

**KENYA- UGANDA COOPERATION IN MANAGEMENT OF
TRANSNATIONAL SECURITY THREATS IN THE MT. ELGON
BORDERLANDS 1970 - 2023**

BY

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**A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF THE
REQUIREMENTS FOR A MASTER'S DEGREE IN INTERNATIONAL
RELATIONS, MOI UNIVERSITY**

2025

DECLARATION

This thesis research is my original work and to the best of my knowledge, it has not been submitted for a degree in any other University. No part of this thesis may be reproduced without the prior written permission of the author and Moi University.

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SASS/PGIR/01/2018**Declaration by supervisors**

This research thesis has been submitted for examination with our approval as Moi University supervisors.

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DEDICATION

This research thesis is dedicated to my family, friends, and the community of Mt Elgon for their unending support during the research period.

ABSTRACT

The study assesses the cooperation between Kenya and Uganda in managing transnational security threats from Uganda in Mt Elgon, Kenya. The existing literature has addressed national and regional institutional policies on trans-border security threats; however, there are significant gaps in knowledge about Kenya-Uganda cooperation initiatives for managing transnational security threats in Mt. Elgon. The research was guided by three specific objectives: to examine how Mt. Elgon's transnational borderland is discursively constituted as an area of security threats; to analyse the presence of institutional cooperation on transnational security threats; and to analyse the impact of Kenya-Uganda interstate management of trans-border security threats on the grassroots of Mt Elgon. The research was guided by two theories: the institutionalization theory by Meyer and Rowan, which explains the establishment and factors that influence the operation of an institution; and the securitization theory by Barry Buzan, which posits that through an act of speech, an issue is securitized. The study adopted a within-case study of the process tracing variant and was anchored on an interpretivism paradigm, mainly institutionalism (historical and discursive). The target population of the research was the residents of Mt. Elgon Constituency who have been affected by trans-national security threats. The sample frame was: one Deputy County Commissioner, two Assistant County Commissioners, four chiefs, two village administrators, six Nyumba Kumi chairmen, fifteen security officers, and fourteen residents. Sampling for the study was done through purposive sampling, and the sample of the study was 44. The data was collected through an interview guide with semi-structured questions and Focus Group Discussion sessions. Forty-three (43) respondents were interviewed, and one (1) Focus Group Discussion with nine respondents was held in the Cheptais Ward in Mt. Elgon constituency. The unit of observation was the local community members above 40 years and administrative and security government officials. The data collected was analysed thematically. The research findings showed that the Mount Elgon borderland is discursively constructed as a region that experiences transnational security threats facilitated by corruption and porous borders. The security threats include cattle rustling from the early 1970s and stock theft since the 2000s; the threats also include acts of smuggling of illegal small arms and light weapons such as bullets and guns; additionally, there was poaching of elephants, technological theft of primary school laptops and medicines; others reported as smuggled were an assortment of contraband goods such as polythene bags, cigarettes, and alcohol. The findings also showed that Kenya and Uganda cooperate through administrative institutions by conducting security committee meetings annually, and also through police cooperation by INTERPOL. Finally, the findings showed that Kenya-Uganda cooperation has improved the peaceful coexistence of border communities in both countries; this was especially seen in the area of robust communication on security threats. The study concludes that the inter-state cooperation has sought to mitigate the trans-national security threats, although there is room for improvement. The study recommends that the Government should make efforts to curb corruption to reduce the flow of contraband goods at the Chepkube Border. The government should also strengthen security institutions by providing facilities to monitor and control security activities at the Mt. Elgon Borderland; finally, both governments of Kenya and Uganda should open a customs point in Mt Elgon; this would reduce the use of illegal routes by persons from both sides of the border.

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ACKNOWLEDGEMENT

First and foremost, I thank God for the good health, hope, and strength throughout my study. Secondly, I would like to direct an utmost thank you to all my respondents in Mt Elgon for their time and helpfulness, and for their efforts of sharing their knowledge with me. Thirdly, special thanks to my supervisors Dr. Bramwel Matui and Dr. Paul Opondo for their unending commitment to guiding and supporting me in my studies. Fourthly, my sincere gratitude goes to Moi University for allowing me to acquire knowledge. Lastly, regard my family's financial and moral support.

LIST OF ABBREVIATION

EAPCCO: Eastern Africa Police Chiefs Cooperation Organization

SALW: Small Arms and Light Weapons

NACOSTI: National Commission for Science, Technology, and Innovation.

IGAD: Intergovernmental Authority on Development

CEWARN: Conflict Early Warning and Mechanism

EAC: East African Community

CEWERU: Conflict Early Warning and Response Unit.

SALW: Small Arms and Light Weapons

RECSA: Regional Centre for Small Arms

NFPs: National Focal Points

KNFP: Kenya National Focal Point

OPERATIONAL DEFINITION OF TERMS

Security is the activities involved in the protection country, building, or person against attack or threat.

Border is a line that divides two countries or areas.

Borderland is an area of land close to a border between two countries.

The policy is an action agreed on or chosen by a political party or a business to improve performance.

Cooperation is doing something together or working together toward a shared aim.

The threat is the possibility of trouble, danger, or disaster.

Transnational security threats comprise of a host phenomenon that is interconnected or cross-border and is viewed as negative to a country's socio-economic, political, or environmental spheres. It also means a danger to the safety of a country or community that emanates from another country.

Trans-boundary means crossing or extending across a border between two countries.

CHAPTER ONE: INTRODUCTION

1.0 Overview

This chapter provides the background of the study, a statement of the problem, a broad objective, and specific objectives of the study. It also furnishes research questions, the significance of the study, the scope, and the limitations of the study.

1.1 Background of the study

International border security is a complex phenomenon that cannot be achieved by a single state, and therefore, this calls for bilateral and multilateral cooperation. The complexity of a single state in managing international borders is due to an existing complex system of interconnectedness created by globalization. Transnational security threats are better managed by a concerted effort by several states, as individual states alone cannot overcome such threats and maintain security through traditional foreign policy and military tools (Kassaw, 2018). Transnational security threats are a phenomenon that has affected the relations of various countries in Africa due to the shared international boundaries. Transnational security threats are conceived as going beyond the boundaries of the nation-states and are intricately interconnected through the process of globalization (Kassaw, 2018).

The modern Eurocentric idea of boundaries is associated with the establishment of the state in 1648 under the Westphalian Treaty. The norm was established against interference in another state's domestic affairs, also known as the principle of Westphalian sovereignty. The Westphalian treaty promotes sovereignty, the legal doctrine that no higher authority stands above the state, except that to which the state

voluntarily assents, and that all sovereign states possess the same rights and duties (Vaughan, 2011).

Vaughan (2011) further explains that states had the right to manage matters within their boundaries without outside interference, as well as the duty to abstain from intervening in the domestic affairs of other states. Vaughan (2011) argues that the modern nation-state has undergone significant changes both in terms of its purpose and sovereignty. States have traditionally been based on territorial factors; however, state participation in the global economy has led to an increased degree of interdependence among states. The process of globalization is now the most important development in world affairs. It marks the end of the world order dominated by nation-states (or countries) and the beginning of an era in which national governments have to share their power with other entities, most notably transnational corporations, intergovernmental organizations, and non-governmental organizations.

International boundaries are the sharp edge of territories within which states exercise their jurisdiction - the lines that mark the legal termination of the territory of one state or political unit and the start of another (Ikome, 2012). Borders are not drawn to foster inclusivity among nations; they are drawn to provide an understanding of self and others (Kofoed, 2007). Borders are major determinants of state power and sovereignty; the stability and strength of states are directly related to their ability to protect and define their borders. It is the borders that define both domestic and external policies of a state on matters such as economic, political, and social issues, which are among the definitions of borders.

Developing a border management concept begins with defining national interests and several defining characteristics combined to make borders unique areas (Gerstein et al, 2018). The aforementioned authors further assert that borders are defined by physical structures or demarcations whereby terrain features such as rivers or mountains serve as natural boundaries, while in other cases, boundaries have been created by road networks, fences, walls, checkpoints, and ports. Moreover, they posit that many border communities share common languages, tribal affiliations, and family ties, and they may not differ much from one country to another and may have more in common with each other than with the nations to which they belong. Furthermore, Gerstein et al (2018) argue that border areas are unique and each area has nuances that must be understood and accounted for in developing a border management strategy and accompanying plan. Such nuances include the relationship between cross-border communities. Finally, the authors opine that smuggling routes and procedures used in the trafficking of illicit goods must be factored into any border management strategy.

The study opines that border security is a factor in border management. International borders are a security issue for all governments. States are recognized under international law by their capability to maintain their boundaries, secure their territories, and protect their citizens. The ability to secure national borders is one of the criteria used to classify states as strong, weak, and failed (Konrad, 2017). Moreover, when statehood is taken as territorial control, illegal cross-border activities are readily interpreted as threats to national security, signifying the absence or weakness of the state and the need for increased regulation (Singh, 2014). Singh (2014) further asserts that remote borderlands are generally regarded as sites of lawlessness, social difference, and isolation from central state authority. Finally, Singh (2014) argues that anti-elite political narratives must be

interpreted with recognition of their local strategic utility as well as the broader political context. Therefore, based on this argument, the isolation of borderlands exposes states in the world to experience threats caused by porous borders, whereby, to understand its impacts on state security, it is needed to understand the perspective of the cross-border. Among the transnational threats experienced by states are: cattle rustling, terrorism, poaching, illegal immigration, smuggling of arms, trafficking of drugs, and conflicts. The common trans-border threats that have continuously been experienced by Kenya along its borders with Uganda have been due to diverse sources. First, the border is prone to forced displacement and season-driven conflicts that trigger other insecurities- even of an intra-ethnic character (Matui, Kwonyike, Rono, 2007; Matui & Kwonyike, 2006).

Second, the smuggling of small arms and light weapons has fuelled conflicts along the border. The Kenya-Uganda border is one of East Africa's most severely affected areas in terms of firearm-related insecurity, and over the last three decades, small arms and light weapons (SALW) have entered the cross-border regions in unprecedented numbers (Mkutu, 2007). Mkutu (2007) argues that the protracted conflict in northern Uganda between the Lord's Resistance Army led by Joseph Kony and the Uganda government forces means that such weapons are generally in circulation, and because of the porous Kenya-Uganda border, find their way into the Mount Elgon region. The author further asserts that the Kenyan and Ugandan authorities have often used force against pastoral communities, sometimes in the context of efforts at disarmament. However, he argues that militaristic approaches by the states, like forced disarmament, stimulate an arms trade among the local communities because the bullets and arms increase in value, encouraging other communities to trade.

Mount Elgon border conflicts have been facilitated by militarization due to the proliferation of small arms and light weapons following many years of instability and war in Uganda (Simiyu, 2008). Furthermore, animals are bartered for automatic weapons and bullets, and their proceeds enrich ethnic elites (Eaton 2008). The availability and proliferation of firearms and firearms trafficking are widespread in the Horn of Africa due to several factors; first, even in the post-Cold War, the flow of arms continued from major producing countries such as China, Iran, Russia, and Ukraine, France, Germany, Italy, the United Kingdom, and the US into conflict hotspots in the Horn of Africa, mainly in Ethiopia (1991), Rwanda (1994), Somalia (1991), and Uganda (1979 and 1986), among others. Moreover, the weakness of governments to provide security to all populations resulted in violence as the demand for weapons increased among civilians and groups in their attempt to guarantee peace for themselves. Lastly, the persistent instability in Somalia and South Sudan has been a fertile ground for the circulation of illicit arms in the Horn of Africa, and this is compounded by the porosity of international borders (Kassaw, 2018)

The Second source of threat at the border emanates from cattle rustling. During the decades between 1970 and 1990, the region was characterized by rather high insecurity, and Mount Elgon was a transit zone for stolen livestock (Medard, 2008). The presence of arms has amplified the existing raiding tradition and exposed underlying lawlessness and weak governance (Mkutu 2008). Agencies of the state, mainly the police and the courts, as well as traditional retrogressive procedures under the control of elders, have proved ineffective in halting the activities of the raiders (Mkutu, 2007). Guns do have the capacity to worsen cattle raids dramatically, and Pokot, Karamojong, and Turkana all enjoy easy access to weapons (Eaton, 2008). Eaton (2008) further points out that today,

animals are bartered for automatic weapons and bullets, and their proceeds enrich ethnic elites. The third source of security threats is illegal migration. While refugees fleeing armed conflicts have the rights and protections guaranteed by international humanitarian laws, among their ranks may be armed combatants who could threaten the security of civilian refugees and the local population near camps (Okumu, 2011).

The fourth source of security threat is poaching, which is experienced along the Kenya–Uganda border of Mt. Elgon. Poaching of elephants for their tusks has been an issue of trans-border security threat in East Africa and has been experienced in Kenyan natural forests such as Mt Elgon. Poaching and the trade in endangered species threaten the hard-currency earner of tourism in East Africa, and they are having a devastating impact on Africa’s environmental heritage and are even financing some militia in Central Africa’s civil wars (Sage, 2010). The author further notes that, for instance, despite the signing of the Convention on International Trade in Endangered Species of Wild Fauna and Flora and an internationally agreed trade ban dating from 1989, rising demand for ivory in East Asia has led to a spike in elephant poaching.

Last but not least, the inter-ethnic conflicts along the border of Kenya and Uganda have been a significant source of transboundary security threats. A conflict in any one of the EAC countries has far-reaching effects as it inevitably affects the whole region in one way or another (Chikwanha, 2007). The author argues that conflicts everywhere in Africa transcend ethnicity and physical borders, and this always complicates the magnitude of the conflicts. Furthermore, the regional dynamics of conflicts and the cross-border nature of security threats, such as arms and human trafficking, require the collaborative role of

regional and sub-regional actors who have an intimate understanding of the local contexts.

The Kenya-Uganda border is 933km and traverses the homelands of Samia, Teso, Pokot, Sabaot, and Turkana in Kenya; on the corresponding side of Uganda are the Karamojong (comprising Matheniko, Bokora, and Pian), the Upe (Uganda Pokot), and the Dodoth, the Jie, and the Mountain groups (Mkutu, 2007). These border communities have had conflicts for decades; they practice cattle raids to accumulate more cattle, which is a sign of wealth. Cattle raids, which are characterized by fights, have been facilitated by the less-controlled borders, climate change, and availability of small arms and light weapons. This has escalated to the point that countries that share a border have had mistrust based on the suspicion that one state might have a hand in the conflicts.

Countries experience security threats, and to curb these threats, they tend to restrict their borders by improving security on borders and imposing minimum requirements to enter a given state. Security at the border has proved challenging for one country to address because they have a spillover effect. Therefore, because of the spillover effects of security threats and limitations created by the principle of state sovereignty as provided under the Westphalian treaty of 1648, countries have opted to cooperate through regional institutions to make efforts to address these threats bilaterally or multilaterally. For instance, Kenya and Uganda are members of different regional institutions such as the African Union (AU), the East African Community (EAC), and the Intergovernmental Authority on Development (IGAD). These institutions support and have strategies to strengthen cooperation in the promotion of peace and security among their members.

The policies set at the regional and state levels trickle down to the communities that are directly affected by spill-over security threats. The communities, therefore, develop meaning and understanding based on their experience, hence creating a new narrative on border threats affecting them. The ideas about policies and approaches to addressing border security threats created by governments for the communities keep changing, especially with the change of key players in addressing transnational security threats.

Along the Kenya-Uganda border, there has been clandestine activity on the steep terrains of Mount Elgon and its forests and parks, which are mostly inhabited; the activities include smuggling, cattle rustling, and poaching (Medard, 2008). Based on Medard's argument, it is evident that Mt. Elgon has experienced security threats; therefore, the study was to understand how Kenya and Uganda have cooperated in addressing security threats in Mt. Elgon. The main objective of the study, research was to understand how Mt. Elgon's transnational borderland is discursively constituted as an area of security threats; the institutions' policies that exist on addressing transnational border security threats in Mt. Elgon; to examine the nature of interstate cooperation in the management of transnational border security threats.

1.2 Statement of the Problem

The study interrogated the Kenya-Uganda cooperation in the management of transnational security threats in Mt. Elgon in the Kenya-Uganda borderland. The existing literature has touched on national and regional institutional policies on trans-border security threats; however, there are significant gaps in our knowledge about Kenya-Uganda cooperation initiatives on the management of transnational security threats in Mt. Elgon. The porous borders and enormous size of the Mt. Elgon region, characterized by

a huge forest and a mountain, expose it to various security threats. Mt. Elgon's transnational borderland also has various features, such as the existence of ethnic ties of the Kenyan Sabaot and Sebei of Uganda.

Cross-border security threats are challenging for one country to address because of the limitations stated by international norms, such as state sovereignty and territorial integrity provided under the Westphalian Treaty of 1648. Hence, these limitations by international norms dictate that states cooperate on the best ways of mitigating these threats. In conclusion, with the existence of cross-border security threats, there is a need for a study to be conducted to contribute knowledge on these threats and efforts by governments to address them.

1.3 The broad objective

The study aimed at assessing Kenya-Uganda cooperation in the management of transnational security threats in the Mt. Elgon borderlands from the 1970s to 2023.

1.3.1 Research questions

This study was guided by three research questions as follows:

1. How is Mt. Elgon transnational borderland, discursively constituted as an area of security threats?
2. Which institutions of cooperation have been operationalized to deal with transnational security threats?
3. What is the Impact of interstate Cooperation from the grassroots perspectives in Mt. Elgon?

1.3.2 Specific objectives

Therefore, the study was guided by the following objectives:

1. To examine how Mt. Elgon's transnational borderland is discursively constituted as an area of security threats.
2. To analyse the operations of institutional cooperation on transnational security threats.
3. To analyse the impact of Kenya- Uganda interstate management of transnational security threats on the grassroots of Mt Elgon

1.4 Significance of the study

The data collected from the study has contributed to the existing knowledge of trans-border security threats. Secondly, the findings have shed light on the effectiveness of the implementation of government policies on trans-border security threats and the gaps that exist in those policies in Mt Elgon. Finally, the data collected has contributed to understanding the level of cooperation on trans-border security threats and relations between Kenya and Uganda.

1.5 Justification of the study

Despite the existing literature touching on border and regional institutional policies on transnational security threats, there are significant gaps in our knowledge about Kenya-Uganda cooperation initiatives on the management of security threats in the Mt. Elgon transnational borderland. Therefore, there is a need for the study to be a conditioner to enhance our understanding of trans-border security threats that exist in Mt. Elgon, the Kenya-Uganda governments' initiatives on addressing these threats, and the nature of cooperation that exists between the two states. The study on transnational security threats

and institutional policies, including regional institutions, represents the current priority of African governments in fostering integration in addressing security threats.

1.6 Limitations of the Study

Limitation of a study is concerned with potential weaknesses that are usually of the researcher's control and are closely associated with the chosen research design, statistical model constraints, or other factors. A limitation is an imposed restriction that is essentially out of the researcher's control (Theofanidis & Fantouki, 2019).

The research faced constraints in various areas, including, first, the method of data collection; the research intended to unearth the various border threats that are sensitive to security; therefore, it was difficult for respondents to give the intended information during interviews because of fear of information falling into the wrong hands. Secondly, resistance; the study was conducted in an area that had experienced conflicts and brutality from the police, and given that the research objectives were touching on security issues, this therefore led to respondents' rigidity to give the intended information due to the fear of their security. Lastly, the area of my study posed challenges in accessibility, especially at the borderline where there were poor roads; also, there existed a long process to access information from government institutions. I had to first get permission from the top leadership of security at the county level, that is, the county commissioner, before all security institutions could respond to the interview.

To address these challenges, during the interview, the researcher used language that did not provoke the harsh experience of the respondents. Secondly, the researcher presented research authority letters to justify that the information collected was only for academic reasons to reduce resistance. Lastly, the researcher used the most reliable means of

transport that is adapted to the area of research and acquired all research authorization letters from the concerned institutions. The researcher acquired a research permit from the National Commission for Science, Technology, and Innovation (NACOSTI), research authorization from the county commissioner's office, the county government of Bungoma, and the County Director of Education.

1.7 Delimitation of the study

Delimitation is, in essence, the limitations consciously set by authors themselves. They are concerned with the definitions that researchers decide to set as boundaries or limits of their work so that the study aims and objectives do not become impossible to achieve (Theofanidis & Fantouki, 2019). The aforementioned authors posit that delimitation is mainly concerned with the study's theoretical background, objectives, research questions, variables under study, and study sample. Furthermore, delimitation of a study is those characteristics that arise from limitations of the study (defining the boundaries) and by exclusionary and inclusionary decisions made during development of a study plan. Among are choices of objectives, questions, variables of interest, theoretical perspectives that were used, the paradigm (qualitative/quantitative/ mixed methods), the methodology, theoretical framework, and the choice of participants (Simon & Goes, 2013). Therefore, the delimitation of the study was as follows;

The research was mainly guided by three research questions: how is Mt. Elgon transnational borderland, discursively constituted as an area of security threats? Which institutions of cooperation have been operationalized to deal with transnational security threats? What is the Impact of interstate Cooperation from the grassroots perspectives in Mt. Elgon?

The research was also guided by three research objectives: to examine how Mt. Elgon's transnational borderland is discursively constituted as an area of security threats. To analyse the operations of institutional cooperation on transnational security threats. To analyse the impact of Kenya-Uganda interstate management of transnational security threats on the grassroots of Mt Elgon. These research objectives and questions helped in defining the goals and the area of the study, therefore facilitating the timely and achievable objectives of the study.

The research was mainly anchored on institutional and securitization theory, because the two theories addressed the major aspects of the research, which were institutions and security threats. Institutional theory addresses how institutions are established and the factors that influence their operations. To supplement the shortcomings of institutional theory on security threats, the research adopted the securitization theory, which covers how an issue is securitized, especially through politics.

Under research methods, the research used qualitative research designs in order to facilitate a wide range of data that could be generated into themes to create a composite explanation of the research. The research mainly used two qualitative methods of data collection, which included interviews and Focus Group discussions, which allowed the collection of a large volume of data.

The research used purposive sampling with snowballing, because this type of sampling saves time on selecting resourceful respondents. The research sampled 44 respondents from Mt. Elgon, Kenya. The respondents were selected from the Kenyan side because the research was focused on Mt. Elgon as the destination of transnational security threats from Uganda. The respondents chosen were Sabaot residents of Mt. Elgon, Kenya, of

40years and above, because at this age, most of the respondents might have interacted with these threats in their lives. For the implementation of institutional policies, the research respondents were government officials in administration and security institutions in Mt. Elgon.

Therefore, having covered the introduction of the research, the next chapter will then deal with the literature review.

CHAPTER TWO

LITERATURE REVIEW

2.0 Overview

This chapter deals with existing literature related to the study, which is analysed thematically according to the study objectives as follows: discursively constructed border and security threats, the institutional policies that exist, and the nature of cooperation in the management of security threats at the border. The review is important because it identifies research gaps and outlines the scope of the study while further relating to other studies that have been done in this area.

2.1 Discursive Construction of a Transnational Borderland

The study sought to understand the transnational borderland and the security threats that exist in Mt Elgon. In addition, the study examined the factors that facilitate the flow of these threats from Uganda to Mt Elgon, Kenya, and the actors that participate in the development of the same.

The border acts as an area of contact between states, and their territory is defined by a borderline. The border has been described with different metaphors to establish how it's guarded and the factors that cause the state of a transnational border to exist as it is. The international border is described as a wall. The wall as an object embraces a heterogeneous range of structures built with diverse motivations on a variety of borders (Vallet & Philippe, 2012). The aforementioned authors explain that those walls consist of much more than a barrier built on masonry foundations. They are flanked by boundary roads, topped by barbed wire, laden with sensors, dotted with guard posts, infrared

cameras, and spotlights, and accompanied by an arsenal of laws and regulations (right of asylum, right of residence, visas). Vallet & Philippe (2012) further assert that we understand the word “wall” in the broadest sense, as a political divider that comprises complex technologies, control methods, legislative provisions, and “securing the border” discourse. The aforementioned authors add that Walls may signal the precedence of domestic politics (and appearances) over foreign policy (and diplomatic necessities), the image of a fortified border being considered more important than its actual effectiveness. Finally, Vallet & Philippe (2012) argue that some walls are illusory, and some are mental constructs, but it remains that these structures are enmeshed in social processes and the construction of border identities, often breeding their cultural iconography.

The transnational borderland has also been described as a line. National borders are notional lines on a map and on the ground that provide a sharp demarcation between two territories and sovereignties (Ishikawa, 2010). Furthermore, they also lie at the heart of what can be called border zones, areas on both sides of a border where the proximity of a place that is different in matters such as currency, laws, citizenship, and commodity prices has a profound influence. Ishikawa (2010) points out that, like lines in mathematics, national boundaries occupy no space, and in theory, the full sovereign power of the state extends to this imaginary line, and there it stops. However, in practice, the space around the border becomes a special field, a threshold that accommodates a series of socio-economic and cultural flows from one national arena into another, a zone where things are no longer what they were but not yet what they will be. Finally, the author argues that located at out-of-the-way places in the national territory, borderlands function as liminal zones where the nature of things is inevitably transformed by the proximity of an

alternative system. As a liminal space borderland is both part of and distinct from a territorial state.

