated in the Mt. Elgon conflict in a variety of ways. They were instrumental, first in encouraging the men to take up arms and fight for their land. They further acted as spies and porters in order to help the SLDF in their mission to retain their land. Some women, however, were not willing participants; these were kidnapped to be bush wives for the SLDF soldiers in the forests, while others with medical training were abducted in order to treat the injured SLDF soldiers. Other women, who were against the war, were key in hiding their sons and husbands to avoid SLDF recruitment. When the Kenya Army intervened in March 2008, women also acted as informers against the SLDF and helped the Army identify and arrest them.

The primary reason for the involvement of the women in the war was as a survival tactic. Land is very important to the people of Mt. Elgon. It is from whence they derive their livelihood; they are primarily an agricultural

community.²⁸⁵ Thus the threatening of this livelihood was intolerable. The women saw no other way to nurture and care for their families than support their men in the war to retain their land. War seemed to be the last resort as attempts at dialogue had proved unfruitful. Hence the women decided to participate and play their part in ensuring the survival of their families and in essence their communities.

Rape was used as a weapon – and an effective one at that - in the Mt. Elgon conflict. Weapons are meant to defeat the enemy and wreak terror in the hearts of the enemy. The SLDF used physical, psychological and sexual violence as weapons. Physical violence was in the forms of beatings, killings and mutilations, while psychological violence appeared as intimidation through the use of threats and harassment. These weapons were effective in instilling fear and submission of their enemies. However, sexual violence in the form of rape appeared to be the most effective weapon.²⁸⁶ Although rape had initially been forbidden by the leaders of the SLDF, some dissident youth quickly turned it into a weapon of torture and terror. The initial rapes were more opportunistic, but they quickly morphed into calculated, premeditated acts.

These intentional rapes were done as part of the military strategy to win the war. Rapes were primarily to break the will of the ‘enemy’ and ensure total submission. It was meant to instill absolute terror in the hearts of people in order to ensure complete cooperation. Those who resisted were raped as punishment. Women were also raped as a tactic to force their husbands and sons out of hiding in order to forcefully recruit them. As a torture mechanism, it was used to force women to give up information about the hiding places of their husbands and sons. Rape was further used as a silent killing machine to

²⁸⁵ Simiyu, Robert Romborah, *Militanisation Of Resource Conflicts: The Case Of Land – Based Conflict In The Mount Elgon Region Of Western Kenya*, Netherlands: Institute For Security Studies, 2008.

²⁸⁶ Hagen, Kristine T. and Yohani, Sophie C, “The Nature And Psychosocial Consequences Of War Rape For Individuals And Communities,” *The International Journal of Psychological Studies*, Vol. 2, No. 2, December, 2010.

infect Mosop women with HIV/AIDS which would eventually spread to the rest of the community. This was their way of 'saving' bullets, but annihilating their enemy in the most humiliating way possible. As a weapon, rape obtained what machetes and bullets could not, total submission, humiliation and demoralization of the enemy.

The use of rape as a weapon shattered the fabric of the society. Rape, although perpetrated on an individual, affects the entire society, after all what is society but a group of individuals?²⁸⁷ Just like with dominoes, when one falls, the others are sure to follow. Women are the transmitters of culture and traditions in society, thus their violation is a violation of the cultural identity of the society on the whole.²⁸⁸

The physical consequences of rape for the victims were unwanted pregnancies, STDs and reproductive disorders such as vaginal fistula which led to infertility. Aside from this, they suffered from stigmatization, low self esteem, depression and PTSD. These led to some women procuring abortion or even making suicide attempts. In a bid to survive, some women have even turned to prostitution; after all, they are already 'damaged goods', why not make a living out of their already violated bodies? The woman had been defiled, left unprotected and violated. Instead of society caring for her, she incurred stigma and in some cases divorce from the very men who were not able to protect her.

Men, who were unable to cope with the shame of not being able to prevent the violation of their wives and for fear of contracting STDs, left their wives and remarried. Men who had been left impotent after torture incurred at the hands of the Kenya Army took to drinking in order to cope with their depression and

²⁸⁷ Clifford, Cassandra, "Rape as a Weapon of War and its Long-term Effects on Victims and Society," *7th Global Conference on Violence and the Contexts of Hostility*, Budapest, May, 2008.

²⁸⁸ Turshen, Meredith & Twagiramariya, Clotilde (ed), *What Women Do in Wartime: Gender & Conflict in Africa*, new York: Zed Books Ltd, 1998.

lose of 'manhood'. Those who were totally unable to cope with the situation committed suicide as an escape from a reality too hard to come to grips with.

The family unit was destroyed as a result of the many deaths. Women were left to head households where men had left them or become drunks. The number of orphans rose in number. Disillusionment and loss of hope became the order of the day. The war was lost in the end. The reality was that they had not gained anything but destruction and pain from the war. The former cohesion and harmony that had existed before was now replaced with suspicion and mistrust.