Remote borderlands are generally regarded as sites of lawlessness, social difference, and isolation from central state authority (Singh, 2014). Borders are in themselves sites of threats, such as violent conflicts, especially between communities along the border or between states that control the definition of borderline. Conflicts are caused by the creation of arbitrary borders by colonial powers, and since African nations started to gain independence, these arbitrary borders have often been the source of conflict (Olaosebikan, 2011). Mt. Elgon's geographic location in itself connects diplomatic interaction between Kenya and Uganda, and threats experienced at this border may become the basis of interstate conflicts. This may occur if threats are deemed by one state as violating state sovereignty and effects are felt as being created by the other state.

Border areas of different states, such as Kenya, are known to experience various conflicts, which may be facilitated by physical features such as forests and mountains. Forest usage is often used for both defense and offense (Olaniyan, 2018). The key to understanding the persistence of violence is deciphering the relationship between human communities and physical terrain (McEroe, 2012). In my view, the Mt. Elgon Forest may act as a hiding ground for perpetrators of transnational security threats. It can also create a room for the creation of secret routes used for criminal activities by community members, such as the smuggling of small arms and light weapons, and cattle rustling.

Border security can be established and sustained only with the support of border populations (Lean et al, 2016). This study argues that the Mt. Elgon border between

Kenya and Uganda is a porous border with shared ethnic ties between the Saboot of Kenya and the Sebei of Uganda. Therefore, the porous border acts as an incentive for the development of new security threats along the border.

Like any other border in the world, the Kenya-Uganda border of Mt. Elgon has continuously experienced transnational security threats such as the smuggling of small arms and light weapons, which fuel incidents of cattle rustling or stock theft and inter- and intra-ethnic conflicts. Protracted and bloody land conflicts have plagued the region since the 1990s, culminating in one of the deadliest armed ethnic insurgencies in western Kenya's history by the SLDF group between 2005 and 2008 (Wamalwa 2021). Moreover, the instability and contested nature of borderlands and homelands are indeed the trigger of conflict, war, and displacement. However, it is also a vantage point for redefining identity. Therefore, Wamalwa (2021) argues that land conflicts, the dilemma of environmental conservation, and the marginalized peoples' rights are memory issues in Mt. Elgon.

Placing Mt. Elgon conflicts in perspective, first, it is at the border of two countries that mutually depend on each other in various ways (Masika, 2009). Secondly, these countries are members of the East African Community. Furthermore, Mt. Elgon conflicts have multiple actors: politicians, militia groups, the community at the grassroots, regional and sub-regional organizations, the government, the international community, and many others. Each of the mentioned groups has a different interest in the conflict. This generates a conflict system, thereby internationalizing it. Many violent ethnic conflicts start with structural conflicts. Structural conflict could either be real or perceived. Masika (2009) continues pointing out that the conflict has two dimensions; first, there is the conflict

between the Sabaots (who claim to be the natives) and the Bukusus (who are perceived to be the aliens). The other dimension is among the various Sabaot clans. Land is the main cause. The Bukusu are perceived by the Sabaots to have intruded on their land. The discontentment among the Sabaot clans is a result of some clans feeling shortchanged in the land distribution exercise. Repeated episodes of land allocations and then evictions, dictated by political favoritism, generated frustrations within the community, which are now finding expression in fierce territorial claims by ethnic groups (Médard 2008). Autochthony claims and ethnically aligned multiparty politics have contributed to recurrent violence in Mt. Elgon (Lynch 2011).

The protracted conflict crisis is not simply a “conflict crisis” but an explosion of structural violence deeply entrenched in the configuration of the Mt Elgon communities (Wafula 2019). Mount Elgon conflicts are in many ways a culmination of a long history of the Sabaot community’s struggle against historical injustice in the form of colonial disinheritance of their ancestral land without compensation by either the colonial government or successive postcolonial governments (Simiyu 2008).

The weakness of governments to provide security to all populations resulted in violence as the demand for weapons increased among civilians and groups in their attempt to guarantee peace for themselves (Kassaw, 2018). The aforementioned author notes that the conflict dynamics in the Horn of Africa have been attributed to the trafficking and circulation of small arms as they end up in the hands of cattle rustlers, refugees, migrant smugglers, and traffickers, thereby prolonging conflicts, promoting crime, armed violence, and slowing down the development of social and economic stability and democracy.

Weapons proliferation has fuelled Africa's civil wars and communal conflicts, and made armed criminality far more deadly (Le Sage, 2010). Le Sage (2010) further notes that the trafficking of small arms and light weapons (SALW), often in violation of international embargoes, has replenished stocks from the Cold War, when weapons and ammunition flooded into Africa from the United States and the Soviet Union. Finally, Le Sage (2010) points out that the UN estimates that 100 million SALW illegally circulate in Africa - 20 percent of the global total. While AK-47s have been dubbed the ultimate "weapons of mass destruction" on the continent, heavier assault rifles and rocket-propelled grenades are an equal menace.

Small arms have been present throughout the region since the early twentieth century (Leff, 2009). The foregoing author notes that the past wars in Uganda, Sudan, and Ethiopia left a surplus of weapons in circulation. Leff (2009) argues that one event, in particular, that is often recalled is the 1979 raid on the Moroto arms depot in Uganda, following the collapse of the Idi Amin regime.

The availability of an array of low-cost weapons in the African region leaves unemployed people vulnerable to crime (Chikwanha, 2007). The Chikwanha (2007) argues that, for many nursing grievances, access to weapons makes it possible for them to engage in violent acts. The argument by these authors goes hand in hand with the level of destruction observed during the 2006- 2008 intra-ethnic land conflicts in Mt Elgon. From the effects of conflicts experienced in Mt Elgon, this study therefore argues that there exists a large number of weapons in this area. Moreover, during this intra-ethnic land conflict, the population of Mt. Elgon acquired a good number of illegal firearms for personal defense. This is evident from the outcome of the security operation by the

Kenyan Government in 2008, which led to the retrieval of arms. In 2008, the Government implemented twin disarmament operations dubbed *Operation Okoa Maisha* ('Save Lives') and *Operation Chunga Mpaka* ('Guard the Border') in Mount Elgon and Mandera, respectively (Wepundi et al, 2011). *Operation Okoa Maisha* started on 10 March 2008 and was jointly executed by a paramilitary detachment of the Kenya Police, the General Service Unit, the Anti-Stock Theft Unit, and the Administration Police. The operation netted 103 assorted firearms, 1,155 rounds of ammunition, and several hand grenades. These firearms included rocket launchers, rocket-propelled grenades, jumping mines, and AK-47s (Wepundi et al, 2011).

The aforementioned author further notes that the year 2000 marks an important break point in the history of disarmament and small arms control in East Africa. Wepundi et al (2011) point out that, in the wake of growing international awareness of the extent and consequences of small arms proliferation, regional governments came together to issue a powerful declaration of intent that year; they upgraded that commitment to a legally binding protocol four years later. Wepundi, et al (2011) state that the 'Nairobi Protocol' (formerly the 'Nairobi Declaration') commits state parties to criminalizing illicit trafficking, manufacturing, possession, and misuse of small arms and light weapons, and crucially to encouraging voluntary surrender of small arms in exchange for possible immunity.

The poor state of development of border areas poses two major challenges. First, the lack of physical infrastructure has tended to serve as a major impediment to both national and regional integration processes, with interactions and exchanges among border people and businesses being essentially informal. Secondly, because of the glaring neglect of border

areas, they are particularly vulnerable to criminality and serve as sanctuaries for armed insurgents and even terrorist groups (Ikome, 2012).

A state's attitude to its boundaries is influenced by many factors, such as security, trade, cross-border population movements, and illegal activities across the borders. A boundary's function and location also affect borderland populations (Okumu, 2013). Okumu (2013) notes that international boundaries have basic purposes, including identifying a territory within which a state administers laws, collects taxes, and provides defense. The aforementioned author points out that international boundaries may also serve other purposes as follows: first, it allocates "territory to states and political units which have international status and role, second, it divides territories with unique characteristics into distinct entities, including history, language, and culture. Third, it ensures that the territory is distinct for economic activities such as mineral exploitation. Non-existent or poorly defined boundaries could lead to inter-state conflict if mining companies, for example, enter into agreements with a government to explore natural resources within its borders only to discover, once the exercise is underway, that the lands belong to another country. Finally, when linked to "strengthening the norm of territorial integrity", an international boundary can play a critical role in assisting a state to overcome irredentist and secessionist challenges.

International boundaries have various functions, which can be categorized as military, security, protective, legal, economic, ideological, and socio-psychological. The specific functions include: first, a boundary can play a very critical role in determining relations between neighbouring states. Second, a boundary is critical in inter-state trade and commerce as it can be used to ensure that revenues are collected in the form of customs

duty and that goods are not smuggled across. Controlling trade across the border can create conflict between the state and local communities if such controls take away the benefits those communities enjoyed before the introduction of the border controls. Third, boundaries have also been established, maintained, and administered for security and military purposes. Such considerations are made to curb or address illegal activities and armed insurgencies that are prevalent in the borderlands. Fourth is to define the limits of governmental authority, as exercised in a given state or political unit.” Once drawn, a boundary gives a government authority to control territory and to 'perform acts of administration' within it, including providing essential services (African Union Border Programme, 2014). This study notes that interaction between the two communities from two countries may often create a channel for the flow of security threats, such as the smuggling of arms and illegal goods, such as ivory, through trade and illegal migration at the less restricted borders. Therefore, with these threats, states have to establish a strategy to address threats by working together with the local community.

Based on this literature review, various scholars have touched on the border as a site of security threats and causes of conflicts in Mt. Elgon; however, their studies have not captured the transnational security threats in Mt. Elgon, Kenya-Uganda. Therefore, due to existing transnational security threats, the study focused on institutional policies that address the existing transnational security threats as discussed in the next section.

2.2 Institutions of Interstate Cooperation in Transnational Borderlands

This theme reviews literature on institutions of cooperation between Kenya and Uganda in the management of trans-border security threats. The review focused on regional institutions where Kenya and Uganda are members and deal with transnational security threats. Moreover, it also focused on data on institutions dealing with security threats in

Kenya, specifically those whose policies relate to transnational security threats in Mt. Elgon.

Institutions represent external subjects structuring agents' ideas and internal objects constructed by agents whose "background ideational abilities" within a given institutional context help them create and maintain those institutions and whose "foreground discursive abilities" within a "logic of communication" allow them to change and maintain the institutions (Schmidt, 2008, in Ibrahimova, 2016)

This study opines that, in the contemporary socio-political interaction of states, there has been a continuous development of new security threats that transcend more than one border, hence making states more inclined to work multilaterally through institutional policies to address these threats.

The success of ideas intimately associated with paradigm change requires not only well-developed coordinative and communicative discourse but the ones that are developed successively concerning ideas: "narrow policy solutions" generated in the policy sphere must be possibly fully promoted within the general public in a language accessible for ordinary people carrying "broad public philosophies" (Schmidt, 2006; Givens & Case, 2014 in Ibrahimova 2015).

A principal concern in any policy response is the vulnerability of particular groups, and the possible need to redistribute their incidence from less capable to more capable actors (whether individuals, enterprises, or institutions in the private or public sectors), and from national levels to regional and global levels (Khalil, 2014). Furthermore, Khalil (2014) opines that well-developed responses to the threat of a trans-border shock can involve

actions of three kinds. First, policies can aim to reduce a country's or a people's exposure to the potential shock through safeguards and other protective actions. Second, policies can seek to mitigate or lessen the threat of the shock through preventive actions. Third, policies can strengthen the capacity to adapt to the eventual shock and thereby bolster resilience.

In conclusion, Khalil (2014) asserts that the implications for multilateralism are several. First, multilateral action warrants a comprehensive view that extends beyond immediate threats and shocks and addresses underlying causes and long-term impacts. Second, multilateral action warrants stakeholder involvement. Third, multilateral action can proceed at different levels, bilateral, regional, or global, and all are desirable, but ideally, these should converge towards a larger coherence. Fourth, multilateral organizations can exercise leadership, working in greater partnership to spearhead flagship projects and pioneer new modalities for collective action, globally and regionally.

Borderlands operate as a fractured prism of integration to reveal how political forces (local, regional, national, global) push/ pull economic forces, and the social and cultural milieu are never quite synchronized; yet these forces do integrate and exhibit transnational identity signatures (Konrad & Verrit, 2013). Physical borders are not only determined by the tradition of war, agreement, and high politics but are also made and maintained by other cultural, economic, political, and social activities (Scott, 2015). Furthermore, Scott (2015) asserts that at one level, bordering serves to satisfy two basic needs of people being protected from external and internal threats; it also determines the territories that belong to particular political, cultural, and social groups. Scott (2015) further states that Cross Border Cooperation (CBC) can be defined in terms of political

projects carried out by private, State, and, to an extent, third-sector actors with the express goal of extracting benefit from joint initiatives in various economic, social, environmental, and political fields.

This study opines that the world and Africa as a region have experienced transnational security threats between states, which come from spillover effects, as shown by the literature review in this section. Since the dawn of the twenty-first century, the Horn of Africa has remained the most conflict-intensive region of Africa, experiencing over 200 intricate and protracted armed conflicts, with some of its civil wars and insurgencies lasting for decades (Wafula 2019). East Africa, like any other region of the world, has also experienced transnational security threats, including conflicts that mainly occur along the borderlands of member states of the East African Community organization.

The African Union, as an African regional institution, has come up with various approaches to the management of transnational security threats. The AU migration policy framework for Africa adopted by the ninth Ordinary of the Executive Council of 2006, points out that effective border management is the key element of the migration system, the strategic goal of border security is to control: the movement of prohibitive and restrictive goods including drugs and weapons, the appropriate use of import and export permits, the movement of persons to eliminate illegal border crossings, human trafficking and smuggling, and illegal smuggling of goods (Okumu, 2011).

In June 2007, the Executive Council of the African Union Commission endorsed the Declaration on the African Union Border Programme (AUBP) and its Implementation

modalities, as adopted by the Conference of African Ministers in Charge of Border Issues (African Union Border Programme, 2013). The African Union Border Programme (AUBP) is both a product and an integral part of the AU's architecture for the structural prevention of conflicts. The objectives of this body include; developing local cross-border cooperation initiatives, both within the framework of the Regional Economic communities (RECs) and other regional integration mechanisms; building capacities in the area of border management, including the development of special education and research programmes; increase the number of Member States engaged in the delimitation and demarcation process; create and maintain sustainable regional funds committed to cross-border initiatives; increase cross-border cooperation and cross-border agreements (African Union Border Programme, 2013).

To foster cooperation in addressing security threats, including political, economic, social, and environmental, among states. The African Union adopted the African Union Convention on Cross-Border Cooperation (Niamey Convention) on 14th June 2014. This Convention defines cross-border cooperation as “any act or policy aimed at promoting and strengthening good-neighbourly relations between border populations, territorial communities, and administrations or other stakeholders within the jurisdiction of two or more States, including the conclusion of agreements and arrangements useful for this purpose.” The objectives of the Convention are to promote cross-border cooperation at local, sub-regional, and regional levels; seize the opportunities arising from shared borders and address the related challenges; facilitate the delimitation, demarcation, and reaffirmation of interstate borders, in conformity with mechanisms agreed upon by the parties concerned; facilitate the peaceful resolution of border disputes; ensure efficient

and effective border management; transform border areas into catalysts for growth, socio-economic and political integration of the continent and promote peace and stability through the prevention of conflicts (Konrad, 2017).

The Niamey Convention (2014) outlines the state mechanism for implementation of cross-border cooperation to include, first, establishing a cooperation mechanism including legal frameworks, taking into account domestication of the provisions of the convention in the development of their national policies and strategies. Secondly, the convention states that activities on cross-border cooperation shall be undertaken by local territorial communities or authorities as defined by the domestic law of the state. Thirdly, the decentralized border territorial administrations or authorities established under the domestic law of state parties shall exercise their powers, including the conclusion of cooperation agreements with decentralized border territorial administrations or authorities of neighbouring state parties in conformity with the domestic law of their respective states. Lastly, state parties may establish border consultative committees comprising representatives from competent bodies to assist in an advisory capacity, the border communities, and authorities in the consideration of cross-border cooperation matters.

Eastern Africa is home to two key regional economic communities (RECs), the first is the Inter-Governmental Authority on Development (IGAD), whose member states are Djibouti, Eritrea, Ethiopia, Kenya, Sudan, South Sudan, Somalia, and Uganda. IGAD, established in its present form in 1996, focuses on three areas: Conflict Prevention, Management, and Resolution; Political Affairs; and Humanitarian Affairs. IGAD also

encompasses 'specialized institutes', including the Conflict Early Warning and Response Mechanism and the Security Sector Program. Secondly, the Eastern African Community (EAC) includes Burundi, Kenya, Rwanda, Tanzania, and Uganda. The organization was reactivated in 1999 and focuses on economic integration, although the EAC also adopted a Regional Strategy for Peace and Security in 2006. Moreover, a Memorandum of Understanding on Cooperation in Defense has been signed by the member states.

The critical factor in determining the local capacity of peace in East Africa's border areas is the strength, legitimacy, and commitment of three sectors: regional institutions and bodies serving as a platform for intergovernmental cooperation in trans-border conflict issues, sub-national government authorities (district, county, and provincial) whose area of jurisdiction includes neighbouring states, civil society often a hybrid of religious figures, women groups, youth groups, and human rights activists (Konrad & Everit, 2013).

As per Article 5 of the East African Community, the objectives are to develop policies and programmes aimed at widening the deepening cooperation among the Partner States in political, economic, social, and cultural fields, research and technology, defense, security, and legal and judicial affairs, for their mutual benefit (Masika, 2009). Masika (2009) points out that the EAC Treaty prioritizes the promotion of trade, investments, joint ventures, and other forms of economic and political co-operation. Moreover, the regional co-operation and integration envisaged in the EAC is broad-based, covering trade, investments and industrial development; monetary and fiscal affairs; infrastructure and services; human resources, science and technology; agriculture and food security; environment and natural resources management; tourism and wildlife management; and

health, social and cultural activities. Other areas of co-operation include free movement of factors of production, and cooperation in political matters, including defense, security, and foreign affairs, legal and judicial affairs.

The EAC vision is to have secure and peaceful environment for development, while its mission is to provide security within the region through enhanced co-operation (Masika 2009). In view of the vision and mission, the East Africa Community sets out specific goals for member states as follows: first, Hot Pursuit of Criminals and Suspects in Enhancement of Border Security: partner States plan to mount well-coordinated joint operations and share intelligence. This approach will deny opportunities to suspects who commit offences in one state and cross the border to another state for safety. Such joint operations will lead to optimum use of resources. Secondly, install Common Communication Facilities for Border and Interstate Security: this will entail the installation of a common radio communication system at established border points. During the East African Police Chiefs Conference held in Nairobi, Kenya, from June 15th - 16th, 1999, a resolution was passed to achieve the installation of a common radio communication system at established border posts for quick information flow and response in curbing crime along the common border.

Thirdly, to Install Common Communication Facilities for Border and Interstate Security: this will entail the installation of a common radio communication system at established border points. During the East African Police Chiefs Conference held in Nairobi, Kenya, from June 15th - 16th, 1999, a resolution was passed to achieve the installation of a common radio communication system at established border posts for quick information

flow and response in curbing crime along the common border. Fourth, a rapid and dedicated communication system between the police agencies of East Africa would remain a vital instrument in the fight against sophisticated cross-border criminality as well as other forms of international crime. Cross-border criminals use a variety of communication systems to pursue their criminal objectives. Of particular significance in this regard is the exploitation of information and communication technology (ICT) by cross-border criminals as well as domestic criminals

Fifth, establish Measures to Combat Cattle Rustling: cattle rustling is among the major problems that accompany ethnic conflicts. Many of the cattle stolen are often driven across the borders. To curb this, legislative bodies from Partner States felt that they should enact uniform laws to address cattle rustling. To date, individual Partner States have different laws that deal with cattle rustling separately, but the laws do not effectively address the problem. Sixth, establish Measures to combat the Proliferation of Illicit Small Arms and Light Weapons: the proliferation of illicit arms plays a very big role in ethnic conflicts. The Nairobi Declaration and other International and Regional instruments mandate Partner States to establish national focal points as coordinating agencies to provide institutional mechanisms to promote and coordinate the implementation of comprehensive measures to tackle illicit small arms and light weapons. The international instruments require Partner States to develop and implement a national action plan that guides national plans to tackle problems of illicit small arms. These will include the development of national policies to strengthen and streamline the management and control of firearms. Lastly, developing a Conflict Early Warning Mechanism: in order to prevent, mitigate, and manage conflicts and threats in the region, the member states saw

the need to ensure the timely collection of data and relevant information that decision makers and other stakeholders can use. This calls for a sound mechanism that will facilitate the collection, verification, and analysis of such information and communicate the results to decision makers (Masika 2009).

The year 2000 marks an important break point in the history of disarmament and small arms control in East Africa (Wepundi et al, 2011). Wepundi et al (2011) continue to point out that, in the wake of growing international awareness of the extent and consequences of small arms proliferation, regional governments came together to issue a powerful declaration of intent that year, upgrading that commitment to a legally binding protocol four years later. The ‘Nairobi Protocol’ (formerly the ‘Nairobi Declaration’) commits state parties to criminalizing illicit trafficking, manufacturing, possession, and misuse of small arms and light weapons, and crucially to encouraging voluntary surrender of small arms in exchange for possible immunity. At the national level, as required by these agreements, both countries proceeded to establish National Focal Points (NFPs), governmental inter-agency structures tasked with the coordination of national policy and action against illicit small arms and light weapons. To provide National Focal Points with a complementary partner at the regional level through which to coordinate and harmonize actions, states also agreed to establish a Regional Centre for Small Arms (RECSA). Among RECSA’s initiatives, the most relevant is the development of *Best Practice Guidelines on Practical Disarmament for the RECSA Region*. The guidelines offer practical measures for disarmament that address both supply and demand factors behind small arms proliferation (Wepundi et al, 2011).

The East African states, including Kenya and Uganda, have signed declarations to agree to cooperate on addressing threats to security, which are mostly concentrated at the border. Due to the cross-border challenges presented by warring groups, certain countries in the Horn of Africa formed the Nairobi Secretariat, which later became the Regional Centre on Small Arms and Light Weapons (RECSA) (Leff, 2009). This body focuses on the coordination of the joint effort by National focal points in member states to prevent, combat, and eradicate stockpiling and illicit trafficking of small arms and light weapons in the Great Lakes region and the Horn of Africa. RECSA was expected to enhance the capacity of states to meet the commitments enshrined in the Nairobi Protocol. The Nairobi Declaration (2000) aimed at strengthening the efforts against the illegal trade of small arms and light weapons.

The East Africa Community (EAC), through its Small Arms and Light Weapons project, has built a strong platform for SAWL control and interventions in other related areas of peace and security within the EAC member states have been built (Minja, 2012). The East Africa Community adopted the East Africa Protocol on Peace and Security (2013) in Arusha. The protocol outlines various areas of cooperation between states under various articles as follows: Article 2 of the Protocol on Peace and Security (2013) states that states shall cooperate in peace and security matters and collaborate with international and regional organizations to promote peace and security. Article 11 - Control of Proliferation of Illicit Small Arms and Light Weapons - The Partner States undertake to jointly develop policies, measures, mechanisms, strategies, and programs to control the proliferation of illicit small arms and light weapons. Article 12 - Combating Transnational and Cross-Border Crimes, states that: The Partner States shall undertake joint operations in

controlling and preventing transnational and cross-border crimes, including smuggling of goods; illicit drug trafficking; illegal migration; and trade in counterfeit goods. Article 13, which deals with Preventing and Combating Cattle Rustling, outlines that

Partner States that do not have policies and laws to prevent and combat cattle rustling agree to develop and adopt policies, laws, and strategies to achieve this. It further states that the Partner States agree to harmonize their policies, laws, and strategies to prevent and combat cattle rustling.

The Intergovernmental Authority on Development (IGAD) established the Conflict Early Warning and Response Mechanism (CEWARN) in 2002 to enhance awareness of pastoral conflicts in Ethiopia, Kenya, and Uganda (Leff, 2009). The early warning and response mechanism (CEWARN) is mandated to collect information on imminent conflicts in border areas, disseminate those reports to member states, and facilitate rapid response to the crisis.

Kenya has developed institutions and policies that address conflicts, especially in borderlands. Kenya has National policies that act as a guide on the approach to peacebuilding and conflict management by the stakeholders. The Kenyan policy, the National Policy on Peacebuilding and Conflict Management (2011), has continuously developed strategies for conflict management, and it recognizes early warning and early response as critical components of conflict prevention and peacebuilding. The National Policy on Peacebuilding and Conflict Management (2011) states that in 2001, the government of Kenya and civil society organizations established the National Steering

Committee on Peacebuilding and Conflict Management, which is mandated with the coordination of all peace-related activities in Kenya, including drafting the National Policy on Peacebuilding and Conflict Management. Kenya, as a signatory to the Intergovernmental Authority on Development (IGAD), has adopted the Conflict Early Warning System and Response Mechanism (CEWARN) protocol, which was signed in Khartoum in 2002.

Kenya has the National Steering Committee on Peacebuilding and Conflict Management (NSC), which doubles as a conflict early warning response. The National Steering Committee on Peacebuilding and Conflict Management (NSC) doubles up as Kenya's Conflict Early Warning and Response Unit (CEWERU) for the implementation of the Conflict Early Warning System and Response Mechanism (CEWARN) protocol acceded by the IGAD member states (National policy on peacebuilding and conflict management 2011). This institution is aimed at strengthening mechanisms for conflict early warning and response.

Kenya has the Kenya National Focal Point (KNFP) on Small Arms and Light Weapons, which deals with the management of the proliferation of small arms and light weapons. This body is in line with the implementation of policies from regional institutions such as the East African Community, which has the stipulated policies on control of the proliferation of small arms and light weapons. The Kenya National Focal Point (KNFP) on Small Arms and Light Weapons is a multi-agency initiative and a directorate within the Ministry of State for Provincial Administration and Internal Security, and is located within the Office of the President (Wepundi et al, 2012). The KNFP was established in

2002 and became operational in 2003, bringing together various Government ministries, departments, and Civil Society organizations in the management and control of small arms and light weapons in Kenya.

Kenya and Uganda are also members of the Eastern Africa police Chiefs' Cooperation Organization (EAPCCO), which is a regional police body established in 1998. Article 11(a) of the EAPCCO states that state parties undertake to conduct joint and combined operations across borders involving member states according to the objective of the protocol (EAPCCO 2008). The Eastern Africa Police Chiefs Cooperation Organization (EAPCCO) works closely with the government and CSOs to develop, strengthen, and enforce legislation aimed at reducing cattle rustling and associated armed violence (Leff, 2009).

Although various studies outline the existence of institutions and their policies on trans-border threats, it does not capture their actual implementation in terms of successes and challenges to the implementing agencies in Mt Elgon. Therefore, having looked at the institutions of cooperation between Kenya and Uganda on the management of transnational security threats, the next section will look at the impacts of these institutions from the grassroots perspectives.

2.3 Impacts of interstate Cooperation: Grassroots views

The nature and impacts of interstate cooperation entail understanding the existing unified approaches that have been adopted by the two states, including shared institutional policies, exchange programs in terms of training, and inter-community projects that may exist at the border, and the perception of the community. Accordingly, institutions

founded upon ideas can never be 100% credible and fixed structures (Ibrahimova 2016). Therefore, based on this argument, the study will seek to understand the nature and impacts of institutional cooperation that exists between Kenya and Uganda in the management of transnational security threats. Institutional context ultimately determines the range of dominant ideas acceptable within a society or a group, the so-called set of theoretically appealing ideas that has an impact on the causal capacities of (new) ideas (Hall, 1989; Weir, 1992, in Ibrahimova, 2016).

Border management is an expression of a state's sovereignty, and a state's failure to manage its borders can undermine its domestic and international legitimacy (Okumu 2011). Cross-border cooperation can be defined in terms of political projects carried out by the state and, to an extent, sector actors that seek to extract benefits from joint activities in various economic, social, environmental, and political fields (Scott 2015).

This study opines that States such as Kenya and Uganda use various approaches to address transnational security threats that affect the borderland communities, including the use of military force and diplomatic approaches. Integration expresses borderland affinity, and it allows both national and borderland identities to co-exist so that identity crosses the border even when the impact of the boundary changes and may do so more demonstratively in times when the border is reasserted or altered (Konrad & Everit, 2013).

The East African Community member states have approached cooperation in the management of security threats through joint cross-border committees. There are interstate structures in place to address issues of peace and security. In particular, there

are joint cross-border commissioners/administrators committees between Ethiopia and Kenya, and between Kenya and Uganda (National Policy on Peacebuilding and Conflict Management, 2011)

Society is not a deaf and blind absorptive that hastily gorges new ideas that once crossed politicians' minds, and if in the social science old programs automatically wither because they simply stop explaining social processes, then for society it does not happen so immediately but requires social readiness and receptivity for change (Ibrahino, 2015). Therefore, to understand the nature of cooperation in the management of security threats, there is a need to understand the ideas of the border communities.

Anti-elite political narratives must be interpreted with recognition of their local strategic utility as well as the broader political context (Singh, 2014). Therefore, this study opines that interstate cooperation on transnational security threat management can be understood and implemented differently by border communities based on: first, political narratives whereby the community constructs governments' efforts based on political ideas they possess about their state. Second, social narratives whereby the community constructs their understanding based on their social interest, such as inclusivity, which they wish their government to fulfil. Third, cultural narratives whereby the community understands and implements government policies based on their idea of promotion and protection of cultural values. Lastly, there is the economic narrative whereby the community constructs its perception based on its economic needs concerning the impacts of government policies and approaches to addressing threats at the border. Narratives by the communities set the basis for understanding how intergovernmental policies are interpreted and understood.

Therefore, it is important to understand these narratives to understand how cooperation is approached by governments and how it is implemented by the border communities.

Apart from cooperation being defined by the strategies and perception of the border communities, it can also be understood in terms of institutions, both at the domestic and external levels. At the external level, states have come together to negotiate integration in terms of institutional policies. For instance, the (2013) protocol on peace and security requires states to develop policies, measures, mechanisms, strategies, and programs to address threats that lead to conflicts, such as cattle rustling, illicit small arms and light weapons, smuggling, and trafficking.

In terms of cooperation, integration expresses borderland affinity, and it allows both national and borderland identities to co-exist so that identity crosses the border even when the impact of the boundary changes and may do so more demonstratively in times when the border is reasserted or altered (Konrad and Everit, 2013). Based on this idea, states' understanding of borders and identity has therefore necessitated the need for cooperation.

When statehood is taken as territorial control, ill-cross-bordered activities are readily interpreted as threats to national security, signifying the absence or weakness of the state and the need for increased regulation (Singh, 2014). Here, the approach to addressing threats has developed from focusing on one state as an independent actor to an international actor in addressing border threats based on a basic understanding of territorial control. At the domestic level, states have changed their approach from being fully institutional to cooperating with border communities.

Transnational security threats are well known to border communities in which they are also actors. Remote borderlands are generally regarded as sites of lawlessness, social difference, and isolation from central authority (Singh, 2011). The absence of state authority hinders state control at the border, which limits its capacity to influence border communities to give information on transnational threats, hence undermining cooperation between states. Legitimacy, both perceived and actual, requires that the state uphold the rule of law and protect the basic rights and freedoms of all people; it also requires the state to respond to the specific needs and underlying grievances of border communities, including prioritizing the economic development of those communities (Cohen et al, 2016).

Inasmuch as the authors capture the approach of cooperation in the management of transnational security threats. It would also be prudent to examine the implementation, impacts, and the community's view on the same, especially in Mt. Elgon. Based on the literature review, it is noted that there exists a gap in previous research in reference to this study. These gaps are noted in the next section.

2.4 Research Gap

Based on the literature review on assessing the Kenya-Uganda cooperation in the management of security threats in Mt. Elgon transnational borderlands, it is clear that there is limited that study has been done on this topic. For instance, studies by Kofoed (2009), Scott (2015), and Olaosebikan (2011) only focused on understanding the borderland and the establishment of identity with the border and border as a site of conflict; they don't address the existence of other borders, security threats, and how border communities perceive these threats in Mt. Elgon trans-border.

On the other hand, the East Africa Protocol on Peace and Security (2013) focused on principles of addressing border threats between states. National policy on peacebuilding and conflict management (2011) focuses on various institutional initiatives for addressing transnational security threats. As much as they touch on cooperation and institutions on security threat management, they do not touch on how states cooperate in terms of institutions and policies to address border security threats in the Mt. Elgon transboundary area.

Mkutu (2007) and Bevan (2008) focused on the flow of weapons among pastoralist communities in North Rift Province and Turkana North District, while McEnroe (2012) focuses on understanding factors facilitating conflicts at the border. As much as these scholars capture the existence of conflicts at the border, they do not address other border security threats and strategies that have been adopted at national and regional levels to curb these threats.

The literature on Mt. Elgon has primarily focused on conflicts in Mt Elgon, actors and ethnicity, and ecology as a factor for the conflicts; however, the existing literature has not assessed the transnational nature of the factors of insecurity in Mt. Elgon and institutional cooperation that exists between Kenya and Uganda. This is noted by existing literature as follows: the study by Wamalwa (2008) focused on how conflicts in Mt. Elgon affects cohesion of East African community, Merdard (2008) focuses on root causes for persistence of conflicts in Mt. Elgon, Wamalwa (2021) focuses on the memory of unbelonging and land conflicts at the borderland in Mt. Elgon, Wafula (2009) focuses on

understanding the protracted nature Mt. Elgon of conflicts and factors motivating it, Lynch (2011) focuses on ethnicity as the framework of Mt. Elgon conflicts.

Therefore, based on the existing gap, the study is necessary to contribute knowledge on transnational security threats and interstate institutional approaches to mitigating the effects of these threats.

2.5 Theoretical Framework

Various studies have outlined how international, regional, and national government institutions have made an effort to address transboundary security threats that are experienced worldwide. However, such operation by these institutions can be explained by institutional theory by Meyer and Rowan (1977) and securitization theory by Barry Buzan (1983).

2.5.1 Institutional Theory

Institutionalization involves the processes by which social processes, obligations, or actualities come to take on a rule-like status in social thought and action (Meyer & Rowan, 1977). Based on their ideas, therefore, the creation and implementation of the approach of the institutional mandate are dependent on the understanding of the targeted community.

The structure of an institution and the environment it operates in dictate the efficiency of that institution. Institutional rules may have effects on organizational structures and their implementation in actual technical work, which is very different from the effects generated by the networks of social behaviour and relationships that compose and surround a given organization (Meyer & Rowan, 1977). Meyer & Rowan (1977) further posit that many of the positions, policies, programs, and procedures of modern

organizations are enforced by public opinion, the views of important constituents, knowledge legitimized through the educational system, social prestige, the laws, and the definitions of negligence and prudence used by the courts. Such elements of formal structure are manifestations of powerful institutional rules that function as highly rationalized myths that are binding on particular organizations. Formal organizations become matched with their environments by technical and exchange interdependencies. In a situation of societal evaluation, organizational actors need to engage discursively with their environment to establish legitimacy, and legitimacy subjects can be differentiated according to whether they score relatively higher or lower in terms of legitimacy or illegitimacy (Haack, 2012). Institutionalization is viewed as the social process by which individuals come to accept a shared definition of social reality - a conception whose validity is seen as independent of the actor's views or actions but is taken for granted as defining the "way things are" and/or the "way things are to be done" (Scott, 1987). The author further explains that institutions are also created to maintain social order within a community. He continues to argue that social order is based fundamentally on a shared social reality, which, in turn, is a human construction, being created in social interaction.

Institutional frameworks define the ends and shape how interests are determined and pursued. Institutional factors determine that actors in one type of setting, called firms, pursue profits; that actors in another setting, called agencies, seek larger budgets; that actors in a third setting, called political parties, seek votes; and that actors in an even stranger setting, research universities, pursue publications (Scott, 1987).

Legitimacy is always problematic, and there are often ambiguities and inconsistencies in their transmission of the laws and traditions that ratify values, the editorializing of the media, and the pressure campaigns of interest groups (Gibbs, 1990). This argument establishes the ground for continued connectedness between an institution and the community it serves; therefore, this relationship will always influence how the targeted population understands and adopts the policies of a given institution.

In analysing institutions under the institutional theory, the study will focus on ideas related to institutions. Ideas are embedded in the design of institutions, and ideas are the foundation of institutions (Beland & Cox, 2011). The foregoing authors explain that, as ideas give rise to people's actions and as those actions form routines, the results are social institutions. The ideas then, are enshrined in the institutions. As people interact with institutions, the founding ideas are reproduced. Through repeated interaction with institutions, people are confronted again and again with the founding ideas. This confrontation can serve to reinforce and reproduce these ideas.

Beland & Cox (2011) further assert that Institutions do more than establish routines that rational individuals must negotiate; they also nurture people's identities, helping them to construct their fundamental values, which, in turn, shape their beliefs and interests. Finally, they argue that Ideas, therefore, afford power to actors, and when the ideas are embedded in institutions, they also institutionalize, even legitimize, power differentials. Moreover, ideas provide elegant linkages between institutions and political processes.

To better explain institutions under institutional theory, the researcher will seek to analyse institutions' background ability, foreground ability, and coordinative and communicative discourses. Background ideational abilities serve as the original material for the generation of ideas in agents' minds which then gives way to the next level of agency potential, namely foreground discursive abilities which set discursive interactions among agents into motion that might end up in collective action (either through coordinative or communicative discourses) for changing existing institutions (Schmidt in Beland & Cox, 2011 in Ibrahimova, 2016). Background ideational abilities to think agents through which they can create and maintain institutions within an existing meaning context, foreground discursive abilities to speak agents which enable them to communicate (within the logic of communication) about institutions in a critical manner and put forward collective action, that is, to change (or maintain) institutions (Schmidt, 2012 in Ibrahimova, 2016). Background discourse abilities are a set of unconscious dispositions and capacities internal to agents who are sensitive to the rule structure of the institution (Searle 1995 in Ibrahimova, 2016). Coordinative discourse associated with policy construction embodies the field where policy actors construct their ideas among themselves, whereas through communicative discourse that symbolizes policy legitimization, sentient agents convey these constructed ideas to the general public for discussion, evaluation, and contestation (Skogstad, 2011; Schmidt & Radaelli, 2004 in Ibrahimova, 2011).

Institutional theory has various weaknesses as follows: institutional theory has failed to deal with power and agency, the most serious theoretical challenge to further work in this area, and little has been done to re-inject a concern for purposeful action undertaken to manage actors' institutional context. Secondly, institutional theory has failed

spectacularly in dealing with the issue of social construction, while the roots of the new institutionalism lie in the social constructionism's usefulness in understanding the production of social reality.

Based on the explanation by various scholars on institutional theory, this theory is suitable for the study because it outlines how institutions establish their rules, and factors that may affect institutional structures and implementation of their policies, including public opinion, level of education, and the legal system. These factors marry well with the factors to consider when collecting data for this study. For instance, when analysing institutional policies, the research will be geared towards understanding structures and the establishment of rules, which in this case are referred to as policies. Analysing the nature of state cooperation in the implementation and the surrounding environment will take into consideration the views of the border communities. In assessing opinions from border communities, the research will consider the level of education and social placement.

2.5.2 Securitization Theory

Securitization theory has been explained by various schools; however, the study focused on the explanation by the Copenhagen and Paris schools. The name 'Copenhagen School' refers to a small group of scholars formerly based at the Copenhagen Peace Research Institute (COPRI) in Copenhagen, Denmark. Ole Waver and Barry Buzan are the school's most prominent members. For the Copenhagen School, a successful securitizing move results in legitimizing a 'politics of exception', which dedicates the nation's energy and resources to the securitized issue. It involves measures taken outside normal political processes, which may include suspending human rights, while the Paris School argues that securitization may also result in a 'politics of unease' (Sevgi Çilingir, 2019)

Securitization theory was first sketched by Buzan in the first edition of *People, States, and Fear* in 1983. He explains securitization in terms of the interconnection that exists between the actors in the international system and uses the term security complex to label the relevant structures at different levels of the system.

Because security encompasses both subjective and objective factors, it directs inquiry more toward the nature of relations among states than toward the more rigid attempts to compare attributes that are characteristic of power analysis (Buzan, 1983). Buzan (1983) states that a security complex is defined as a group of states whose primary security concerns link together sufficiently closely that their national securities cannot realistically be considered apart from one another. Security complexes offer an approach to security that requires attention to both the macro-level of great power impact on the system and the micro-level of local state relations. Security complexes can be treated as objects for policy in the sense that problems can only be resolved within the context of the relevant complex as a whole. The deterrent character of the components that go to make up the state suggests that threats to the state can come in a variety of types (Buzan, 1983). These types can be classified into political, economic, and ecological. Military threats occupy the traditional heart of national security concerns. Military action can, and usually does, threaten all the components of the state. It subjects the physical base to strain, damage, and dismemberment. It can result in the distortion or destruction of institutions, and it can repress, subvert, or obliterate the idea of the state.

Political threats; the idea of the state, particularly its organizing ideology, and the institutions that express it are the normal target of political threats. Structural political

threats arise when the organizing principles of two states contradict each other in a context where the states cannot simply ignore each other's existence. Economic threats; these threats operate only against the economy of the target state. Secondary political and military consequences may occur from a threat implemented against the economy.

Threats to national security might also come in ecological forms, in the sense that environmental events, like military and economic ones, can damage the physical base of the state, perhaps to a sufficient extent to threaten its ideas and institutions.

The author further explains that each state exists in a sense, at the hub of a whole universe of threats. These threats define its insecurity and set the agenda for national security as a policy problem. Because threats are so ambiguous and because knowledge of them is limited, national security policymaking is necessarily a highly imperfect art. It requires constant monitoring and assessment of threats and the development of criteria for allocating policy priorities and for deciding when threats become of sufficient intensity to warrant action.

Since relations between states are often competitive, that system is dominated by the problem of insecurity (Buzan, 1984). The aforementioned author notes that insecurity underlies not only relations between states but also relations between the governing powers in one country and a variety of sub-state organizations in another. Security directs attention toward the need to find methods that can satisfy the legitimate concerns of states without at the same time amplifying the dynamics of insecurity among them. The security perspective rejects the notion that the problem of insecurity can be solved. It tries instead to develop a management approach that is equally sensitive to both the national and the international dynamics of the insecurity problem. Buzan (1984) argues that states cannot

make themselves secure without pursuing both nationalist policies, which reduce their vulnerabilities to threat, and internationalist policies, which reduce the levels of threat they receive from the international system at large. Security requires action at both the national and international levels, and can only be sought in the complex balance between the two.

Security is the move that takes politics beyond the established rules of the game and frames the issue either as a special kind of politics or as above politics (Buzan et al, 1998). Moreover, Buzan et al. (1998) assert that securitization theory posits that in a geographically diverse, anarchic international system, security complexes are a normal feature; if they are not present, one wants to know why. They explain that the theory assumes that security complexes, like the balance of power, are an intrinsic product of anarchic international systems. Securitization cannot be imposed (Buzan, 1998). Only the audience's consent justifies the application of extraordinary measures, which include breaching regular political procedures, all to neutralize the threat (Slovic, 2010).

The main argument of securitization theory is that security is an (illocutionary) speech act, that alone by uttering 'security,' something is being done. It is by labelling something a security issue that it becomes one (Floyd, 2007). The aforementioned author points out that a securitizing actor, by stating that a particular referent object is threatened in its existence, claims a right to extraordinary measures to ensure the referent object's survival. The author further explains that the issue is then moved out of the sphere of normal politics into the realm of emergency politics, where it can be dealt with swiftly and without the normal (democratic) rules and regulations of policymaking. Finally, Floyd

(2007) argues that, for security, this means that it has no longer any given (pre-existing) meaning but that it can be anything a securitizing actor says it is.

According to this theory, issues are prioritized and constructed as security threats via speech acts whereby the securitizing actor convinces the audience that the given issue is an existential threat to a referent object that must be protected (Baysal, 2020). The foregoing author goes on to explain that, once an issue is securitized, it becomes the top priority, and extraordinary measures against this threat are legitimized. Baysal (2020) points out that, to analyse how security issues are constructed, Securitization Theory focuses on the speech acts of political elites. The elites convince the audience that an issue is an existential security threat to a referent object that must be protected. They thereby legitimize the subsequent implementation of extraordinary measures to overcome this threat (Baysal, 2020).

The connection between a speech act and a certain target audience allows the construction of a specific existential threat, and they shape the political effects of securitizing moves (Amir, 2019). Three key facilitating conditions make successful securitization more likely: the speech act itself following the 'grammar of security' emphasizing priority, urgency, and survival; the securitizing actor being in a 'position of authority to maximize audience acceptance; and the features of the alleged 'threat/s' (Shepherd, 2013)

Securitization theory has various strengths and limitations, as shown by various scholars. Among the strengths is that Securitization Theory has a clear and practical framework. With the help of the framework, analysts can determine how different issues are

constructed as security issues through the speech acts of securitizing actors. It also provides a clear path for the examiners by presenting clear-cut questions for the analysis: “Who securitizes (securitizing actor), on what issues (threats), for whom (referent object), why, with what results, and not least, what under what conditions” (Baysal, 2020). Lastly, securitization theory distinguished security and securitization against regular politics and politicization and presented a scale for identifying the status of issues, ranging from non-politicized to securitized (Shepherd, 2013).

The theory also has a limitation, which includes an inadequate analysis of the audience. Overemphasis on speech acts and under-analysis of the audience(s) in the framework of Securitization Theory derives from the tendency of the Copenhagen School scholars to see securitization as a universal phenomenon (Baysal, 2020). Baysal (2020) further points out that another shortcoming of the Securitization theory is its elitism and top-down framework. It does this by presenting securitization as a top-down, linear process while neglecting the bottom-up characteristics of the process. The securitization process has both top-down and bottom-up characteristics, and in a securitization analysis, all of these characteristics should be taken into consideration. This limitation from the Copenhagen School is addressed by the Paris School.

2.5.2.1 Paris School

The Paris School on Securitization, led by Balzacq, is a school that criticizes the Copenhagen School. This school does not agree with the ideas of security as an act of speech and adequacy of analysis of the audience. Securitization is rooted in the basic idea that the existence and management of certain issues as security problems do not necessarily depend upon objective or purely material conditions; something acquires a

security status as a result of an intersubjective process involving a securitizing actor and an audience (Guzzini, 2015). Speech: A speech act view of security does not provide adequate grounding upon which to examine security practices in 'real situations. For instance, many security utterances counter the 'rule of sincerity' and the intrinsic power attributed to 'security' overlooks the objective context in which security agents are situated (Balzacq, 2005).

Balzacq (2005) further argues that securitization is better understood as a strategic (pragmatic) practice that occurs within and as part of a configuration of circumstances, including the context, the psycho-cultural disposition of the audience, and the power that both the speaker and listener bring to the interaction. The strategic or pragmatic action of discourse differs from a speech act on at least one essential count, if the strategic action of discourse operates at the level of persuasion and uses various artefacts (metaphors, emotions, stereotypes, gestures, silence, and even lies) to reach its goals, the speech act seeks to establish universal principles of communication, the value of which is to be functional whatever the context, culture and whatever the relative power of the actors. This contrast between the strategic and speech act view of security parallels the difference between 'pragmatics' and 'universal pragmatics. The first deals with language usage, including a colourful use of language to attain a goal. Universal pragmatics is primarily concerned with fundamental principles (or rules) underlying communicative action.

The speech act model, is therefore, born out of an attempt to propose the idea that securitization is a sustained strategic practice aimed at convincing a target audience to accept, based on what it knows about the world, the claim that a specific development

(oral threat or event) is threatening enough to deserve an immediate policy to alleviate it (Balzacq, 2005). The author proposes to recast the speech act model of security. By integrating strategic purposes into the equation, the approach elevates securitization above its normative setting and, in so doing, ensconces it in the social context, a field of power struggles in which securitizing actors align on a security issue to swing the audience's support toward a policy or course of action.

Audience: Although the Copenhagen School points out that a 'significant audience' must concur with the securitizing actor (who speaks 'security') for a referent subject, that is, the threatening event to be securitized, the nature and status of that audience remain unaccounted for. The author points out that the Copenhagen School, use of the concept 'security' modifies the context, and argues that such a use must be aligned with an external context, independent from the use of language to yield the desired effect.

The author points out that, first, to win an audience, security statements must usually be related to an external reality. Second, to persuade the audience (e.g., the public), that is, to achieve a perlocutionary effect, the speaker has to tune his/her language to the audience's experience. Lastly, securitization dynamics are power-laden. The essence of a discursive action is its compelling power to cause a receiver or an audience to perform a deed. The author argues that the expression of the power of words, in the sense relevant here, depends on (i) the context and the power position of the agent that utters them; (ii) the relative validity of statements for which the acquiescence of the audience is requested; and (iii) how the securitizing actor makes the case for an issue, that is, the discursive strategy displayed.