The values of society had totally been shattered. Women had been devalued and denigrated; women who are the backbone of society. What had been intended to harm the 'enemy' had in the end turned around and hurt them all. Activities such as divorce, prostitution and abortion, which had not been condoned in society, quickly became the order of the day. This is a mark of the erosion of the culture of the Mt. Elgon society. The ramifications of rape have not only soiled the integrity of women, but of the entire society.²⁸⁹

In conclusion, the study has observed that women are targets of war and as a result bear the brunt of its consequences which eventually affect the whole society. The study further saw that of all the weapons used, rape was the most effective one. It was able to break the will of the enemy and quell any resistance. However, the use of rape as a weapon has led to dire consequences that are long lasting and painful on society. Though rape is said to be a common occurrence in war, this premeditated use cannot be condoned. Despite it being classified as a war crime according to the Rome Statute, it

²⁸⁹ Ridd, Rosemary & Callaway, Helen (ed), *Women & Political Conflict: Portraits of Struggle in Times of Crisis*, Washington Square, New York: New York University Press, 1987.

shall still continue so long as civilians are being considered as 'fair' targets in war and perpetrators are not being held accountable for their crimes.²⁹⁰

²⁹⁰ Clifford, Cassandra, "Rape as a Weapon of War and its Long-term Effects on Victims and Society," *7th Global Conference on Violence and the Contexts of Hostility*, Budapest, May, 2008.

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Adam* (not real name), Kapsokwony, 6th September, 2011: Displaced from Chepkitale.

Amelia*(not real name), Kapsokwony, 7th September, 2011: widow and grandmother of eight orphan.

Anita* (not real name), Kapsokwony, 6th September, 2011: Teacher.

Alice*(not real name), Kapsokwony, 6th September, 2011: Teacher.

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Cheptais

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Brian* (not real name), Cheptais, 12th September, 2011: Doctor, Cheptais District Hospital.

Bruce* (not real name), Cheptais, 12th September, 2011: Farmer.

Bill* (not real name), Cheptais, 12th September, 2011: Health officer, Cheptais District Hospital.

Brenda* (not real name), Cheptais, 12th September, 2011: Bar Owner.

Belinda* (not real name), Cheptais, 12th September, 2011: Nurse, Cheptais District Hospital.

Bernice* (not real name), Cheptais, 12th September, 2011: Rape victim & single mother.

Becky* (not real name), Cheptais, 12th September, 2011: Rape victim.

Beryl* (not real name), Cheptais, 12th September, 2011: Social Worker.

Beth* (not real name), Cheptais, 12th September, 2011: Nurse, Cheptais District Hospital.

Barny* (not real name), Cheptais, 12th September, 2011: Human Rights Activist.

Bob* (not real name), Cheptais, 13th September, 2011: Kenya Army Officer.

Barry* (not real name), Cheptais, 13th September, 2011: Civil Servant.

Boris* (not real name), Cheptais, 13th September, 2011: Administration Police Officer.

Bert* (not real name), Cheptais, 14th September, 2011: Ex – SLDF Member.

Kopsiro

Chris* (not real name), Kopsiro, 14th September, 2011: Administrative Police Officer.

Charlie* (not real name), Kopsiro, 14th September, 2011: Teacher.

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Appendices

Appendix 1: Interview Guide

1. What kind of violence was inflicted on the residents of Mt. Elgon?
2. Who were the victims?
3. Who were the perpetrators?
4. Was sexual violence, especially rape, carried out in the conflict?
5. How many women were raped?
6. Who carried out the rape?
7. What were the reasons for the rape?
8. What were the impacts of the violence on the residents?
9. How does society view rape?
10. How does society view the victims of rape?
11. How do the victims of rape view themselves?
12. Can rape be said to have been used as a weapon just like a gun is used to kill?

Appendix 2: Questionnaire

QUESTIONNAIRE

NAME:

DIVISION:

AGE:

PROFESSION:

MALE

FEMALE

1. Were you a victim of the violence in Mt. Elgon from 2006 – 2008?

Yes

No

2. Which forms of violence were you exposed to?

Physical: Beatings

Torture

Mutilation

Sexual: Rape

Sodomy

Psychological: Being forced to witness rape / sodomy / torture

3. Explain the nature of the violence indicated above

.....
.....
.....

4. Who committed the rape?

SLDF

Kenya Army

Other

If you ticked other, clarify who

.....
.....
5. Why do you think the rape was committed?

.....
.....
.....

6. What were the impacts of the violence on you?

Physical

.....
.....

Sexual.....

.....

Psychological.....

.....

7. How does your community view rape and/ or sodomy?

.....
.....

8. How do victims of rape/ and or sodomy see themselves?

.....
.....

9. Would you say that rape was used as a weapon in the conflict?

Yes

No

Explain your answer above

.....
.....
.....