Therefore, based on the basic tenets, strengths, and limitations of this theory, the theory is suitable for the study as follows: First, security threats; the theory helped the study in defining and categorizing security threats as either military, political, economic, or ecological, as explained by Buzan (1983). Second, policy approach; the theory guided the study on understanding the approach to the establishment and implementation of existing policies on security threats as explained by (Buzan, 1983; 1984). Lastly, actors on security; the theory guided the study on understanding different actors on security issues in terms of the construction of the security ideas and their implementation as explained by (Buzan 1984; Slovic 2010; Baysal 2020). Having discussed the two theories, the next section explores the intersection of the two theories.

2.5.3 Integration of Institutional and Securitization Theory

Institutions; institutional theory focuses on the establishment of an institution, which establishes security as a special issue, as guided by securitization theory. Securitization theory guides the approach by institutions to the special issues of security threats.

Actors; institutional theory explains an institution as an actor in coming up with policies, and securitization theory establishes the primary stage of an issue to be categorized as special and needs a special approach, usually through institutions, to curb its effects. The connection between a speech act and a certain target audience allows the construction of a specific existential threat, and they shape the political effects of securitizing moves (Amir, 2019).

Ideas: institutional theory shows that ideas are the foundation of an institutional approach specific to issues, and on the other hand, securitization theory posits that ideas are the

basis of establishing an issue as special, hence justifying the creation of policies. The institutional theory explains that institutional rationale is embedded in the design of institutions, and ideas are the foundation of institutions (Beland & Cox, 2011). The authors explain that needs, as ideas, give rise to actions, and as those actions form routines, the results are social institutions. Securitization, on the other hand, explains how ideas establish an issue as a security concern, which in most cases is dealt with through institutions. Issues are prioritized and constructed as security threats via speech acts whereby the securitizing actor convinces the audience that the given issue is an existential threat to a referent object that must be protected (Baysal, 2020).

In conclusion, the study used the two theories because neither could fully address the areas of the study. The research used institutional theory because it focuses primarily on institutions, especially on how they are established, sustained in terms of legitimacy, and the actors of these institutions. Based on what institutional theory covers, it fell short in covering issues of security; therefore, securitization theory was adopted to address these shortcomings in institutional theory.

The securitization theory helped in understanding how issues are securitized through politics. It facilitated understanding different categories of security threats and the actors in security areas. Therefore, as explained, it was necessary to use both theories for this study. Having looked at the theories, the next section covers the conceptual framework of the study.

2.6 Conceptual Framework

The research describes how the interaction of border communities between Kenya and Uganda creates the flow of trans-national security threats. In response to transnational security threats, the research explains the existing institutional interstate cooperation. The diagram below shows this interaction whereby Kenya and Uganda are independent variables that have their border communities and also possess national administrative institutions, along with national security institutions.

The existing dependent variables, which are existing transnational security threats, including cattle rustling and trafficking of small arms and light weapons, are the outcome of interstate interaction through border communities. These outcomes of the dependent variable are therefore regulated by mediating variables, which include policies from regional institutions, international security institutions, and interstate security committees. The mediating variable works to reduce the effects of dependent variables, hence strengthening the relations between Kenya and Uganda.

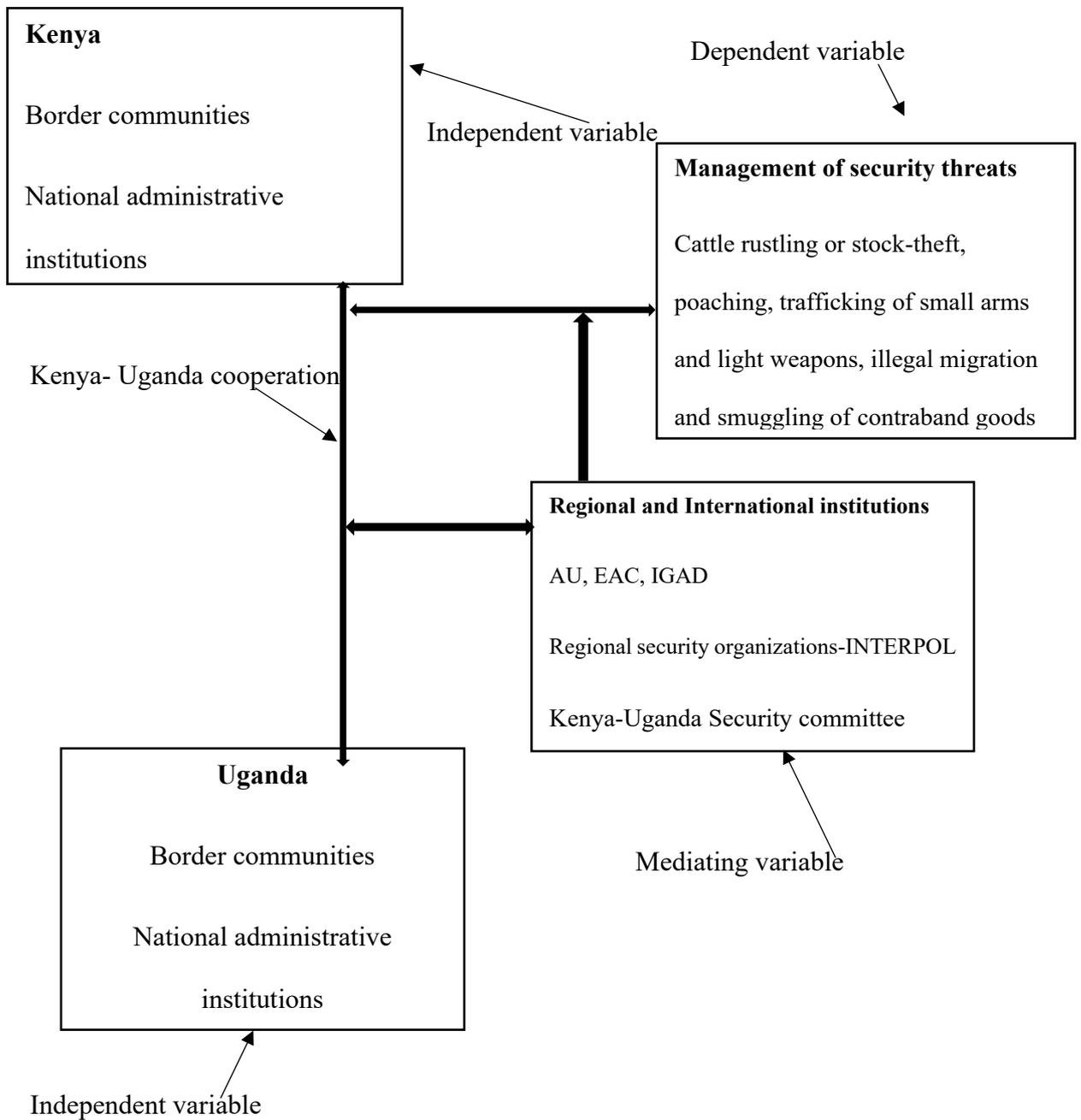


Figure 2.1 : Conceptual Framework

CHAPTER THREE

RESEARCH METHODOLOGY

3.0 Overview

This study aimed to investigate the implications of Kenya-Uganda cooperation on transnational security threats in Mt. Elgon, the Kenya-Uganda border. To this end, the research employed a qualitative research approach whose data collection and analysis techniques involved describing and contextualizing the problem because of trans-national security dynamics. The principal sources of data were secondary sources such as peer-reviewed journals, books, and official documents, such as reports, as well as policies by the government. Moreover, semi-structured interviews were employed with 43 Key Informants and one Focus Group Discussion of the three sub-counties of Mt. Elg. An interview guide containing unstructured/open-ended questions was used to collect data that addressed the theme of the research.

These key informants were deliberately selected based on the criteria of occupation for government officials, experience, as well as engagement with the issue under discussion for the community members. In consideration of ethical standards, they were informed about the purpose and theme of the study to get their consent for the interview, and they were assured that all data collected would be used only for this research and would be handled with maximum confidentiality.

Therefore, all this was successful in the field with the existing guidance on the research approach, the research design to which the study was anchored, and data generation tools used that are related to the research paradigm and approach.

3.1 Research Approach

According to Kumar (2015), there are three basic components of the research approach: the philosophical worldview, research design, and methods. The philosophical worldview originates from epistemology considerations, which determine the paradigm as per the philosophical orientation of the research approach. The research design refers to the overall strategy that one chooses to address the problem, which requires the integration of various elements of the study in a coherent, logical way. It also constitutes the blueprint for the collection, measurement, data analysis, interpretation, and reporting conclusion (Kumar, 2015). Therefore, based on these arguments on the qualitative method, the study applied the qualitative philosophical worldview, the research design, and research methods that are in line with the qualitative approach.

Qualitative research, as explained by Creswell (2009) opines that qualitative research is a type of research that occurs in a natural setting and that the research allows the researcher to develop more details regarding the phenomena under study through the involvement of actual experiences. This is in line with Mahajan (2018), who posits that Qualitative research is a form of social action that stresses the way people interpret and make sense of their experiences to understand the social reality of individuals. He further argues that qualitative research investigates local knowledge and understanding of a given program, people's experiences, meanings, and relationships, and social processes and contextual factors that marginalize a group of people. Qualitative research data are descriptive, in the form of interview notes, observation records, and documents; and data are analysed inductively (Haradhan, 2008). He further points out that the study emphasizes a holistic approach and outcomes. The sources of data are real-world

situations and natural, non-manipulated settings. The researcher is immersed in the details specified in the settings. Qualitative research can help researchers access the thoughts and feelings of research participants, which can enable the development of an understanding of the meaning that people ascribe to their experiences (Sutton & Austin, 2015).

3.2 Research Design

A research design refers to a plan and structure that one formulates to guide the research process in coming up with data that will answer research questions. The study adopted a within-case study of the process tracing variant. This design enabled the researcher to examine Mt Elgon as a case study, with longitudinal data collection.

This design, with the phenomenology philosophy, enabled the study to delve into the lived experience of border communities in terms of their own constructed understanding of transnational security threats. Phenomenology comes from the Greek word *phenomenon*, which means the appearance of things or phenomena (Spinelli 1989 in Cresswell 2013). Phenomenology is a philosophical term that refers to the consideration of all perceived phenomena, both objective and subjective (Omona 2013).

The German philosopher Edmund Husserl is credited with starting the phenomenology movement in 1913 with the publication of his book, *Ideas: General Introduction to Pure Phenomenology* (Dowling 2007, Giorgi, 2005, as in Converse, 2012). Husserl's phenomenology emphasized a way of coming to know through the experience of a phenomenon (experiential epistemology) to describe the experience of the phenomenon. Thus, methodology inspired by Husserl is often called 'description phenomenology' (Dowling, 2007, in Converse, 2012). In descriptive or Husserlian phenomenology, the

researchers can ‘bracket out’ their preconceptions and thus be separate from the world in which they live (Converse, 2012).

Phenomenology is a philosophical perspective that helps researchers explore and understand everyday experiences without presupposing knowledge of those experiences (Converse, 2012). The aforementioned author further argues that the researcher is open to what is presented during a phenomenon, and the goal of phenomenological research is not to create results that can be generalized but to understand the meaning of an experience of a phenomenon. The study utilized phenomenological instruments of data generation, such as interviews, Focus Group Discussions, and memory work, in their understanding of their lived experiences.

3.3 Area of Study

Along the Kenya-Uganda border, there has been clandestine activity on the steep terrains of Mount Elgon and its forests and parks, which are mostly inhabited; the activities include smuggling, cattle rustling, and poaching (Medard 2008). Mount Elgon border conflicts have been facilitated by militarization due to the proliferation of small arms and light weapons following many years of instability and war in Uganda (Simiyu 2008). Thus, the choice of Mt Elgon was due to its geographical location: at the Kenya-Uganda border, it has a mountain and a huge forest that facilitates an easy flow of trans-border security threats. Based on the initial review of previous literature, I found that limited studies related to Kenya-Uganda cooperation in the management of security threats had been done in Mt. Elgon. Therefore, I was intrigued to conduct my study here and to further my major focus on the cooperation in the management of security threats in this particular part of Kenya.

Mt. Elgon is a constituency located in North Western Kenya and Eastern Uganda International boundaries. The constituency is made up of Cheptais, Mt. Elgon, and Kopsiro sub-counties and comprises six wards that are Elgon, Kaptama, Cheptais, Chesikaki, Kapkateny, and Chebyuk wards. It is in Bungoma County on the Kenyan side.

Mt. Elgon is an extinct 4321m high solitary volcano on the boundary between Uganda and Kenya in East Africa, situated just north of the equator. It is a major mountainous forest area with extensive areas of undulating hills and gentle slopes (Scott, 1998). Petursson et al (2013) refer that the international border bisects the mountain almost equally, with 107,821 ha under protection in Kenya and 114,500 ha in Uganda (Van Heist, 1994). Finally, Petursson et al (2013) refer to another author who, historically, Elgon was inhabited by two main groups of indigenous people. The dryer northern and eastern parts by the Sebei (in Uganda)/Sabaot (in Kenya), a semi-pastoral Nilotic group, and the more fertile southern/western parts by the Bagisu, a Bantu agricultural group (Roscoe, 1924).

3.4 Collection of Data

The main empirical material collected during the fieldwork was through unstructured interviews and focus group discussion sessions. The respondents were asked about their experience with security in Mt Elgon. Brief reviews of the main communications between Kenya and Uganda have been made, exemplifying the process of securitization within the relationship. These were chosen through comprehensive readings of previous research on the topics, which highlighted the relevant documents. Data was collected from residents and administrative institutions within Mt Elgon, Kenya. The research targeted the Sabot border community that has been affected by trans-border security threats and government officials who have participated in mitigating these threats.

3.5 Target Population

According to Kombo and Tromp (2006), a study population is a group of people who are similar in one or many ways and form the participants of the study in a particular way. The research target population entailed people living along the Kenya-Uganda border of Mt. Elgon in Elgon, Cheptais, Chebyuk, Kapkateny, and Kaptama wards. The research also targeted government officials, including police officers, chiefs, deputy county commissioners, assistant county commissioners, village administrators, and Kenya Wildlife Service officers.

The respondents were the Sabao and government officials who had interacted with and felt the effects of transnational security threats such as illegal migration, cattle raids, and smuggling of arms on the borderland between Kenya and Uganda. The snowball sampling was done, and data were collected from specific respondents until saturation was reached. Saturation was reached when repetition of the same data occurred from the respondents. Data collection was done on the Kenyan side only because the research focused on the receiving end of the transnational security threats.

3.6 Sampling procedure

The study used a Judgement sample, also known as the purposeful sample, as explained by Marshall (1996), in which the researcher actively selected the most productive sample to answer the research question. As described in Bryman (2012:424), a mix of snowball sampling and opportunistic sampling was done. The research used purposive sampling because it was dealing with a specified population. Purposive sampling was preferred due to its ability to provide more information that is relevant to the research questions

The focus throughout the research was to interview people of relevance in trans-border security threats, which was realized both through direct contact with identified persons and by being introduced to such respondents.

3.7 Sample size

The sample size of the study was drawn from those people who had been affected by transnational security threats such as illegal migration, cattle raids, and the smuggling of arms in the borderland between Kenya and Uganda. The sample size of the study was forty-four.

The sample of the study was drawn from the population of the Mt Elgon constituency, as shown in the map in Appendix 1. Sampling was mainly focused on Elgon, Cheptais, Kapkateny, Chebyuk, and Kaptama wards, hence facilitating the efficiency in determining the saturation point during data collection. Sampling and data collection were done on the Kenyan side focusing on four wards to identify the existence of security threats that flow across the border to Kenya from Uganda and institutional response to the same. Thus, the sampling led to thirty-three interviews conducted with residents and administration officials in Mt Elgon borderland. One Focus Group Discussion was also conducted in the Cheptais sub-county.

3.8 Data generation techniques

Data generation refers to a set of procedures or techniques for generating and analysing qualitative data. The researcher collected both primary and secondary data. On one hand, secondary data was collected through content analysis of books and journals on the research topic. Secondary data was used to write the literature review, which justifies the gaps and the need for the research to be conducted. On the other hand, primary data was collected through interviews and focus group discussions.

3.8.1 Interviews

The interviews were conducted separately for individuals and on multiple occasions, where a focus group discussion was used. The interviews involved the use of key informants from a specific target group, including officials from government institutions such as Deputy County Commissioner, Assistant County Commissioners, chiefs, village administrators, police officers, Kenya Wildlife Service officers, and the residents of Mt. Elgon. The purpose of the research interview was to explore the views, experiences,

beliefs, and/or motivations of individuals on matters relevant to the research. Good questions should be open-ended (require more than a yes/no answer), neutral, sensitive, and understandable (Gill et al, 2008). Semi-structured interviews were conducted in the field, following a thematic interview guide developed about the framework of securitization and institutional theories, on Kenya-Uganda cooperation in the management of trans-border security threats. Semi-structured interviews consist of several key questions that help to define the areas to be explored, but also allow the interviewer or interviewee to diverge to pursue an idea or response in more detail (Gill et al, 2008). Gill et al (2008) argue that the flexibility of this approach, particularly compared to structured interviews, allows for the discovery or elaboration of information that is important to participants but may not have previously been thought of as pertinent by the research team.

The use of interviews as a method of data collection was important because it enhanced interaction and understanding with the informants, which created room for getting a better insight and more information about the research topic. Creswell (1998) recommends interviews with up to 10 people in phenomenological research and interviews with 20-30 people in grounded theory. The interview guide themes were the development of trans-border security threats and the institutional cooperation of Kenya and Uganda in the management of these threats.

The use of interviews for data collection has various advantages, including providing a deeper understanding. Qualitative methods, such as interviews, are believed to provide a 'deeper' understanding of social phenomena than would be obtained from purely quantitative methods, such as questionnaires (Gill, Stewart, Treasure, and Chadwick 2008). Furthermore, the authors argue that interviews are particularly appropriate for

exploring sensitive topics, where participants may not want to talk about such issues in a group environment.

Interviews take advantage of social cues such as voice, intonation, and body language of the interviewee, which can give an interviewer a lot of extra information that can be added to the verbal answer of the interviewee to a question. The interview can be recorded; therefore, the interview report is more accurate than notes; however, it is also important to take notes during the interview, even if the interview is tape-recorded (Opdenakker, 2006)

Interviews also have disadvantages, including visibility that can lead to disturbing interviewer effects. This disadvantage can be diminished by using an interview protocol and by the awareness of the interviewer of this effect (Opdenakker, 2006)

Based on the advantages and disadvantages interview, it was suitable for the research because it facilitated the acquisition of more data. The study was phenomenological and focused on understanding people's lived experiences, and this type of interview facilitated the understanding of their thoughts regarding trans-border security threats.

3.8.2 Focus Group Discussion

The research used one focus group discussion in Cheptais Ward to generate data. A Focus group is a group discussion on a particular topic organized for research purposes (Gill, Stewart, Treasure, and Chadwick 2008). The authors point out that focus group discussion is used for generating information on collective views and meanings that lie behind those views; they are also useful in generating a rich understanding of participant experiences and beliefs. The focus group will entail 8-12 members as advised by Cresswell (2017). The research used one focus group discussion, which was composed of nine members.

The focus group consisted of eight males and two females, and the study used one focus group discussion because it was in this area that presented a good number of respondents in the study area.

Focus group discussion has various advantages, including facilitating the collection of voluminous data, which enhances a deeper understanding of research. They are useful in generating a rich understanding of participant experiences and beliefs (Gill et al, 2008)..

The use of focus group discussion clarified data on specific security threats and enhanced data on the research subject. Focus group discussion as a method of data collection has weaknesses too, as follows: Data collected from focus group discussion may be influenced by groupthink rather than participants' perspectives (Boateng, 2018). Boateng (2018) explains that groupthink has the potential to impact reactions from individuals in a group situation, and can sometimes encourage individuals to conform to behaviours or actions that they would otherwise not engage in. Groupthink influenced data collection; based on the sensitivity of the research topic, it took quite some time before respondents gave the intended data, and the freedom of opinion was limited; it appeared that respondents were regulating each member on how far one could explain an issue related to the research.

3.9 Data Collection Procedures

Data collection entails a systematic approach to acquiring information for the research. Therefore, the first step for data collection was the use of secondary data collection methods, which entailed systematically analysing information from other researchers on topics related to trans-border security threats. This provided background information on the research and existing gaps in the research topic.

After fulfilling all requirements pertaining to undertaking research, data generation began by creating a good rapport with the respondents. The participants who were local community members and government officials were given full information about the study, and the benefits and risks involved. The researcher then requested participants to sign the consent forms before beginning the study.

The study then focused on participants' narratives. The participants were asked to narrate their experiences with trans-border security threats and the existence and impacts of government policies on these threats. The participants were interviewed individually, whereby the interviews were private to allow privacy.

The final stage of data generation involved a Focus Group Discussion. The local community members were engaged in narrating their lived experiences on issues of trans-border security threats and much efforts government institutions made in addressing trans-border security threats. The government officials were also engaged in narrating efforts made to address trans-border security threats and how far they think they have achieved the intended goals of addressing these threats. They were assured of the confidentiality and privacy of the information they gave.

3.10 Reliability and validity

Validity refers to the integrity and application of the methods undertaken and the precision with which the findings accurately reflect data, whilst reliability describes consistency within the employed analytical procedures (Noble & Smith, 2015). Noble & Smith (2015) point out that, criteria used to evaluate qualitative data are as follows: first, truth value: it recognizes that multiple realities exist; the researcher outlines personal

experience and viewpoints that may have resulted in methodological bias; clearly and accurately presents participants' perspectives.

Secondly, consistency relates to trustworthiness by which methods have been undertaken and is dependent on the researcher maintaining a decision trail so that the researcher's decisions are clear and transparent. Thirdly, confirmability or neutrality; achieved when truth value, consistency, and applicability have been addressed. Centres acknowledge the complexity of prolonged engagement with participants and that the methods undertaken and findings are intractably linked to the researchers' philosophical position, experiences, and perspectives. Lastly, applicability; consideration is given to whether findings can be applied to other contexts, settings, or groups. Increasing trustworthiness of research involves multiple aspects, including epistemological understandings, the depth of literature reviewed and engaged, the appropriate theoretical positioning of the argument, selection and deployment of the multiple and often conflicting data collection/generation techniques and analytical procedures undertaken, the connection of empirical material to larger theories and discourses and ways in which these aspects of the research are interwoven with one another (Rose & Johnson 2020). Furthermore, trustworthiness addresses the reliability and validity of the research. Validity and reliability were checked throughout the analysis process by referring to previous findings by other researchers and comparing them with the findings of the study.

3.10.1 Reliability

Reliability refers to the soundness of the research, particularly in relation to the appropriate methods chosen and ways in which those methods are applied and implemented in a qualitative research study (Rose & Johnson, 2020). The research used interviews and focus group discussions as methods of data collection, which ensured that

it was in line with qualitative research design. The use of these methods for data collection ensured the collection of voluminous data, which created room to identify saturation in data collection and also to establish various themes that came up in the study.

Under interpretivism or other critical perspectives, subjectivity and reflexivity are vital when considering issues of reliability, which question the replicability of the research project (Rose & Johnson, 2020). Incorporating subjectivity and reflexivity means that it is very unlikely that different researchers might arrive at similar results, and that discrepancy is, in fact, a strength of qualitative research.

Subjectivity and reflexivity; the researcher ensures subjectivity by ensuring that the research was guided by research questions, therefore achieving the intended objectives of the research. On the other hand, the research ensured reflexivity during data analysis by counterchecking the narratives of various respondents, then later referring to the theories of the study and literature from other authors. The research then established a composite description of the phenomenon of transnational security threats and institutional policies. The consideration of methods of the study, the theories used, and their correlation with the theories of the study and findings from other researchers confirms the reliability of the study.

3.10.2 Validity technique

Validity refers to the process of determining the accuracy of the findings from the standpoint of the researcher, the participants, and consumers of the research (Rose & Johnson, 2020). Validity is concerned with researchers actually capturing what they intended to study and accurately reporting what they have seen or heard (Ali & Yusof, 2011). The aforementioned authors posit that, to attain validity and reliability in research,

there is a need for qualitative researchers to document the succession of moves through the stages of data production, analysis, and interpretation.

Saturation was factored in to establish how extensive the data has been collected. The research relied on saturation to determine the consistency of the respondents on the research questions; therefore, this helped in determining the achievement of the objectives.

The study also ensures credibility by ensuring truth value- the researcher documented the responses of the respondents, which were later reviewed while reflecting on the responses in relation to the objectives of the study. Furthermore, the research established a sample of 44 respondents who supportively shared their wide experiences, which eventually established clarification of the findings. The sample size created enough room to determine consistency and repetition in the responses, which facilitated the determination of the credibility of the data. Consistency; the researcher relied on and followed the described research process, starting literature review, data collection, documentation, and reporting of the findings. The consistency was determined on common themes that were established, and also their reflection on the previous research in this area. Applicability: The research ensured relations of findings with other contexts of research by other authors. The research referred to previous findings of other authors on the objectives of the study in relation to the findings and their application in the theories chosen for the study.

3.11 Data analysis and presentation

Data analysis is the investigative process used to extract knowledge, information, and reality by examining data (Grolemund & Wickham, 2014). The main purpose of data

analysis in interpretive research is to locate meanings in the text (Miles et al., 2013). Data analysis involves organizing, accounting for, and explaining the data; in short, making sense of the data in terms of the participants' definition of situations, and noting pattern's themes, categories, and regularities (Cohen et al, 2006).

In phenomenology, data analysis uses a hermeneutic circle; this method of interpretation is a movement from the text, which may be transcribed into conversations with the researcher, who comes to an understanding of the text and an interpretation. In that interpretation, the researcher creates meaning from the interpretation of the phenomenon. Usually, the interpretation comes from identifying themes, patterns, or commonalities in the text (Converse, 2012).

During the data analysis stage; the hermeneutic circle, the researcher went through the data (interview transcriptions) and highlighted "significant statements", sentences, or quotes that provided an understanding of how the participants experienced the phenomenon of trans-border security threats.

The researcher then developed clusters of meanings from these significant statements into themes. Thereafter, the researcher used the significant statements and themes to write a textual description of what participants experienced. The researcher then put in writing the description of the context that influenced how participants experienced the phenomenon. Finally, the researcher wrote a composite description that presents the essence of institutional policies on border security threats. This focused on the common experiences of the participants pointing out the underlying structures.

3.12 Ethical Considerations

Ethics entails the concern of whether the conduct of a researcher is justifiable towards the respondents, especially if the researchers' actions have an impact on them. Ethics regulates and guides how research should be conducted by setting certain standards of conduct. The study adhered to the ethics of carrying out academic research as stipulated by Moi University and the National Commission for Science, Technology, and Innovation (NACOSTI). The researcher requested permission from the National Council of Science, Technology, and Innovation (NACOSTI). Thereafter, the researcher requested permission from the Ministry of Interior and coordination of the national government at various levels, including the office of the county commissioner, the assistant county commissioners of Elgon, Kopsiro, and Cheptais sub-counties, the county government of Bungoma, and finally the county director of education, to allow the study to take place.

The respondents were duly informed of their rights as respondents, which include pulling out at any stage should they feel uncomfortable proceeding. They were assured that the information obtained from the interviews would be treated with the utmost confidentiality and would only be utilized for the study. To successfully achieve the goals of the research, the researcher observed various ethical considerations as follows:

3.12.1 Informed consent and voluntary participation

The researcher provided information about the research to the respondent, which determined if the respondent agreed to give research information or not. The process of obtaining Consent consists of the following: consent should be given freely (voluntary), subjects should understand what is being asked of them, and involved persons must be competent to consent (Arifin, 2018).

The participants were adequately informed about the research, comprehended the information, and had the power of freedom of choice to allow them to decide whether to participate or decline. This was achieved by giving respondents consent forms to sign before the interviews could commence.

3.12.2 Anonymity and Confidentiality

This entails protecting the identity and the information provided by the respondents. Most of the respondents requested anonymity and declined to have recordings or have pictures taken during the interview. Concerning this ethical consideration, I chose not to reveal their names and identities in the data collection, analysis, and reporting of the study findings process.

The researcher collected data while observing privacy and confidentiality. The data was protected during data analysis and dissemination of the findings. It is the responsibility of the qualitative researcher to protect the participants' identity throughout the recruitment and dissemination process and to promote clear and honest research reporting without deception to readers (Arifin, 2018).

3.12.3 Confirmability

It refers to the degree to which the results of an inquiry could be confirmed or corroborated by other researchers (Baxter & Eyles, 1997). It is also concerned with establishing data interpretations of the findings that are not figments of the inquirer's imagination, but are derived from the data (Tobin & Begley, 2004). The researcher collected and analyzed data from the respondent's perspective and also corroborated with the existing literature from other researchers. This chapter covered research methodology, including methods of data collection, sampling, data analysis, and ethical considerations.

Therefore, having done that, the next section will focus on the findings and discussions on the themes of the study.

CHAPTER FOUR

MT ELGON AS AN AREA OF DISCURSIVE SECURITY THREAT

4.0 Overview

The chapter presents the findings of the first objective, on examining how Mt. Elgon's transnational borderland is discursively constituted as an area of security threats. It explains various metaphors used in describing the trans-border security threats, and also the specific threats. These are discussed in line with the objectives of the study by answering the research questions of the study.

4.1. Mt Elgon as an Area of Discursive Security Threat

The population of Mt Elgon has for a long period interacted with Mt. Elgon Forest for different reasons, including economic, social, and cultural life. Economically, the population has been burning charcoal for business; however, this activity is currently regulated by the government to protect the environment. Socially, the population has used the forest for leisure activities such as watching the wild animals, including elephants and buffalo. Culturally, the Sabaot community could seclude its initiates in the forest, but this has disappeared with the recent changes in the community. The community has left the traditional seclusion in the forest due to Christian and other modern influences. The community has also felt the negative effects that come from interacting with Mt Elgon forest.

Therefore, based on the aforementioned interaction with the forest, the Sabaot community has used various metaphors to refer to and describe the positive and negative parts of the forest. A metaphor is a figure of speech in which a word or phrase is applied to an object or action to which it is not applicable- it is applied as a representation.

The Ndorobo who live in the forest describe the forest as their home. These Sabaot are herders, and they live in the moorlands of Mt Elgon forest where they coexist with this environment. They are the major suppliers of milk and honey to the residents of Mt Elgon. Their stay in the forest has also led to a reduction of some transnational security threats, such as wild game poaching and stock theft. This community enacts the forest as a home. For example, the respondent of Chepkitale noted;

“This forest is our home, and we are the custodians of this place. We have protected this forest since this is our home, and we don’t tolerate outsiders coming to destroy our home. We live here with our families and our cattle; however, the challenge that we have experienced in our home is invaders such as the Bagisu who come to steal our cattle-although for now the stealing of cattle has gone down, and they usually steal just a few cattle when they are grazing far away from where we reside in this forest.”

The description of a trans-borderland forest as a home provides a distinct presence of community ownership, which justifies its role in the protection of the border. This description is in line with metaphors that describe a border as a line that signifies the sphere of influence of states bordering each other. National borders are notional lines on a map and on the ground that provide a sharp demarcation between two territories and sovereignties (Ishikawa 2010). Additionally, Ishikawa (2010) argues that located at out-of-the-way places in the national territory, borderlands function as liminal zones where the nature of things is inevitably transformed by the proximity of an alternative system. This is evident from the trans-border security threats experienced in Mt Elgon, which has transformed the thinking of the Sabaot on interaction with the border. The metaphor describing a border as a line to show ownership by a state has also been coined by the community as a home. Therefore, this justifies protection both by the state through

security policies and by the community through their arming themselves to protect their territory and wealth from being violently taken away by both the Bagisu and the Sebei from Uganda.

The community has also referred to the forest as a secret. They call it a secret because it holds a lot of secrets, including good and bad. They say that the forest hides criminals; also, this forest has a lot of hidden treasures, including wild animals. For example, a respondent of Kaberwa near Kapsokwony noted;

“This forest has so many secrets. Criminals operate in there; they kill people and dump their bodies in the forest; they steal cattle and hide in the forest, and they even kill elephants without our knowledge. We just discovered this act later for sure, this forest is secretive.”

This explanation of border as a secret relates to the various transnational security threats, such as cattle rustling and arms smuggling, which occur due to the existence of a defined border. The perpetrators of these transnational security threats take advantage of the definition of a border, which acts as a barrier between the jurisdictions of one state to another. These transnational securities, which are impacts of the definition of a border, are in line with the description of a border as a wall. We understand the word “wall” in the broadest sense, as a political divider that comprises complex technologies, control methods, legislative provisions, and “securing the border” discourse (Vallet & Philippe, 2012). Furthermore, the aforementioned authors argue that some walls are illusory, and some are mental constructs, but it remains that these structures are enmeshed in social processes and the construction of border identities, often breeding their cultural iconography. Finally, Vallet & Philippe (2012) note that walls may signal the precedence

of domestic politics (and appearances) over foreign policy (and diplomatic necessities), the image of a fortified border being considered more important than its actual effectiveness. This argument on the lack of focus on the effectiveness of the border definition justifies why the border harbours various trans-border security threats, necessitating the community to describe it as secretive.

The secretive nature of Mt Elgon transboundary area is due to the limited presence of the government in terms of management of this border. The limited presence of the government is associated with the lack of an official customs point in Mt. Elgon, which may facilitate legal cross-border interaction between border communities. The existence of legal trans-border interaction can reduce the negative effects of trans-border security threats that flow through secret routes in the forest.

Securitization, as explained by the Copenhagen School under the theoretical framework, entails the interaction of actors in the international system, which results in an interconnection created by shared problems of security. Securitization efforts are propelled by politics, which lifts an issue from being a normal issue and frames it as an exceptional issue to be addressed with urgency. Politics creates this exception by influencing the mindset of those affected by certain issues through speeches and other discourses. Speech will therefore facilitate the consensus that a specific issue is securitized. Politics will then merge securitization and institutions by special approaches, such as creating institutions that will address the special issue through policies.

The Paris School posits that securitization is better understood as a strategic (pragmatic) practice that occurs within and as part of a configuration of circumstances, including the context, the psycho-cultural disposition of the audience, and the power that both speaker

and listener bring to the interaction (Balzacq, 2005). From this perspective, the understanding of security threats is widened; however, it is still within the politics of inclusivity and empowerment of the audience about the special issue that requires approval for an institutional approach to curb its effects, especially to the state.

Mt Elgon trans-borderland has experienced various categories of security threats due to porous borders, as explained by securitization theory. Securitization theory explains that the diverse character of the components that go to make up the state suggests that threats to the state can come in a variety of types (Buzan, 1983). These types can be classified into political, economic, societal, and ecological.

As seen in Table 4.1, there are six trans-border security threats in Mt Elgon: cattle rustling and stock theft, the proliferation of small arms and light weapons, poaching, illegal migration, technological theft, and trafficking in contraband goods. These six threats on cattle rustling, poaching, proliferation of small arms and light weapons, illegal migration, technological theft, and trafficking of contraband goods were instances of the four types of threats identified by Buzan (1983). Each of the six threats is explained in the next section.

Table 4.1. The Transnational Security Threats

The transnational security threats explained in this table are derived from the narratives of the community members and government officials who experienced these threats.

Security Threat	Classification as per Securitization Theory. (Buzan 1983)	Securitizing Actor	Modes of securitization used	Date Government started acting to mitigate the threat
1.Cattle Rustling and Stock Theft	Economic	Government and the community	Use of chiefs' barazas and police enforcement by the government. Lamentation by the community through songs such as Chepchuulaat (straightened) A song such as kiipaa Tuukaa Ushaa (all cattle went to Bagisu land)	1970s community raised the red flag and the government securitized this in 1981 and 1989 by deploying police officers including General Service Unit
2.Proliferation of small arms and light weapons	Economic, Political, social, and Ecological	Government and the community	Government through chief Barazas and police enforcement	Government securitized arms through <i>Operation Okoa Maisha 2008</i> (Wepundi, Ndung'u and Rynn 2011)
3.Poaching	Ecological and economic	Government	Government through the use of police and the Kenya Wildlife Service	In 1989 the government securitized poaching by deploying police

4. Illegal migration	Economic	Government	Government use of Nyumba kumi, police border patrol, and use of roadblocks at the border route of Chekube.	1994 the government increased border control by establishing border police stations such as the Chepkube police station.
5. Technological Theft	Economic	Government	Government use of police security officers and Nyumba Kumi	From 2008 after the operation Okoa Maisha, border control and police cooperation between Kenya and Uganda were highly implemented.
6. Trafficking in contraband goods	Economic	Government	Use of chief barazas, police border patrol, and use of roadblocks at the border route of Chepkube.	From 2008 after the operation Okoa Maisha, border control and police cooperation between Kenya and Uganda were highly implemented.

4.1.2 Cattle Rustling and Stock Theft

Cattle rustling and stock theft, which affect Mt Elgon- through the lenses of securitization theory (Buzan, 1983)- are transnational economic crimes. Cattle rustling is an economic activity for some population categories (Chikwanha, 2007). Under cattle rustling, two discursive themes fit into two historical epochs concerning the Mt. Elgon transnational borderland: Cattle raids (1960- early 2002s), and stock theft (2002-2023). In the first epoch, the Bagisu and Sebei communities from Uganda raided the Sabaot on the Kenyan side. Evidence that the Sebei raided their Sabaot ethnic folk adds to the evidence that cattle raids can take place within the same or related communities. For example, the

Nandi, between 1849 and the 1890s, used to raid the other neighbouring Kalenjin communities (Matui 2019; Goldschmidt 1976; Weatherby 1962, 1967). Furthermore, oral evidence suggests that some of the Sabaot in the late 1870s went to Sebei for raids (Narration by Sikiriet 2023). In the second epoch, some Sabaot ethnic folk engaged in cattle thefts and, with the assistance of the Bagisu and the Sebei accomplices, sold the cattle to the Ugandan Market. These two discursive narratives that spotlight the economic threat of the Sabaot in Mt Elgon- on the Kenyan side- are explained in detail next.

4.1.2.1 The Epoch of Cattle Raids (1960-early 2000s).

Social interaction between the border communities of Kenya and Uganda in Mt Elgon existed long before colonization. They interacted freely since there were no borders; however, after colonization and independence, states acquired territorial boundaries. This is evident, as explained by the respondent of Bondeni, Chebyuk:

“Before Kenya and Uganda became independent, people could cross from one side to the other. The communities along this border coexisted until 1965, when Uganda attained independence, and cattle rustling started. The Bagisu could cross to Kenya to raid, while the Ndorobo could also cross into Uganda to raid cattle. This continued until 1969, when the Bagisu acquired the manmade guns and came to raid and kill people. Raiding was high during this period until 1979. Thereafter, there was a ceasefire from 1980 to 1983. In 1989, cattle raids resumed with the use of sophisticated guns such as General-Purpose Machines, which carried more rounds of ammunition, AK-47, and G3. In 1996, the Bagisu raided Sabaot and are believed to have used the Ugandan army because the raiders came while wearing the Ugandan army uniforms. They attacked people in the Taboo area (east of Chepkitale) and killed four people, while injuring four, then they left with over one thousand cattle.”

The respondent further points out that;

“Around 1992, when the Sabaot had clashes with the Bukusu, the Sebei- because of sharing ethnic ties with the Sabaot- came to help the Sabaot by stealing cattle from the Bukusu. After the clashes, the Sebei came back from 1993 to 1996 to steal cattle from the Sabaot. After facing tough resistance from the Sabaot, the Sebei have never come back to raid the Sabaot since 1996. The Sebei only collude with certain members of the Sabaot community to steal cattle in small numbers but without the use of force.”

The Bagisu from Uganda were reported as early as the 1960s to have invaded the Mosop Sabaot in Chepkitale using 'homemade guns and spears,' and the community there raised an alarm that the Kenyan Government needed to resettle them away from the moorlands to an area the Government could provide security (Matui, 2019:258-262). The Kenyan Government's exercise of settling the Mosop in Chebyuk Forest- away from the moorland-started in 1971(Matui, 2019:262). As evident from previous authors, cattle raids have existed in Mt. Elgon, and this is corroborated by a respondent of Bondeni stated historically as follows:

“Bagisu stole cattle since the 1970s using heavy guns such as ‘koorokooro’ (AK47), which could hold around 100 bullets. This caused the community to lament by use of the song “kiipaa Tuukaa Ushaa,” meaning “all cattle went to Bagisu land.” The rise of cattle rustling in 1981 led the Kenyan Government to deploy police officers to restore peace. Security was restored, but cattle raids and poaching reoccurred heavily in 1987, and so in 1989 the Government deployed police officers and the General Service Unit to the area.”

The Cattle raids worsened and broadened from the early 1970s as the perpetrators now included the Sebei from Uganda-and the victims became all the Sabaot in Kenya. This argument is evident as the respondent of Kongit noted as follows:

“In 1993, the Sebei raided the Sabaot in Kongit; however, they met heavy resistance in 1994 and were defeated. From this victory, the Sebei sang a song called “chepchuulaat,” meaning ‘straightened.’ The song was also sung by the Sabaot community.”

This song cautioned the Sebei that if they went back to steal cattle from Kongit, who were also their ethnic folk, they would die. This incident marked the end of raids by the Sebei.

Based on the data collected, this study opines that because of the issue of Bagisu and Sebei stealing from the Sabaot, some members of the Sabaot community have continuously acquired guns since the 1990s to defend themselves. These guns ended up being used in the intra-Sabaot violence of 2006-2008, which was orchestrated by the Sabaot Land Defense Forces (SLDF). This incident, therefore, called for the Kenyan Government's intervention, which led to Operation Okoa Maisha in 2008, which involved

disarming the community. The flow of small arms and light weapons was highly associated with the porous border bridge of Chepkube. Due to the effects felt from the flow of transnational security through this border bridge, the government established a police post, which is in line with the narrative by the respondent in Chepkube, who noted that;

Due to increased insecurity in Cheptais caused by the Chepkube Border Bridge, which facilitates crossing between Kenya and Uganda, the Kenyan Government established the Chepkube Police post in 1994. Among the security threats that flowed through this bridge were the trafficking of contraband goods, theft such as shoplifting and stealing from schools, especially school tablets, illegal migration, and trafficking of small arms and light weapons. This police station is very useful, up to date, and oversees the supervision of this bridge; there are at least two police officers at this bridge both day and night. Finally, there is also a roadblock along the Chepkube-Cheptais road.

The findings reveal that the Bagisu and Sebei from Uganda carried out cattle raids easily because, first, they acquired illegal guns ahead of the Sabaot, who initially only relied on arrows. The Ugandan communities accessed guns because of Ugandan political instability, which led guns to fall into illegal civilian hands. State failure in Uganda was a gradual affair that originated during the Presidency of Milton Obote (1962 -1971); this accelerated under Idi Amin's odious regime (1971- 1979), and culminated in a vicious civil war during the second Obote regime (1980-85) (McDonough, 2008). The aforementioned author further points out that Obote's style of governance was marked by growing authoritarianism, the curtailment of civil liberties, and the co-option of other tribal groups through patronage and the elevation of the military. McDonough (2008)

continues to note that Idi Amin's coup in 1971, which resulted in nearly a decade-long rule that left the economy and administrative institutions in shambles, only accelerated this trend towards state failure. McDonough (2008) argues that there was both an institutional and political vacuum, coupled with a state of anarchy as reflected in widespread looting, rape, and armed robberies. Finally, McDonough (2008) posits that Milton Obote's return to power, after a hotly contested and popularly questioned 1980 national election, triggered a six-year civil war in which Museveni's National Resistance Army emerged victorious in 1986. During this political instability and state failure, the security of Uganda was unstable; this instability was felt in Mt Elgon, Kenya: insecurity went high due to the availability of arms that facilitated cattle raids on the Kenyan Sabaot by the Ugandan Bagisu and Sebei communities.

Secondly, the raiders knew the routes that facilitated the raids. These routes developed in precolonial times as trade routes and social routes that facilitated interaction by neighbours and relatives across Mt Elgon. These routes are the ones used by the Sabaot who carry out stock theft from their ethnic folk for the Ugandan market. These routes are also conduits for other security threats, such as the trafficking of small arms and light weapons and poaching. This is evident as a respondent from Bondeni Chebyuk stated;

“During the period of cattle raids and poaching, the Bagisu and the Sebei had different routes. When the Bagisu came for cattle raids, poaching, or trading of arms, they used the western route. When they carry out these trans-border security threats in any part of Mt Elgon, they have to go through the forest into Chepkitale, cross the first and second river Sossio (referred to as Sossio A and B), then cross another river called Kibisii, and get to a place called Chesuuui in Kenya, where they cross into Kamuu in the Ugandan side.”

The respondent further notes that,

“If the perpetrators of the trans-border security threats are Sebei, then they will use the Eastern route. Whereby when they carry out these trans-border security threats, they have to go through the forest into the Chepkitale area, then to Koomookooi, thereafter they

have to cross the Suam River head into the exit point called Beeneet, and finally into Uganda at a place called Serere, and finally to Kapchorwa.”

This was corroborated by a respondent of Kaberwa near Kapsokwony who noted:

“From the 1980s to the 1990s, cattle raids were rampant by the Bagisu, and after raiding any part of Mt Elgon, they could only go through this route of Kaberwa in Mt Elgon, Kenya. Serious insecurity came after the eviction of Ndorobos from the forest in 1989, whereby the Bagisu frequently burnt Mt Elgon forest to open up the thick forest for easy accessibility into and out of Mt Elgon during raiding. They came with stolen cattle from Kongit and also Chebyuk to Kaberwa, where they went to a place called Stenti in the forest, then to Labot, to a place called Rest just around the peak of Mt. Elgon, and to an exit point called Chesuuii, where they then crossed into Uganda.”

The interviewee continued:

“In 1993, cattle were stolen from Kipyeto by Bagisu. They were then pursued, and they met at the center point called Rest; however, the Sabaot could not retrieve the 85 cattle because they didn’t have guns. Rest is the center point around the peak of Mt Elgon, which is used for entrance into Uganda.”

The study noted from the narratives that the Sabaot of Kenya have intermarried with both the Sebei and the Bagisu of Uganda, and this connection facilitates cattle raids and stock thefts. Intermarriages allowed the Sebei and the Bagisu to live with the Sabaot; this allowed some members of the three communities to be knowledgeable concerning the cross-border terrain and create cross-border linkages for cattle raids or stock theft. The linkages between the Sabaot of Kenya and the Sebei of Uganda through ethnic ties facilitate cattle raids. This is evident, as noted by a respondent of Cheptoror in Chebyuk:

In 1992, the Sebei came to help the Sabaot during the ethnic clashes with the Bukusu, and out of their being in Mt Elgon during this time, they learned the terrain of the Sabaot land. After the conflict had come to an end, they came back to steal cattle.”

The increase in cattle raids since the 1970s called for government intervention; through an institutional approach, the government set up policies to curb cattle raids. The government elevated the issue of cattle rustling to a special issue, as explained by

securitization theory, and deployed police officers through institutions of security to restore security along the Kenya-Uganda border of Mt Elgon, as noted by a respondent of Kongit location:

In 1979, the Bagisu attacked the Kongit location and left with around 50 cattle. The youths from Kongit on the Kenyan side followed them, but they were unable to bring back the cattle because the Bagisu had superior weapons. In 1981, they came back again to raid successfully, which led to the Government deploying police officers, including the General Service Unit, to restore peace. These paramilitary Units restored peace, and this was accredited to two police officers who had been given names as Hamisi and Maovu, who fought the Bagisu successfully and restored security in this part of Mt Elgon.

This shift in narrative is also reported in Cheptais Sub-County in the west: cattle raids decreased because the Kenyan Government enhanced policing in the Kenya-Uganda border. A respondent in Chebwek village in Cheptais noted the significance of this Government intervention when he noted;

In 1987, the Bagisu came to steal around 30 cattle, they were immediately pursued by the General Service Unit and Administration police who caught up with them at a place called Mbananaa just before crossing River Lwakhakha (Rokook). They were killed and their hands were brought to Chebwek as a sign of heroism.”

Based on data collected, the research noted that cattle raids did not occur frequently, and these incidents of insecurity happened with inconsistency in terms of time and number. Cattle raids could occur after a duration of time: sometimes after weeks, months, or even years. The existence of inconsistency eliminated the predictability of this security threat,

therefore making it hard to completely respond in time and to address this challenge. This inconsistency is noted by a respondent of Bondeni Chebyuk, who stated;

“Every electioneering year in Kenya, the Bagisu could come to raid cattle because there was less focus on border security. They knew during this period the security personnel had to shift their focus to security during political rallies.”

During the era of heavy cattle raids, the Sebei and Bagisu could raid over 100 cattle and even kill the herders, and they came in large numbers; however, these two communities conducted their raids in Mt Elgon separately during different times, and at no point was it observed that they could conduct raids jointly. The Bagisu used the western route of Chepkitale of Mt Elgon, while the Sebei used the eastern route, as earlier noted. The respondents noted that Chepkitale was targeted because the Sabaot population that resided there were pastoralists, each household was estimated to have had at least twenty cattle, and these households numbered about a thousand. The Bagisu are believed to have used harsh tactics when stealing cattle. The interviewees noted that the Bagisu could kill the Sabaot in Mt Elgon during raids; sometimes they also burnt the forest. A government official in Cheptoror noted that;

“In 2002, the Bagisu from Uganda came through Mt. Elgon Forest into Chepkitale and attacked the herders and took away 38 cattle. They burnt down houses, killed Sabaot who resided in this part of the Mt Elgon forest, and left with the cattle. During this incident, my three uncles were killed. In 2018, the Bagisu came and stole 26 cattle in Chepkitale, and four of these cattle were mine; however, they did not kill any residents here.”

Although from the early 2000s, cattle thefts decreased in many places of Mt Elgon, there existed a few isolated cases where the Bagisu came to steal cattle around the peak of Mt Elgon. This was noted by the respondent of Bondeni Chebyuk as follows;

“In 2019, the Bagisu stole around 50 cattle from a resident of Chepkitale, although he did not follow up on his cattle; therefore, they were never found. In 2020, again, the Bagisu stole around 60 cattle from another resident of the same area, whom he decided to follow up on his cattle through the institutional cooperation of Kenya and Uganda. The owner of the cattle managed to return six cattle to a market in the Kamuu area of Uganda.”

The success in returning six cattle is evidence of the existence of institutional cooperation between Kenya and Uganda. Respondent from Bondeni further notes that;

The affected community members were able to access Uganda in search of the stolen cattle after the County Commissioner of Bungoma made a call to his counterpart Regional Commissioner of Mbale, who allowed Kenyans to access Uganda. They were given a letter from the County Commissioner, which they took to Ugandan authorities, and thereafter they were accorded help by the local police of Uganda, leading to the retrieval of six cattle.

Furthermore, another respondent from Chepkitale, higher up in the moorlands, noted:

“In the year 2010, fifty-two (52) cattle were stolen from Chepkitale, which is a herding ground in the Mt Elgon forest. The Government of Kenya, in collaboration with that of Uganda, managed to return six cattle. The raiders were armed with guns and took herders with them, but left them at the Kenya-Uganda boundary with serious injuries. The raiders were Bagisu based on the language they were communicating in.”

4.1.2.3 Cattle theft early 2000s-2023

It is evident that cattle raids were high from the 1970s to the early 2000s because of political instability in Uganda, which created poor economic growth; hence, the community of Uganda- mainly the Sebei and the Bagisu- had to look for an alternative source of income and food. This security threat changed from cattle raids to stock thefts based on the tactics used and the number of cattle stolen. This change is associated with the political stability of Uganda; the need for cattle for food and funds has been reduced.

The presence of cattle thefts rather than cattle rustling in this period was adduced by several respondents who indicated that the discursive threats in Mt Elgon in Kenya had shifted from cattle raids from the Bagisu and the Sebei of Uganda to cattle thefts facilitated by some Sabaot that targeted the cattle of their ethnic folk to sell them in the

Ugandan Market. The issue of cattle raids diminished in the 2000s and changed into stock theft, where cattle were stolen in small numbers. Attacks from the Sebei and the Bagisu have reduced since the time Ndorobos were allowed to reside in the forest in 1997. This was noted by a respondent from Bondeni Chebyuk:

“The Mosop people had seers who, before the coming of colonizers, warned their community of their coming and advised them to move back into the forest. During colonization, this area was categorized as a forest around 1895 when the British divided the forest and the grassland by cutting trees to protect the forest from fire, and people were allowed to graze their animals in the forest, but they were taxed. Later on, this division created the basis of the existing forest on the map.”

The interviewee continued:

“Around 1954, the colonials pushed the Mosop out of the forest with the idea of them being allowed to plant crops in the forest, but after they realized that they could not do the crop planting, they went back into the forest. After independence in around 1968, Jomo Kenyatta, the first President of Kenya, established a settlement scheme in Chebyuk and relocated the Mosop, but they went back to the moorlands in 1969. In 1978, the Government again evicted the Mosop from the forest for them to occupy the land in Chebyuk, but they went back in 1979. In 1983, the Government of Moi evicted them from the forest because of harsh attacks from the Bagisu, which made it hard for the Government to protect them, but they went back in 1988. In 1992, the Government evicted them, arguing that they were interfering with water catchment areas in the forest; however, they went back again in 1993. Finally, they were evicted in 1996, and in 1997, they went back into the forest, and to date, they have not been evicted from the forest.”

The issue of cattle rustling was also reduced due to the Government's institutional policy approach, where security officers were deployed to manage cattle raids and stock theft.

This trend is noted from the interviewees that cattle raids subsided in the late 1990s but then reoccurred in the mid-2000s, as petty cattle theft. From around 2008 to date, it was some Sabaot who stole a small and isolated number of cattle from their fellow Sabaot.

The respondents noted that some Sabaot community members collaborate with both the Sebei and the Bagisu of Uganda in stealing the cattle. They assert that the Sebei meet with the Sabaot around the peak of Mt Elgon, in a place called ‘Rest’, before they proceed into Uganda. For instance, respondents of the Chebyuk Center stated that;

“In 2009, six cattle were stolen in Cherwaandooi village, Koorng’ootuuny’ Sub-location Emia location. The cattle were believed to have been taken into the forest through the route of Chesokwo, to Chemuungumiit, then to Kileel River, to Chesing’oor, and finally to Uganda. It is known that the Sebei wait for Sabaot at a place called ‘Rest’ because of existing hiding rocks. It is at this place that they hand over the cattle to the Sebei, who then take the cattle to sell in the Ugandan market. In some instances, they go with the Sebei into Uganda to sell the stolen cattle.”

Stock theft also takes place in Cheptais, but it’s carried out by the Bagisu. The Bagisu would cross into Cheptais, Kenya, to sell or buy cattle; they thus interacted with the Sabaot, hence allowing them to get more conversant with the area and routes used to access cattle. Understanding the social lives of the Sabaot allowed them to easily carry out stock theft. This is evident, as noted by a government official in Chepkube.

“Ugandans come to Cheptais market to sell cattle and at the same time, they buy calves to go and rare. Once they buy, they are given a movement permit by the County Council to Chepkube, yet these cattle don’t stop at Chepkube; instead, they cross into Uganda. If Kenyans stole them in one way or another, then they would come back at night and steal cattle from the Kenyan border community to recover the money they used to bribe or the property they lost in the course of molestation by locals and Kenyan security personnel. Once these cattle are stolen, it is hard to retrieve them because the Bagisu rear their cattle in houses; also, the slaughtering of animals is not restricted in Uganda. This means that anybody can slaughter a cow and sell the meat without checks from public health officers.”

The government official in Kapsokwony also noted a shift in this discursive narrative about security threats.

“Currently, there are no cattle raids; however, we have an issue of stock theft. This is where cattle are stolen in small numbers by the residents, the Sabaot, who have links with the Sebei from Uganda; this facilitates the selling of these cattle in the Ugandan market. Stock theft is not violent and is usually done in the forest where most of the Sabaot community members send their cattle for herding.”

Table 4.2: Cattle Rustling and Stock Theft

The data in this table is derived from the narratives of the respondents in various parts of Mt. Elgon transnational borderland.

Year and month	Location	Number of cattle stolen	Respondent	Action
May 2009	Chebyuk Cherwaandooi	6 cattle	Resident land B	No cattle were returned
September 2010	Chepkitale	52 cattle	Resident Chepkitale	No cattle were returned
May 2016	Chepkitale	52 cattle were stolen by Bagisu	Resident Chepkitale	Through Kenya-Uganda administrative and police cooperation, eight cattle were returned
September 2018	Chepkitale	26 cattle were stolen by Bagisu	Village administrator Cheptoror	No cattle were retrieved
August 2019	Chepkitale	50 cattle were stolen by Bagisu	Village elder Chepkitale	No cattle were retrieved
June 2020	Chepkitale	55 cattle were stolen by Bagisu	Resident Bondeni Chebyuk	Through Kenya-Uganda community, administrative, and police cooperation, Six cattle were returned

From Table 4.2, it is evident that cattle rustling and stock theft majorly take place in the Chepkitale area, deep in the forest, and near the peak of Mt Elgon. This trend is associated with this herding area for cattle; the area is also close to the exit point into Uganda; therefore, this facilitates the secretive and quick way of stealing cattle. It is also noted that curbing cattle rustling has been achieved through cooperation between the border communities and the police of both countries.

On a positive note, the aforementioned intermarriage and interconnectedness that facilitated cattle raids and thefts have always helped in addressing cattle raids- discussed in the previous section- and the current stock theft that is experienced here. It also suggests that cross-border networks can mitigate cross-border threats. This interconnectedness through ethnic ties that were separated during the delimitation of Africa has facilitated easy communication between communities of Kenya and those of Uganda, hence improving security. This reality suggests that borders are artificial outfits that alienate the same communities, as noted by Asiwaju (1984). The aforementioned author notes that African boundaries were drawn without reference to the socio-cultural characteristics of the people they partitioned. Mt. Elgon does not have its official customs point, but rather the community uses the Lwakhakha in Bungoma County and the Suam border in Trans-Nzoia County. The Kenya Wildlife Service informant on this noted;

“There are Sabaot living among the Sebei in Kapsekeek, Uganda, who, once cattle are stolen from Kenya, are contacted through mobile phone to help in informing the Ugandan authorities. If Ugandan authorities manage to intercept these cattle, they return them through the Swam border; however, the owner has to pay 10,000/= to the Ugandan authority for every single cow that is retrieved. This money is meant to pay the Ugandans who searched for and returned the stolen cattle. If cattle are stolen by the Bagisu, the Sabaot who live in Makindi in Uganda help in reporting the matter to Ugandan authorities, including the chiefs and police officers. If cattle are found on the Bagisu side, they are returned through the Lwakhakha border.”

The 10,000/= paid to the Ugandans is not official; the aforementioned interviewee pointed out that it's a fee that is locally arranged to appreciate those involved in retrieving the cattle.

In conclusion, the issues of cattle raids have existed in Mt Elgon for a long period, and active actors were the Bagisu and the Sebei. However, as cattle raids decreased since the early 2000s hence the narrative changed into stock theft, whereby the Sabaot themselves

took the leading role in stealing cattle and selling them into the Ugandan markets. The Sabaot did this with the help of the Sebei and the Bagisu accomplices.

4.2 Proliferation of small arms and light weapons

Another trans-border security threat affecting Mt Elgon is the trafficking and availability of small arms and light weapons, which have facilitated armed cattle rustling or stock theft, land conflicts, and poaching. This is a social security threat as categorized by securitization theory (Buzan, 1983).

Since the early years of migration and settlement, the Sabaot people were cattle herders, and this resource has been a major reason for raids from the Bagisu and the Sebei, who possess guns. Mt Elgon was a transit zone of stolen livestock, and some of the raids were conducted locally, depending on the period (Medard, 2008). The aforementioned author notes that the theft of livestock was blamed on the Bagisu, others on the Sebei of Uganda (the Bukusu and Sabiny of Kenya), and also the Ndorobo of Chepkitale. Medard (2008) argues that it is believed that such acts of stock theft were sometimes ordered by politicians and can be described as political thuggery. Finally, Medard (2008) points out that the state was unable to contain these practices at given times.

Therefore, based on Medard's argument, the state's failure to contain cattle raids and stock theft at some points necessitated the need for the community to arm themselves. Some Sabaot arming themselves with guns and ammunition would be justified by the fear of losing wealth from cattle. In the absence of effective and accessible state security provisions in these areas, small arms are naturally seen as a guarantor of security (Wepundi et al, 2011).

This study noted from the data collected that guns are readily available in the Ugandan markets. Trade in guns is mainly done through barter trade, where one can exchange cattle for a gun and bullets. People can also buy guns using cash; the price is estimated at twenty thousand to thirty thousand Kenya shillings. Therefore, with the existence of a flexible mode of trade in guns and the availability of a ready market, it is easier to acquire them, as noted by various respondents. The Kopsiro police official noted:

“Illegal firearms in Mt. Elgon are easier to acquire from Uganda through porous borders. The Sabaot have links with both the Sebei and Bagisu on arms trade; both cross the border either to deliver those arms to the Sabaot or sometimes the Sabaot go for them. These arms flow from Uganda through the forest into the market of Chebyuk and Kapkateny on the Kenyan side. The Sabaot buy illegal firearms from Uganda because they are cheap and readily available.”

The study found that, arms trade is very secretive and no single specific dealer has been associated with this business; neither has a single person been arrested as the sole trader of arms in Mt Elgon. Those who trade these weapons in Chebyuk usually use a route that connects Kenya and Uganda; through places from Chesokwo, which connects to Chemuungumiit, then to Rest and Chesuuii, then into Uganda. The proliferation of arms in Mt. Elgon is a security threat that developed gradually because of the porous border that is facilitated by the existence of the forest and the mountain. The forest has facilitated easy access to Kenya and Uganda by traders and buyers of guns and ammunition. A senior police officer at the Chepkube border point between Kenya and Uganda noted;

“Our Mt. Elgon border is porous, and the population living along the border creates illegal bridges which they use to smuggle illegal goods such as illicit brews, cigarettes, small arms, and light weapons.”

The study opines that arms trafficking in Mt Elgon transboundary area is a phenomenon that exists and still exists to date. This is because of various facilitating factors in

Government policies and dynamics in local politics that created a demand for more illegal guns. The first factor is the unintended consequences of the Kenyan Government's land policies. Access to land is one issue that has led to perpetual conflicts since decolonization (Chikwanha, 2007). The aforementioned author points out that, throughout Africa, the pattern has been largely the same, with certain groups accumulating land to the disadvantage of others. Chikwanha (2007) argues that Land policies are often complex and require fair redistribution models to stop prolonged conflicts. In reference to Chikwanha, (2007) argument, this study opines that the Mt Elgon conflict was influenced by land policies, which necessitated the need for arms to defend the right to ownership of land. The larger part of Mt Elgon was covered by a forest, but as the population expanded, the need for more land arose; the Government responded to these demands with land policies to allow the expansion of residential land into the forest. The land reform under the Moi regime questioned the status quo; the Government decided to fight encroachment on the forest land (Medard, 2008). The author further explains that the occupation of the entire area of cleared forest land totalling 10 10km² was legalized in 2000 and 2001. Finally, Medard (2008) notes that during this reform in Chebyuk, the Government undertook the allocation of the land itself, creating plots of 5 acres and later 2.5 acres. The interviewees noted that different politicians interpreted these policies to the local population differently by making promises of dividing land equally between the two Sabaot subtribes, the Soi and the Ndorobos or Mosop. This was noted by a respondent in Land B Kopsiro.

Politicians promised that land was to be given in terms of house to house; however, the government land policy provided that land was to be divided into 2.5 acres per family. Out of the incompatibility of political promises and Government policies, conflicts

escalated rapidly through different politicians arming the two subtribes of the Sabaot community.

The second factor is dynamics in local Politics. It is believed by residents that the 2006-2008 intra-ethnic land conflict was facilitated by the availability of arms, which were supplied by politicians vying for elective positions (The Standard, August 19, 2015). The data collected showed that guns would be leased out during the general elections so that those perceived to be against certain politicians are threatened or even killed. Leaders bought arms from Uganda to arm their supporters to fight against each other in response to the Government's land policies. The political instability in Uganda since the 1960s has majorly contributed to the influx of weapons in Mt Elgon, and by the time Uganda was stabilizing politically, the arms were already flooding Mt Elgon.

The third factor that respondents mentioned was Poverty. Localized illicit arms transfers are also a source of income (Wepundi et al, 2011). The low economic capability of the local population of both Uganda and Kenya has driven them to acquire arms to acquire wealth through the stealing of cattle. Out of this theft, the rich also acquire guns to help them protect their wealth of cattle.

The fourth factor was the availability of a ready market. The Sabaot live very close to Uganda and have ethnic ties with the Sebei, which facilitates access to the ready market to buy weapons. Guns in Uganda are cheap to acquire because the Sebei and the Bagisu still conduct barter trade for this business: one can give one big cow for a gun; therefore, it is easier to conduct this trade because each Sabaot household has cattle. A resident of Maseek in Kopsiro noted

“It is cheap and affordable to acquire a gun in Uganda because you can exchange it for cattle, and then it can be delivered by the seller at the border. Mostly, Sabaot can exchange cattle with Sebei for a gun.”

Finally, the porous border between Kenya and Uganda has contributed to this threat. The data collected showed that the Kenya-Uganda border of Mt Elgon is poorly managed because there are fewer border patrols in the forested border characterized by a mountain. Mt Elgon does not have an official border; instead, there exist informal routes that were created since the 1960s for trade and cattle raids- the population still uses these routes. These secret routes are preferred to the use of official borders in Suam and Lwakhakha because they are believed to be shorter in distance; also, there are no state officers monitoring the crossing process. It is easier to bring in large numbers of illegal weapons without the government noticing.

4.3 Poaching

Poaching is an environmental transnational security threat (Buzan, 1983) experienced in Mt Elgon. Poaching is the illegal hunting and killing of wild animals. Poaching is an environmental security threat that is affecting most African countries with natural forests. Poaching has been experienced in East Africa for a long period, as evidenced by previous authors. Poaching and the trade in endangered species threaten the hard-currency earner of tourism in East Africa (Sage, 2010). Sage (2010) notes that poaching is having a devastating impact on Africa’s environmental heritage and is even financing some militia in Central Africa’s civil wars. Moreover, despite the signing of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, and an internationally agreed trade ban dating from 1989, rising demand for ivory in East Asia has led to a spike in elephant poaching.

Kenya is one of the African countries that has experienced poaching and has instituted policies and institutions to fight poaching in different parts of the country, including Mt. Elgon; the country has deployed the Kenya Wildlife Service in affected areas. Furthermore, through the Kenyan laws, there are harsh penalties for poachers. Mt Elgon forest is home to many animals, including buffalo, hyenas, antelopes, and elephants. However, the most poached animals are elephants for their tusks and also buffalo for meat. For a long period, poaching in Mt. Elgon has always been done by the Bagisu because they were already informed of the elephant tusk business. A Kaptaboi respondent in Cheptais noted:

“In 1978, we were hunting in the forest and we found three people in the caves. Later, at a distance of about 400 metres, we met four people with guns, who then asked us about the elephants. The two of us ran back home, and the following day it was discovered by other hunters that three elephants had been killed and their tusks taken.”

This was corroborated by a Kaberwa forest guard who noted;

“In 1980 -1994, the Bagisu used to poach in Mt. Elgon Forest from Kaboywo in the east to Chebombai in Cheptais in the west. When poaching, they could kill the local community who were herding cattle in the forest. Currently, the Bagisu are still poaching buffalo and elephants close to the peak of Mt Elgon. When poachers are arrested by Kenya Wildlife Service in collaboration with Forest Guards, we take them to the police and they are repatriated to face criminal charges in their home country, Uganda.”

With the increased cases of elephant poaching of elephants and their effects on the environment, the Government of Kenya instituted policies against poaching. The Government empowered institutions such as the Kenya Wildlife Service by increasing personnel to manage elephant poaching in Mt Elgon. The data collected show that the Government institutions only implement policies on specific security threats, such as poaching, when these security threats happen frequently. Policies on the management of

certain security threats only exist in writing; however, their implementation only occurs when the threat has already produced negative effects on security. Another resident working with Forest Guards noted;

“The Bagisu came back in 2009 – 2013 to poach elephants for their tusks. The Bagisu came from Kamuu in Uganda, and whoever was buying those tusks was called the Governor, who was one of the richest Bagisu. The Bagisu came with superior guns, which made it difficult for the Kenya Wild Service to tackle them alone, and they had to be assisted by police officers. In 2012 – 2013, the Bagisu came and resided in the Mt. Elgon Forest while poaching, but they were completely removed in 2013 by Kenya’s security officers.”

Due to tough Kenyan Government policies on regulating poaching, the Bagisu created links with young men from the Sabaot community to facilitate easy poaching. This is evident from a respondent from Kipsikirok Chebyuk, noting that;

“In 2016, an elephant was killed in a place called Kaptuindo, but the Kenya Wildlife Service responded quickly and caught up with two men who were shot dead. They were later discovered to come from the Kaimugul area in Kopsiro.”

Poaching is a security threat that cannot be fully eradicated because it lacks a uniform pattern in occurrence. Thus, it is a threat that still takes place. A government official in Kongit near Kapsokwony noted:

“Elephant poaching is still ongoing in the Chesomoo area, also known as Elephant maternity, because this is where they deliver their young ones in the deep forest of Mt. Elgon. The Sabaot collaborate with the Bagisu in carrying out the poaching of Elephants whose tusks are sold in the Ugandan market. The latest attempt at poaching happened on 17th December 2022, when three elephants were shot and wounded. The Kenya Wildlife Service responded quickly and saved the elephants; however, the culprits were not arrested.”

As for the previous basis for the existence of threats, poverty is one of the factors that contribute to the continued existence of poaching. The knowledge that exists in the local population of Mt Elgon is that a single elephant tusk would make one rich easily. Based on this knowledge and interest in escaping poverty, people continue to poach elephants

despite the existence of tough penalties by the judicial system for perpetrators of this security threat.

The existence of a ready market in Uganda is also another factor in the existence of poaching. The availability of the market encourages the actors to continue with this illegal trade that threatens environmental security. As noted by respondents, the trade for elephant tusks in Uganda is easier as compared to Kenya. They argue that the Ugandan government has not been very strict on this trade; this is evident, as noted by other authors, as follows. The most trafficked wildlife product in Uganda is ivory (Costa et al, 2021). The aforementioned author notes that ivory that is trafficked through Uganda can originate in a multitude of countries. It is sourced from and transported through countries including Burundi, Mozambique, Tanzania, the Central African Republic, the Democratic Republic of the Congo, South Sudan, and Kenya. Furthermore, Costa et al (2021) state that Wildlife products that enter Uganda via a neighbouring country may have been sourced elsewhere and usually enter Uganda via unofficial border crossings. Costa et al (2021) posit that Ivory is consolidated, concealed, and transported on foot or with small vehicles or motorcycles to a border town. Furthermore, Ivory is thereafter consolidated again and transported on vehicles to Kampala. Finally, wildlife products are stored in business and private premises around Kampala and Entebbe.

Therefore, based on the data collected, the study opines that factors contributing to poaching are poverty, availability of the international market, and corruption by government officials. This was noted by a resident of Kongit.

“Most of the poachers from Mt Elgon engage in this business to earn a living, and this business is thriving because of the existing market in Uganda. These poachers understand

the secret routes to Uganda, and sometimes, when they are arrested, they bribe the security officers. Recently, poaching has been reduced because the government has increased KWS officers, and also the community has been involved in the management of elephant poaching of elephants. Community members have been given contacts of KWS officers to facilitate information on poaching, therefore, allowing a quick response.”

Other authors also note the existence of these factors contributing to poaching to include:

The increase in disposable income in East Asia, coupled with increasing economic and infrastructure links between Africa and Asia, has been implicated in rapid recent increases in elephant poaching and illicit international trade in ivory (Roz Price Institute of Development Studies 2017). Ivory is of high value per unit mass; the hunter potentially receives a highly disproportionate price, equivalent to annual earnings, from the sale of ivory from even a single animal, and prices increase all along the trade chain (Roz Price Institute of Development Studies 2017).

Corruption, the fact that wildlife contraband, especially rhino horn and elephant ivory, has been exported from Kenya only to be seized in transit or destination countries, means that wildlife traffickers can exploit security loopholes in the country’s law enforcement network (Weru, 2016).

As noted above, interviewees point out that poaching has decreased in recent years because of government intervention through security institutions and also through cooperation with the border community. This evidence is in line with the views of other authors in this area. UN General Assembly Resolution (2015) of addressing poaching in source countries (as distinct from demand in consumer states) policy commitments emphasize two broad areas: law enforcement and measures focused on communities and sustainable livelihoods (Cooney et al, 2016). The Cooney, et al (2016) argue that

increasing the benefits from conservation can be pursued through approaches such as strengthening community ownership rights and/or capacity to use, manage, and benefit from wildlife (either for subsistence or commercial purposes), including pursuing traditional cultural practices linked to wildlife, participating in Payments for Ecosystem Services (PES) schemes, securing jobs as community guards or in nature-based tourism enterprises, or strengthening cooperation and communication with conservation or wildlife management agencies. The involvement of the community in the management of wildlife is evident in Mt. Elgon, as corroborated by a respondent in Kaboywo.

“Poaching is still happening in our forests, although in smaller numbers, and those involved are rarely caught in Kenya. Most Sabaoos who engage in this business have made a fortune out of elephant poaching. Since the 1990s, elephants have been discovered to have been killed and their tusks taken. Mostly, it's the community members who go to the forest for herding and firewood collection who discover such incidents then they inform the Kenya Wildlife Service. The secrecy of elephant poaching is associated with the methods of laying silent traps for the elephant, and also, poaching is mostly done at night, deep in the forest of Mt. Elgon.”

The existence of cooperation between the community and the Government in the management of poaching is expressed from the unity in understanding this trans-border security threat. This cooperation is in line with the argument of securitization theory that Securitization cannot be imposed (Buzan, 1998). Only the audience's consent justifies the application of extraordinary measures, which include breaching regular political procedures, all to neutralize the threat (Slovic, 2010).

4.4 Illegal migration

Illegal migration is a political transnational security threat, as categorized by Buzan (1983), that is experienced in Mt Elgon. Illegal migration is the movement of people from their home country into another country without following the legal process to be allowed into a certain country. Irregular migration is limited by the fact that irregular migrants, as

such, are unregistered and often seek to be invisible to the authorities (Marchand et al. 2016)

Illegal migration is a worldwide phenomenon that has been affecting states since the establishment of states that created international borders. Illegal migration has been categorized as a security threat by the governments of most African countries, hence necessitating the creation of institutions that regulate these trans-border security threats, and Kenya is not an exception. The AU's most important frameworks on migration are the Migration Policy Framework for Africa and the Common African Position on Migration and Development, both signed in 2006 (Executive Council, 2006a; Executive Council, 2006b). The AU's Migration Policy Framework for Africa covers issues related to all forms of migration issues including issues directly or indirectly related to irregular migration (including labour migration, border management, forced displacement, and human rights); it stresses the need for a comprehensive framework for the continent to deal with these issues (Executive Council, 2006a). The Common African Position on Migration and Development contains eleven agreements of which directly or indirectly address irregular migration: The position empathizes with the need to tackle irregular migration including child trafficking to guarantee peace, security, and stability throughout the African continent; it recommended the establishment of bilateral, multilateral, regional and continental legal frameworks to address these issues (Marchand, et al 2016)

Kenya and Uganda are bound by the regional institutions that deal with immigration, whereby they regulate immigration into both countries. These institutions, such as the African Union, East African Community, and IGAD, establish the ground for bilateral and multilateral cooperation as stated by the authors above.

In Kenya, there is a Ministry of State for Immigration and Registration of Persons, which sets policies that regulate the minimum requirements for entry into the country. The Ministry has a Department of Immigration, which is a service department and an integral part of the security arm of the government under the office of the president (Kenya Anti-Corruption Commission 2006). This Department deals with the control of the entry of non-citizens in Kenya, issuing of travel documents, granting citizenship to non-Kenyans, regulating of employment of non-Kenyans, investigating and prosecuting offenses committed under immigration laws, and providing consular services (Kenya Anti-Corruption Commission 2006). Kenya also, through the constitution, sets out laws regulating immigration. The constitution of Kenya in chapter 172 (Kenya Citizenship and immigration) provides a wide definition of a prohibited immigrant to include a person whose presence in or entry into Kenya is unlawful under any written law.

Illegal migration is a socio-political security threat that is affecting Kenya in general, and Mt Elgon is one of the entry points of illegal migration. Mt. Elgon is a safe place for the population who migrate illegally into Kenya because of porous borders characterized by unregulated secret routes in the forest. The data collected shows that refugees from Ugandan camps, especially the Congolese, have run away from these camps into Kenya through Mt Elgon. Most of these refugees and Ugandans who cross into Kenya head to different places in search of employment and business opportunities. Most of the Ugandans are employed by Kenyans for minor jobs such as housekeeping; however, some are doing the hawking business, especially in markets close to Mt Elgon, including Chwele and Kimilili markets. The government official, Kopsiro sub-county, noted;

“In 2020, three Congolese were arrested along the Kopsiro - Kapsokwony route using a motorcycle, and their destination was Nairobi. They did not possess the legal documents to be in Kenya.”

The data collected showed that illegal migration majorly creates social security threats because those migrating illegally into Kenya from Uganda tend to take over job opportunities from Kenyan youths. Most of the population migrating to Mt. Elgon work for less pay; therefore, most people will prefer employing them instead of Kenyans. This was corroborated by a government official in Cheptais' location who noted;

“Youths from Uganda come to Mt. Elgon, Kenya, as labourers at a lower pay. They reside among the Sabaoth and commit crimes such as assaulting of local population and impregnating teenage girls before disappearing back into their country, Uganda.”

Also, another government official in Kapsokwony noted that;

“Some Ugandans come to reside in Mt Elgon Illegally, and this is usually facilitated by ethnic ties. Most of them come in the name of visiting a relative, and they end up residing here permanently; therefore, this has made it very difficult to arrest those migrating to Kenya illegally. The community is also highly involved in hiding illegal migrants, and most of them don't understand the law provisions for migrating into Kenya; therefore, they don't view it as a crime. We arrested one Ugandan in Kapneru in May 2023, and he was taken to court. The court ruled on 2nd June that the accused was to be escorted to the Busia immigration office for repatriation back to Uganda.”

From the data collected, the research agrees with other authors that various factors have facilitated illegal migration into the Mt Elgon region as follows. First, most illegal immigrants leave their countries for other countries in search of better-paying job opportunities to elevate their families economically. Illegal migration usually occurs from a poor country into an economically better country. Kenyan law (2011 Citizenship and Immigration Act) considers entering or residing in Kenya as a criminal offense, except for asylum seekers (Marchand et al. 2016). Marchand et al. (2016) note that, over the last years, Kenya has deported numerous irregular migrants and even sometimes refugees related to security operations. The aforementioned author further points out that Kenya is also a main transit hub for migrants from the East and Horn of Africa, mainly on the way to South Africa. Marchand et al. (2016) argue that when looking at migratory movements, Kenya is a central hub for irregular migrants in the East African region. Furthermore, it

is both a country of destination and transit for asylum seekers, refugees, and economic migrants from neighbouring countries such as Ethiopia, Somalia, and South Sudan, and other countries such as Eritrea, Sudan, the Democratic Republic of Congo, and Rwanda. Finally, Marchand et al. (2016) posit that, compared to its neighbours, Kenya is relatively well-developed and stable.

This study notes that poverty is more evident at remote borders because countries tend to forget these areas when it comes to development initiatives. Therefore, a high level of poverty for border communities may influence the level of illegal migration into the neighbouring country in search of better-paying jobs.

The less monitored borders, characterized by the existence of large forests, mountains, or large water bodies, have been a great facilitating factor for illegal migration. For instance, the Kenya–Uganda border of Mt Elgon has a huge forest and a mountain, which facilitates the creation of secret routes that illegal migrants can use. Also, people are migrating from their home countries in search of peace. African countries have experienced a lot of civil wars, hence caused insecurity to their population. Women and children flee their insecure countries into other countries without legal documents through porous borders. The respondent from Bugaa near Kapsokwony noted;

We have been living with our relatives from Uganda since the 1980s, and we could also go and reside in Uganda anytime we visit there. During conflicts in Uganda, most of our relatives lived with us in Mt. Elgon, and when we were fighting with the Bukusu in 1992, our brothers resided here when they joined us in the fight. We can access Uganda, and our relatives can also access Kenya through the routes in the forest.

The study opines that, based on the data collected, the community does not view the inter-ethnic cross-border movement as illegal. For the community, it's normal to reside on either side of both Kenya and Uganda as much as they wish. Therefore, the community has no knowledge relating to illegal migration. It is only the government officials who have knowledge of illegal migration because they are informed of cross-border migration as illegal migration due to a lack of due process for migration.

4.5 Technological Theft

Technological theft is also among the economic (Buzan, 1983) transnational crimes that affect Mt Elgon. Technological theft is the stealing of techniques, resources, or devices that offer scientific knowledge. In 2016, the government of Kenya, through the Ministry of Information, Communication, and Technology, launched a Digi-school program that entailed pupils and teachers being given tablets and laptops. Data collected shows that schools were supplied with tablets from the year 2017. Later, these tablets were targeted by a criminal group comprising Kenyans and Ugandans. The Sabaot of Kenya collaborated with the Sebei and the Bagisu of Uganda in breaking into schools and stealing tablets in Mt Elgon, Kenya, and they sold them in Bumbo in Uganda. The government official in Cheptais noted;

Since 2019, most of the primary school tablets were stolen from schools; however, in 2021, we managed to recover some with the help of the Ugandan police force. Intelligence showed that places called Bumbo and Mbale in Uganda had a ready market for tablet spare parts.

In the same vein, a Police officer in Chepkube noted;

“On July 29th, 2022, the police arrested a citizen of Uganda attempting to break into a dispensary to steal drugs. He later led police to other suspects who were citizens of Kenya.

After the arrest, the police from Kenya and Uganda cooperated in following up on the case, leading to the retrieval of drugs from a chemist and 19 school tablets from an electronic shop in Bumbo, Uganda. These goods remained in the custody of the Ugandan government because the case was now in their courts.”

Based on these findings, the study notes that the availability of a ready market and the socio-economic interaction of border communities of Kenya and Uganda facilitate the technological theft.

4.6 Trafficking of contraband goods

The trafficking of contraband goods in one of the developing economies (Buzan, 1983) poses trans-national security threats in Mt Elgon. Contraband goods refer to goods that are taken into or out of a country illegally. It also refers to items or goods that are illegal to trade, carry, or be in possession in a specific country. These goods are usually smuggled from one country to another through unrestricted borders.

Contraband goods may include goods that do not meet the quality standards of one country, those whose customs duty has not been paid, and finally, those goods that have not been certified. Mt. Elgon has been affected by this economic security threat, whereby illegal goods are smuggled through the porous borders, therefore flooding the Kenyan market and lowering the market opportunity of legal Kenyan goods.

Unaccustomed goods cross to either Uganda or Kenya when the market price is lower in one country; therefore, traders smuggle goods into the country that has a higher price.

Most contraband that is flooded in the Kenyan market comes through Mt. Elgon from Uganda, and it includes polythene bags, alcohol, cigarettes, and sugar.

The trafficking of contraband goods negatively affects the market of similar goods produced in the receiving country, and it also lowers revenue collection through customs

tax. Therefore, because the trafficking of contraband goods has negative effects on the receiving country, a country such as Kenya convinces the audience through speech, as explained by securitization theory, that it is a special issue that is then dealt with by specific institutions such as the Kenya Revenue Authority. These institutions are guided by policies that define their working environment, as explained by institutional theory. In Kenya, there are customs offices at the official border that cover the implementation of policies that regulate the importation of goods through taxes. Trafficking of contraband goods is a rapidly growing security threat that is experienced in Mt Elgon due to increased taxes on goods produced locally in Kenya. For example, a senior government official in Cheptais noted;

“The business people in Cheptais smuggle illicit brew or Chang’aa into Kenya and sell them at cheaper prices. The existence of this cheap alcohol has affected security in Cheptais because people have to steal to get money for alcohol. Most youths have engaged in shoplifting and stock theft to raise money to acquire the luxury of alcohol in Uganda.”

Also, a junior government official in Chepkube noted;

“Uganda has fewer restrictions on the production of alcohol; therefore, with high production, they tend to sell this alcohol to Kenyan markets illegally through the porous borders of Mt. Elgon. Among the major brands smuggled into Kenya are Senator, Waragi beer, and illicit brew (Chang’aa).”

Evidence suggests that the existence of trafficking of contraband goods as a security threat is associated with weak policies governing the production of certain goods in Uganda. Inadequacy in policies on production may lead to flooding of such goods, which necessitates the need for more markets in Kenya. This argument is associated with the vast availability of these items, which originate from Uganda. The data collected shows

that the leading contraband goods in Mt Elgon are alcohol, polythene bags, and cigarettes, as noted by various respondents. For example, an elder Chebwek noted;

“Illegal drugs and alcohol, such as Waragi, senator, cigarettes (super match), and rubber from Uganda are smuggled into Mt. Elgon, Kenya, using motorbikes through the Chepkube border. Smuggling at this border point has been successful because of corruption by police officers from both Uganda and Kenya.”

The findings on the flow of trans-border security threats show that various security threats have their distinct routes depending on the specific location in Mt Elgon. For instance, the developing security threats, such as the trafficking of contraband goods, flow from Bumbo in Uganda through the Chepkube border in Cheptais. After they enter Kenya, they flow through Cheptais into Kopsiro in markets such as Kipsigon and Kapkateny.

In conclusion, the transnational security threats have existed for a long period, and they have developed from the 1970s to date. However, with the institutional approach from the governments of Kenya and Uganda to mitigate their effects on security, these security threats have been reduced based on tactics used and the frequency of their occurrence.

Today, there are still transnational security threats such as the poaching of elephants for their tusks, and crimes related to guns, whereby the residents of Mt Elgon are still killing each other using guns and escaping to neighbouring Uganda, although in small numbers. Trade in contraband goods such as alcohol and polythene bags also still exists at high levels. Finally, the issue of stock theft is still there due to the available market in Uganda.

Despite the existence of institutions related to the management of trans-border security threats, these threats continue to exist. This means that they cannot be completely eradicated, hence this creates ground for continued essence of research in the area of development in institutional policies to mitigate their negative effects as they occur in

various forms and times. Their existence also provides the need for continued cooperation between Kenya and Uganda in the management of these transboundary security threats.

This chapter addressed the findings of objective one; therefore, the following chapter will focus on the findings of objectives two and three.

CHAPTER FIVE

KENYA- UGANDA COOPERATION AND THE IMPACTS

5.0 Overview of the Chapter

This chapter presents findings for objective two, which is the implementation of inter-state cooperation on mitigating security threats; it also presents findings for objective three, which is to understand the grassroots perspectives on the impact of the collaboration between the two countries. This part thus starts first with the collaboration between the governments, and the voices given here are the official ones given by the chiefs, the disciplined forces, and the high-level administrators in Mt Elgon Sub-County.

5.1 The Inter-State Institutional Cooperation

Institutional cooperation means the existence of a shared approach by institutions in addressing a shared challenge. Cooperation by institutions means working together to achieve a shared goal, for instance, states work together through regional institutions to improve trade and security. Based on institutional theory, institutional cooperation can only be facilitated by the environment in which the institution is operating. On the other hand, the effectiveness of an institution on security issues can only be successful by the ability of the actor, who is the government, to convince the audience, who are the citizens, that an issue is special and requires a unique response, as explained by securitization theory.

Kenya and Uganda are members of various regional institutions; however, their cooperation has been highly influenced by their shared membership in the East Africa Community and IGAD. The creation and membership of these regional institutions are influenced by the shared reality of trans-border security threats. This argument is in line

with an explanation of the institutional theory that institutions are created to maintain social order within a community (Scott 1987). Scott (1987) further argues that social order is based fundamentally on a shared social reality which, in turn, is a human construction, being created in social interaction. The East Africa Community has various principles in East Africa protocol on peace and security (2013), which outline the approach to various security challenges by members including cattle rustling and proliferation of small arms and light weapons. The protocol outlines various areas of cooperation between states under various articles, such as Article 2 states that states shall cooperate in peace and security matters and collaborate with international and regional organizations to promote peace and security. Article 11 talks about the control of the Proliferation of Illicit Small Arms and Light Weapons. Article 12 deals with combating Transnational and cross-border crimes, including smuggling of goods, illicit drug trafficking, illegal migration, and trade in counterfeit goods.

The East Africa Community and IGAD, through their principles as discussed in chapter two, cover the existing security threats experienced by International borders, and among them, Mt. Elgon is one of the borders that has experienced these challenges. Implementation of cooperation between states, as stated by regional institutions, is usually done through state institutions. In Mt. Elgon, Kenya, cooperation with Uganda on trans-border security issues has been done by various institutions as follows;

5.1.1 Police Cooperation

Transnational security threats experienced in Mt. Elgon include trafficking of small arms and light weapons, poaching, trans-border crimes such as selling counterfeit goods and cattle rustling, or stock theft. In both Kenya and Uganda, it is the police that deal with

most of these crimes; therefore, the Kenya-Uganda police work together to curb these security threats.

The findings show that every country has a police section called the International Police (INTERPOL) within the police service, whose mandate is to deal with international security issues. The international police or INTERPOL from Kenya and Uganda cooperate through communication to curb various security threats. The International police only respond to crimes that have affected two countries, especially when the actor has gained an international character by committing a crime in one country and escaping to another country. Usually, communication between the police of two countries is done by international police after they receive information from their national police on transnational security threats.

Findings show that, in the case of Kenya and Uganda, cooperation in the police starts with the national police collecting intelligence on specific security threats, which are then shared with the international police in Nairobi, who then share with the international police of Uganda. Once an arrest is made, the culprit is handed over to international police, who hand over the criminal to the international police of the receiving country, who hand over the criminal to the national police for judicial process. The Kenyan and Ugandan police cooperate through the sharing of intelligence on trans-border security threats. The senior police officer in Cheptais noted;

“Kenya and Uganda police work together by sharing security threat intelligence through the writing of letters and also through phone calls. If a criminal crosses the border into Uganda, the Kenyan police, through the County Police Commander, communicate with the Ugandan police, informing them of the criminal. The Ugandan police will then carry out an intelligence arrest of the criminal and bring him or her up to the Lwakhakha border or Suam border so that the Kenyan police can go and pick up the culprit.”

Additionally, the findings show that the police have various levels of communication, which is usually determined by the impact of trans-border security threats on national security. This communication can stop at a certain level if the trans-border security threat can be addressed at the lower level of police administration. However, the chain of communication is usually complete if the trans-border security threat is threatening Kenyan national security directly. The Kopsiro senior police officer noted;

“Usually, communication on trans-border security threats starts from the Department of Crime in a police station, and proceeds to the ward police commanders. Then it goes to the sub-county police commander, the county police commander, the regional police commander, the deputy inspector general, and finally to the inspector general. It is at this level that the Inspector General can communicate to the Uganda Inspector General on the existing trans-border security threats that require a joint response.”

5.1.2: Police Cooperation between Kenya and Uganda

The data in this table is generated from the data collected on Kenya-Uganda police cooperation.

Table 5.1: Police Cooperation between Kenya and Uganda

Year	Category of trans-national security threat as per securitization theory (Buzan 1983)	Trans-national security incident	Approach	Outcome
July 2022	Economic trans-national security threat	School tablets and medicines were stolen from Kenya and taken to Uganda	Cooperation between Kenya and Uganda police	19 school tablets and medicine were retrieved from the perpetrators
June 2023	Political trans-national security threat	The illegal migrant was arrested in Kapsokwony and taken to court	Cooperation between Kenya and Uganda police	The court ruled that the migrant to be escorted back to his country Uganda. The migrant was escorted to the Busia immigration office for repatriation back to Uganda

According to the data collected, police cooperation between Kenya and Uganda typically occurs through electronic or written communication. They are responsible for investigating and arresting perpetrators of transnational crimes.

5.1.3 Administrative Cooperation

Kenya and Uganda also cooperate through administrative institutions. It is these institutions, through their representatives, that determine the strategies to be undertaken to implement policies that address the various security threats, including poaching and illegal trade affecting the shared border. For instance, various institutions can cooperate

with the police in curbing specific security threats: both the Kenya Revenue Authority and the Ugandan Revenue Authority can give knowledge to the police officers about goods for which customs duties have not been paid. Moreover, the Kenya Bureau of Standards can determine the quality of goods that have been caught being sold in Kenya illegally. The Kenyan government, through its institutions, can write to Uganda informing them of the regulation of certain security issues, such as poaching, stock theft, counterfeit goods such as alcohol and polythene bags, and illegal migration. Senior government official of Mt. Elgon pointed out that,

“There exists the Kenya-Uganda trans-border security committee, which holds meetings once every year in different areas bordering the border, including Busia, Lwakhakha, or Cheptais sub-county in Mt Elgon. Members of the security committee meet to discuss the state of security in the trans-borderland and come up with the best policy approach to mitigate the existing trans-border security threats. This meeting is organized by foreign affairs offices in Nairobi, who first receive communication on the state of security from the County Commissioner, who is also informed about security by the Assistant County Commissioner of various Sub-counties.”

The respondent further notes that;

“The members present for the meeting from both countries depend on the level of security threats existing. However, members who are always present on the Kenyan side are the Department of Immigration, Kenya Revenue Authority, Ministry of Agriculture and Livestock, county commissioner, county police commander, and sub-county security committee composed of DCC, NIS, DCIO, Kenya Wildlife Service, and sub-county police commanders. For Uganda, they are always represented by leadership from districts such as Mbale, Serere, and Kween Districts and counties. If the issue of a security threat is major, then the Ministry of Foreign Affairs of both states will be present. The secretariat, which is made up of the Ministry of Foreign Affairs and the Ministry of Interior, usually takes minutes, and they do the interstate minutes exchange with the secretariat of Uganda. These meetings are hosted on the borders of both countries, but I have managed to attend one that was held in Mbale in March 2023. The issues discussed were issues of the general state of security at the border.”

There are joint cross-border commissioners or administrator committees between Ethiopia and Kenya, Kenya and Uganda (National Policy on Peacebuilding and Conflict Management 2011). This is evident whereby Kenya and Uganda have annual joint security meetings at the border. The meeting is meant to discuss emerging security issues on the shared border and also strategize on how to boost cooperation between Kenya and Uganda security institutions. The Chepkube retired government official noted;

“I attended the annual security committee meeting between Kenya and Uganda in 2016 and 2018 as the Chief of the Chepkube location. In both the 2016 and 2018 meetings, Kenya was represented by the DCC Cheptais, officials from KRA, Chief Chepkube, the national intelligence service, police officers, and border communities. Whereas Uganda was represented by three local Councils, Namusindwe District, LC1 Sonoo, LC1 Bukokho, LC2 Bumbo sub-county, Resident District Commissioner of Manafwa District, and the local border community. The common issues of concern that were discussed were: first creation of public awareness of the need for border communities to use the accepted entry and exit point of the Chepkube border bridge. Secondly, it was about the control of the establishment of illegal routes and bridges across the Lwakhakha River in Chepkube. Thirdly, the management of the flow of contraband goods from Uganda into Kenya. Finally, a discussion on the need for the governments of both countries to open an official border in Chepkube.”

These meetings also inform the concerned members of the existing and developing institutional policies in the management of trans-border security. A senior government official in Kopsiro noted;

“Kenya and Uganda conduct a security meeting once every year at the official border of Lwakhakha or the unofficial border of Chepkube in Cheptais. This meeting is done by a security committee that comprises of Deputy County Commissioner, the county and sub-county police commander, the sub-county critical infrastructure protection unit, National Intelligence Service, the forest department, Kenya Revenue Authority (KRA), Kenya Defense Force representative, and chiefs from the Kenyan side. Uganda also comes with its official representatives, including security officers, local councils of districts, counties, sub-counties, and chiefs. This monthly meeting is for discussion on security issues affecting both the Kenya–Uganda border and the proposed best approaches in cooperation on the management of security challenges.”

The findings showed that security meetings are conducted at least once every year, but when the need arises, the meeting can be held twice annually. The meetings allow the members to present a report on border issues, especially relations between Kenya – Uganda institutions and security threats, including trans-border crimes.

Table 5.2: Trans-Border Security Committee 2016-2022

The data in this table is generated from the findings of the research objective two.

Date	Informant	Venue	Participants	Issues of concern
October 2016	Retired chief Chepkube	Walanga Chepkube	Deputy County Commissioner Cheptais, Kenya Revenue Authority (customs and border control department), chief Chepkube, national intelligence service, and border community. Uganda was represented by the Local council of three Namusindwe Districts, LC1 Sonoo, LC1 Bukokho, and the border community	Creating public awareness of the accepted border entry and exit, that is Chepkube. They advised the community not to create illegal bridges. Addressing the rising flow of contraband goods from Uganda into Kenya.
March 2018	Retired chief Chepkube	Chepkube Bridge border point	Deputy County Commissioner Cheptais, Kenya Revenue Authority (customs and Border control department), chief Chepkube, National Intelligence Service, police officers, and border community. Uganda was represented by LC2 Bumbo, LC1	Proposal for both Kenya and Uganda to open an official border at Chepkube. Sensitization of the community on increased creation of

			Sonoo, LC1 Bunjoosi and border community	illegal routes and bridges. Discussion on increased smuggling of contraband goods.
April 2020	Elder Chebweek Cheptais	Kamosong Primary school-Cheptais sub-county in Kenya	Assistant County Commissioner Cheptais, chiefs, security officers, the border community on the Kenyan side, and District commissioner of Manafwa, local council one Sonoo, and the local border community of Uganda held a cross-border security meeting	Lack of cooperation on the Ugandan side on issues of stock theft
April 2022	Sub-county Police commander Kopsiro	Chepkube border	Assistant county commissioner Cheptais, chiefs, Kenya revenue authority, security officers including national intelligence service on the Kenyan side and district commissioner of Manafwa, chiefs, Uganda revenue authority and local council one Bukokho.	Both Kenya and Uganda discussed the development of illegal bridges created by border communities, and the flow of contraband goods from Uganda into Kenya

Table 5.1.3.1 shows the various transnational security meetings that have been held in previous years. It can be noted that this meeting seeks to improve security at the Mt. Elgon Kenya-Uganda border. However, achieving this security fully relies on cooperation between the various institutions of the two governments and the coexistence of the two border communities. A government official noted;

“In April 2020, Assistant County Commissioner Cheptais and the District Commissioner of Manafwa, Uganda, held a meeting at Kamosong Primary School in Cheptais, Kenya. The meeting was for Kenya to launch a complaint for non-cooperation from the Ugandan side on issues of stock theft. Kenya informed Uganda that they were not helping enough in arresting criminals stealing cattle from Kenya; therefore, it was hard to retrieve stolen cattle. This meeting improved cooperation whereby Kenya could report their stolen cattle to their police station, they will then be given a letter from the county or assistant county commissioner, and the county or sub-county police commander. This letter would allow Kenyans to cross into Uganda in search of their cattle after presenting it to the Ugandan police, who will write a letter to the chiefs in that area to help Kenyans in search of their lost cattle.”

The existence of interstate cooperation on trans-border security threats has produced various outcomes for the community through the Government. Based on the data collected, institutional interstate cooperation on issues of trans-border security threats is a phenomenon that has been there and is still growing based on the approach used in Mt. Elgon. The knowledge of the existence of institutional cooperation between Kenya and Uganda on the management of transnational security threats is little known by the residents.

However, few residents interact closely with security institutions; therefore, they possess knowledge of the existence of this cooperation. More knowledge lies with the politicians and government officials representing institutions of interstate cooperation. The existing evidence shows that interstate institutional cooperation has achieved some success in addressing transnational security threats, including arms trafficking, smuggling of goods, poaching, and stock theft. Therefore, having dealt with the institutions of cooperation on transnational security threats, the next section will focus on the impact of institutional cooperation based on the local context.

5.2 Impact of Kenya- Uganda interstate management of transnational security threats on the grassroots of Mt Elgon

The cooperation between the institutions of Kenya and Uganda has achieved some of the intended goals of curbing transnational security threats. The respondents noted various successes of institutional cooperation as follows;

The cooperation between the national police services of both Kenya and Uganda has led to a reduction in trans-border security threats. For instance, cooperation in the pursuit and arrest of culprits of cattle raids has significantly reduced the security threat of stock theft. The existence of police cooperation made it difficult for this security threat to prevail, hence leading to its reduction, as noted government official in Cheptoror.

“During the 1970s to 1990s, cattle raids were high in Mt Elgon because Uganda didn’t have a stable government; therefore, they did not put any effort into curbing cattle raids that were carried out by Bagisu and Sebei. However, after they had a stable government, there were significant efforts in cooperation between Ugandan and Kenyan police to address this security threat, therefore leading to the eradication of cattle raids. Today, if our cattle are stolen and taken to Uganda, the police of Uganda help us in finding the cattle and then return them to us at a fee ranging from 10000-15000 per cow, depending on the size of the cow.”

Cooperation between the Kenya Revenue Authority and Uganda Revenue Authority with the police has led to market security of locally produced goods and export goods. The implementation of regulations relating to the movement of goods from one country to another has significantly improved the trade of the local community in Mt Elgon. These regulations have provided market security for similar goods, therefore promoting economic growth through trade in Mt Elgon, as noted by the government official of Kopsiro.

“Both the national revenue authority of Kenya and Uganda, in collaboration with the national police service, have efficiently implemented regulation of the flow of goods into the markets of the two countries. Regulation by these institutions has reduced the smuggling of goods from one country to another, hence protecting the market of similar goods in both countries. This control has protected the local traders of the same nationally produced goods.”

Cooperation through the administrative institutions of both Uganda and Kenya has also improved security in Mt Elgon. Uganda administration, through chiefs of sub-counties, parishes, and villages, cooperates with the Kenyan administration, which comprises of Deputy County Commissioner, Assistant County Commissioner, chiefs, and assistant chiefs. Cooperation through the annual security meetings, comprising administration and security personnel of both countries, has improved response and policy approach to transnational security threats. Therefore, this cooperation has succeeded in reducing various transnational security threats, hence improving the security of residents of Mt Elgon. Among the reduced trans-border security threats are the trafficking of small arms and light weapons, stock theft, and poaching. In conclusion, institutional cooperation has achieved significant success in addressing transnational security threats, as noted by the police officer Kopsiro.

“Currently, the institutional cooperation between Kenya and Uganda on trans-border security threats in Mt Elgon is excellent. Through annual security committee meetings, there has been continued improvement in transnational security policy implementation. Through this cooperation, I believe we are on the right path to achieving the complete eradication of trans-border security threats and restoring maximum peace to the residents of Mt. Elgon.”

Despite cooperation between Kenya and Uganda being successful in improving security in Mt. Elgon, it has also experienced some challenges, especially in the implementation of policies against transnational security threats. The findings show that cooperation has had its fair share of challenges in the implementation of security policies, as noted below;

First, a common challenge to institutional cooperation in the management of transnational security threats is the national interest. Different political leadership of both Kenya and Uganda promotes varied national interests, which in some instances may be incompatible, therefore causing strained relations. Sometimes, states may align their national interest with protecting their citizens, hence this will limit institutional cooperation in resolving trans-border crimes. The respondents posit that since the independence of the two countries, different heads of government have shown varied interest in cooperation in the Management of trans-border security threats. This is noted by a respondent from Bondeni village, Chebyuk center, as follows;

“Trans-border security threats were high in Mt Elgon from the 1960s to the early 1980s due to the unstable government in Uganda. The existing presidents then did not prioritize interest in controlling their citizens on the interaction of the border. Furthermore, the Government of Kenya then did not consider the existing trans-border security threats in Mt Elgon as an issue that needed their institutional policy response.”

This evidence shows that a lack of government interest in certain security issues through national interest can always influence policy formulation and implementation on certain security issues.

Secondly, the existence of competition between ideas on state sovereignty and territorial integrity of a state, and interstate cooperation has made it difficult for inter-state institutional cooperation to be implemented fully. Inter-state cooperation has the elements of reducing implementation of provisions on ideals of state sovereignty and territorial integrity; therefore, these two agendas keep competing, and this has created a huge challenge for states to establish a balance between the two. The existence of these common international ideals has proved to be a challenge in the implementation of inter-

state institutional cooperation policies. For instance, the residence of Bondeni Chebyuk further notes that:

“If our cattle are stolen, there are long procedures for us to be allowed to go into Uganda to look for our cattle. We have to wait until the Government of Kenya, through the County Commissioner, communicates with the Regional Commissioner of Uganda before authority is given to us to access Uganda.”

Although Kenya–Uganda cooperation may have existing challenges that may hinder its impacts on security in Mt. Elgon, there also exist factors that sustain this cooperation. The existence of transnational security threats suggests that institutional cooperation between Kenya and Uganda is a phenomenon that is there to grow for various reasons; as follows: first, the geographical location: Kenya and Uganda share a boundary, therefore interaction through policies is paramount. Their geographical location has placed them to share natural features such as the forest and Mt Elgon, which exist in both countries. The existence of such features suggests that the two countries share common problems; therefore, this will always necessitate a common approach through cooperation.

Secondly, the shared ethnic ties; both Kenya and Uganda have some similar ethnic groups, for instance, in Mt Elgon, there exist Sabaot in Kenya and Sebei in Uganda. The existence of ethnic ties means that there is a social and cultural interaction between Kenya and Uganda; therefore, this will always bring the two countries together. The Ugandan world-beating athletes are Sebei, and the Sebei, as already stated, are part of the Sabaot. The Kalenjin are officially recognized as an ethnic group in Kenya that contains 11 sub-ethnic groups (Imbuye, 2016). The Sabaot is officially listed in Kenya as containing six other ethnic groups (Smilak & Putnam 2022). Smilak & Putnam (2022) posit that, of these six Sabaot sub-ethnic groups, one is called the Sebei. The aforementioned authors note

that, when the British drew the Kenya/Uganda border, they cut through this Kalenjin people group, thus isolating one of its members: the Sebei.

Thirdly, the presence of regional institutions: the existence of regional institutions, such as the East Africa Community, provides a fertile ground for institutional cooperation between Kenya and Uganda. Both Kenya and Uganda are members of the East African Community, which has common policies for members on various issues, including social, economic, and political. For instance, this regional organization has provisions for the cooperation of States on certain trans-border security issues such as cattle rustling and the proliferation of small arms and Light weapons, as shown in the previous chapter on institutional cooperation.

Fourthly, there are the international norms, which are shared acceptable behaviours by states. International norms are collective expectations for the proper behaviour of actors with a given identity (Katzentein1996 in Shannon, 2017). International norms such as respect for state sovereignty and territorial integrity define access to another country. Therefore, to address this limitation created by these norms, states have to continuously cooperate to achieve their domestic peace and security.

Lastly, the existence of politics and domestic politics provides the ground for cooperation between the governments of Kenya and Uganda. Politics allows the election of leaders who are obliged to ensure that the state observes various regional and international policies towards the security of a country and sometimes good neighbourliness. Politics may also push a leader to consider a certain issue of security concern as important, hence demanding for special response, and therefore facilitating cooperation between states.

In conclusion, this chapter has covered the institutional cooperation and impacts that exist in Mt. Elgon transnational borderland. The data collected shows that there exist only two institutions that Kenya and Uganda cooperate through in Mt. Elgon. The two countries cooperate through the administrative and police institutions. The data also shows that Kenya-Uganda cooperation in Mt. Elgon is a phenomenon that has been there and it continues to exist due to factors such as geographic location, the shared ethnic ties, regional institutions, and the existence of international norms. In relation to the impacts of Kenya-Uganda cooperation from the grassroots perspective, the findings show that cooperation has been effective in reducing transnational security threats. Finally, the data also noted that interstate cooperation between Kenya and Uganda also faces challenges. Among the challenges perceived to exist against cooperation are the national interest and the supremacy of the constitution. Therefore, having covered all objectives, the next chapter will entail a summary of the findings, discussion, conclusion, and recommendations.

CHAPTER SIX

SUMMARY OF FINDINGS; DISCUSSION, CONCLUSION AND RECOMMENDATIONS

6.0 Overview

This chapter presents the summary, discussion, and conclusion derived from the findings of the study, which was the Kenya-Uganda cooperation in the management of transnational security threats. It also provides recommendations that can be pursued by the government of Kenya in curbing security threats experienced in Mt Elgon.

The study was conducted in Mt Elgon, Kenya, and respondents were residents and government officials. The qualitative data were collected using interviews and focus group discussions, which facilitated a deep understanding of transnational security threats. Therefore, the collection of a wide range of data provided a ground to make a clear summary, discussion, and conclusion with the right recommendations.

6.1 Summary

The findings of the study established that Mt Elgon has experienced transnational security threats since the 1960s to date. There have been developments of new transnational security threats, including the trafficking of contraband goods and technological theft. The existence and development of transnational security threats in Mt. Elgon is facilitated by the existence of the Mountain, the forest, and ethnic ties that are transnational in nature. The existence of security threats such as poaching, arms trafficking, and cattle rustling increased from the 1960s to 2009; however, these threats started declining from 2009 to date. Within this period, there have been fewer incidences of these transnational threats. The decrease in these transnational security threats has been attributed to interstate

cooperation between Kenya and Uganda in curbing their negative effects. Both Kenya and Uganda, through their national institutions such as administrative institutions and police services, have implemented policies from the East African community on curbing transnational security threats such as cattle rustling and proliferation of small arms and light weapons.

The findings also show that, in promoting cooperation, Kenya and Uganda have a security committee that conducts security meetings annually in both Kenya and Uganda to monitor the implementation of security policies and discuss rising security threats. The security committee is composed of administrators such as Deputy County Commissioners, representatives of security personnel, including police officers, and the Kenyan Defense Forces on the Kenyan side. Uganda also has its members, which comprise administrators from the counties and Districts and security personnel. Finally, the findings show that the Sabaot community uses metaphors that describe the forest as their home and that the forest is theirs. They also liken the forest to a secret because of the possession of hidden treasures it possesses, including wild animals, honey, and the various illegal activities that happen in the forest.

6.2 Discussions

Mt. Elgon transnational borderland, discursively constituted as an area of security threats.

The existence and management of the transnational security threats marry well with the theories of the study. For instance, as guided by securitization theory on phases and stages of securitizing an issue, the government institution is guided by this approach. For instance, security issues such as the proliferation of arms and poaching usually acquire special responses when the government categorizes them as security issues. The

government, to securitize the transnational threats, has established institutions guided by institutional theory, such as administrative and security institutions, which establish policies to approach the various transnational security threats.

The discourse of securitization, describing poaching, illegal migration, trafficking of contraband goods, technological theft, and proliferation of small arms and light weapons as a security threat towards the local community of Mt Elgon, is, however, highly present among my sample. This suggests that the process of securitization exists within the context of fears toward national security.

The findings of the study show that there are major contributing factors to the existence of transnational security threats and challenges in their management. Among these factors is the existence of a forest, which acts as a motivating factor for actors to easily conduct these security threats. This finding goes in line with what other researchers have noted, that forest usage is often used for both defense and offense (Olaniyan, 2018). The key to understanding the persistence of violence is deciphering the relationship between human communities and physical terrain (McEroe, 2012).

Another factor is the porous border, which is occasioned by fewer security personnel to patrol the border line and poor accessibility, which limits the existing security personnel from fully controlling the border. Lastly are inter-ethnic ties and intermarriages, whereby the Sabaot have ethnic ties with the Sebei in Uganda, and this has continuously contributed to the flow of transnational security threats such as the smuggling of small arms and light weapons. The existence of intermarriages between Sabaot and Bagisu has also promoted the existence of transnational security threats, such as cattle rustling or stock theft. The Sabaot cooperated with the Sebei and Bagisu in carrying out the existing

transnational security threats through the illegal trade of small arms and light weapons, elephant tusks, cattle, and contraband goods. These findings on ethnic ties and shared geographical location agree with findings from other researchers, which state that, historically, Elgon was inhabited by two main groups of indigenous people. The dryer northern and eastern parts by the Sebei (in Uganda)/Sabaot (in Kenya), a semi-pastoral Nilotic group, and the more fertile southern/western parts by the Bagisu, a Bantu agricultural group (Roscoe, 1924 in Petursson, et al. (2013)).

Securitization of transnational security threats is evident through the existence of institutions of security in Mt Elgon. The findings revealed that the government of Kenya has securitized these threats by improving security institutions, including building a Kenya Defense Force camp in response to the insecurity created by the proliferation of small arms and light weapons. The findings also showed that in an effort to securitize the trafficking of small arms and light weapons, trade in contraband goods, and cattle theft, the government established the Chepkube Police station in 1994.

In response to poaching, the Government of Kenya, through its judicial system, passed tough laws with serious consequences for those caught poaching in Mt Elgon forest. The government of Kenya, in response to securitizing poaching, also strengthened the Kenya Wildlife Service by building the Kenya Wildlife camp in Kaberwa and deploying more security personnel to this area.

Institutional cooperation on transnational security threats in Mt. Elgon

The government's efforts to securitize the existing transnational security threats in Mt. Elgon have led to interesting results, whereby it has improved interstate cooperation through institutions. Cooperation between Kenya and Uganda has been pursued to

enhance the management of transnational security threats. These efforts by the two countries go in line with the argument of previous researchers that transnational security threats are better managed by a concerted effort by several states, as individual states alone cannot overcome such threats and maintain security through traditional foreign policy and military tools (Kassaw, 2018).

Therefore, governments of Kenya and Uganda have cooperated through institutions such as the international police service, whereby they have shared intelligence and effected the arrest of actors of these security threats. They have also cooperated through administrative institutions, which conduct security meetings annually. This finding confirms the provisions of the existence of security committees as noted by existing documents that, In particular, there are joint cross-border commissioners/administrators committees between Ethiopia and Kenya, and between Kenya and Uganda (National Policy on Peacebuilding and Conflict Management, 2011)

Interstate cooperation has proved the evidence of respect for state sovereignty through respecting the domestic laws of one country regarding the regulation of specific acts that are considered illegal. The respect of state sovereignty is the implementation of the definition referred to by other researchers that the Westphalian treaty promotes sovereignty, the legal doctrine that no higher authority stands above the state, except that to which the state voluntarily assents, and that all sovereign states possess the same rights and duties (Vaughan, 2011). The countries have portrayed respect for state sovereignty by arresting actors of transnational security threats and repatriating them to their home countries to be prosecuted. The idea of territorial integrity has also been respected through the interstate procedures of communication in pursuing actors of transnational security

threats. The police of Kenya and Uganda have a defined channel of communication with the neighbouring Uganda to effect the arrest of a transnational criminal.

Impact of interstate Cooperation from the grassroots perspectives in Mt. Elgon

Based on the responses from the local population of Mt. Elgon, cooperation between Kenya and Uganda has led to achieving security in Mt. Elgon transnational border. This is evident with the decreasing level of transnational security threats from 2009 to date. The achievement of security in Mt. Elgon is in line with the definition of the goals of cross border cooperation as defined by other researchers that; cross-border cooperation can be defined in terms of political projects carried out by the state and to an extent sector actors that seek to extract benefits from joint activities in various economic, social, environmental, and political fields (Scott 2015).

Findings from the study showed that cooperation between Kenya and Uganda has improved trade security because the smuggling of goods has reduced. Cooperation between the Kenya Revenue Authority and Uganda Revenue Authority with the police has led to market security of locally produced goods and export goods.

The findings show that with the existence of institutional cooperation in Mt. Elgon transnational borderland, the local knowledge about transnational security threats has greatly improved. With the existence of institutions on security, the community is gaining knowledge about these transnational security threats, their effects, and the repercussions that come with them. This knowledge is what has facilitated community cooperation with the police on intelligence about transnational security threats in Mt. Elgon. This observation is in line with what other authors have noted that border security

can be established and sustained only with the support of border populations (Lean et al, 2016).

In conclusion, the findings on various transnational security threats and institutional cooperation speak for the basic tenets of institutional and securitization theories. The existence of institutions of cooperation brings out the provisions of institutional theory, which includes the actors of the institutions and the environment it operates in. On the other hand, the existence of security threats speaks for securitization theory, especially on the categorization of security threats and the approach to security threats by the government. The corroboration of the findings with the existing literature established the ethics of confirmability in research methodology. The voices of the respondents also brought out the qualitative nature of the research through the use of interviews and Focus Group Discussions as methods of data collection.

6.3 Conclusion

This thesis aimed to answer the question of how Mt. Elgon's transnational borderland is discursively constituted as an area of security threats, which institutions of cooperation have been operationalized to deal with transnational security threats, and what is the Impact of interstate Cooperation from the grassroots perspectives in Mt. Elgon. Based on the literature review, the idea of interstate cooperation on security issues has been promoted by regional institutions such as the East African Community and Intergovernmental Authority on Development. However, based on the findings in the field, there have never been projects or any policy initiatives on security promotion that are actively implemented by regional institutions in Mt Elgon. Neither is the local administration and population aware of any interstate cooperation policy established by

these regional institutions. Therefore, it is clear that regional institutions only set policies that are to be streamlined into the national security laws of a country for implementation. Therefore, this study concludes that there exist transnational security threats in Mt. Elgon, and this is highly influenced by the shared Kenya–Uganda border. The closeness of Mt Elgon to international borders may explain the persistence of these security threats over the years despite government intervention. The securitization of various transnational security threats in Mt Elgon is a highly complex process, with the influence of shared border practices and inadequate implementation of institutional policies. These are very interesting aspects to discuss further, as the issue of trans-border security threats characterizes the relationship between Kenya and Uganda.

6.4 Recommendations

The study revealed the development of transnational security threats and the existence of Kenya-Uganda cooperation in the management of these threats through administrative and security institutions. Although there exists cooperation in the management of these threats, the institutions have not achieved maximum results in curbing various security threats, such as poaching, stock theft, trafficking of contraband goods, and small arms and light weapons. Therefore, the study recommends that both governments of Kenya and Uganda should establish clear policies that guide their cooperation on issues of transnational security. Furthermore, the study makes the following recommendations for the government of Kenya;

Strengthen intelligence; the government should empower community members who give vital information relating to trans-border security. Forest informants feel that the government is not giving any incentives to them, yet they are the ones who have spent

most of their lives deep in the Mt Elgon forest, and they give intelligence on security threats such as poaching and arms trafficking.

To strengthen security institutions, the government should enhance and ensure the full implementation of policies that guide the conduct of various security departments in curbing trans-border security threats. The government should also increase the number of security personnel to facilitate efficient border patrols to reduce the flow of trans-border security threats. Furthermore, when recruiting Kenyan reserve officers, they should consider how well the person is informed about the area. Finally, the institution's response department should be strengthened by the government to allow it to respond quickly to intelligence on trans-border security threats.

The judicial system should apply harsh penalties on actors of trans-border security threats to deter other community members from committing similar crimes.

The government should improve communication and accessibility. Mt Elgon is characterized by a poor network in terms of communication and accessibility because of its terrain, whereby has hills and valleys. There are poor roads and networks in the forest and along the border, therefore limiting timely response to security threats. Therefore, the government should open up more roads across the border and improve networks for telecommunication to enhance the response by security officers.

The government should promote education through affordability; this will increase literacy levels and improve understanding of the law and the negative effects of engaging in transnational security threats, such as the smuggling of small arms and light weapons and poaching. When an individual is informed of the effects, then the perception of the community will change positively, and this will reduce trans-border security threats.

The government to promote community-based organizations and programs to improve relations between community members and the government. This will improve cooperation in the sharing of intelligence about trans-border security threats.

The government to institute policies against transnational security threats at the grassroots. The government should conduct public awareness on the existence of these trans-border security threats to inform the community of their effects and their role in contributing to bringing down their negative effects. Implementation of policies against trans-national security threats such as poaching, transnational crimes, and trafficking of small arms and light weapons should be done at the grassroots level to enhance their effectiveness.

The government should open a customs office in Mt Elgon to facilitate easy border operations in Mt Elgon. The existence of a custom office will facilitate timely security committee meetings and lower travel costs for those whose cattle are retrieved from Uganda. The custom office will also improve interstate trade in Mt Elgon and reduce illegal trade because of the existence of strict regulations at the legal border.

Curb corruption; the government should institute tough measures to regulate corruption by police officers at the border crossing points. Corruption is one of the factors that has made it difficult to address transnational security threats. Community members blame the police officers and the Kenya Wildlife Service officers for taking bribes and turning a blind eye to these transnational security threats.

The implementation of this recommendation can highly influence the success in curbing transnational security threats and also improve cooperation between Kenya and Uganda.

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APPENDICES

Appendix I: Introduction Letter

Dear participant,

I am conducting a study titled "Kenya- Uganda cooperation in management of security threats in Mt. Elgon transnational borderlands." The completion of this research will achieve the partial fulfilment of the award of Master degree in International Relations from Moi University. I humbly request for your consent to participate in the filling of the given questionnaires. The data from the survey will be used solely for this study and no other parties will be given access to the information collected. Kindly, do not write your personal details on the questionnaire. I hereby, request you to create some of your time to answer the questions in this questionnaire. Thank you in advance, I look forward for your co-operation and assistance.

Yours sincerely,



Irine Chebet Sikirio

APPENDIX II: CONSENT FORM

I have read and understood the information on the research project and the study has been explained clearly to me by the researcher.

I do understand that my participation in this study is voluntarily and I can pull out anytime. I confirm that I had an opportunity to ask question and the researcher answered all questions regarding the research to my satisfaction.

I authorize the use of my records, any information and findings found during the course of this study for education and publication.

I voluntarily agree to participate in this research program

- Yes
- No

I understand that I will be given a copy of this signed consent form

Name of participant.....

Signature

Person obtaining consent.....

Signature

Appendix III : CONFIDENTIALITY CLAUSE:

The responses you provide will solely be used for academic purposes and will be strictly confidential. (Kindly Tick appropriately within the brackets)

SECTION A: DEMOGRAPHIC DATA

1. What is your gender
 - a) Male ()
 - b) Female ()
2. What is your position?
 - a) Community member ()
 - b) Government official ()
3. What is your highest academic qualification?
 - a) Secondary ()
 - b) College ()
 - c) Graduate ()
 - d) Post Graduate ()
4. What is your age bracket?
 - a) Below 18 years ()
 - b) 18-30 ()
 - c) 31-40 ()
 - d) 41-50 ()
 - e) 50 years and above

5. How long have you stayed in the study area?

a) Less than 1 year ()

b) 1 to 5 years ()

c) 6 to 10 years ()

d) 10 to 20 years ()

e) more than 20 years ()

APPENDIX IV: INTERVIEW GUIDE FOR COMMUNITY MEMBERS AND GOVERNMENT OFFICIALS

This interview guide is meant to gather information on transnational security threats, institutional policies that exist and their impact on the community members living along Mt. Elgon borderland.

Discursive construction of threats in Mt. Elgon transnational borderland

How has been your experience with security while living in Mt. Elgon?

Which border security threats have you experienced as a resident of Mount Elgon trans-borderland?

How have trans-border security threats affected your daily life?

What are the factors that contribute to existence and development of trans-border security threats?

Who are the actors in carrying out trans-border security threats?

What metaphors are used to describe the various security threats in Mt Elgon?

The presence of legal, policy and institutional framework on transnational threats in Mount Elgon.

What legal instruments are used?

What policy and institutional framework is used in the area?

Which informal rules, policies and institutions are used in the area?

How effective are all these? Are there gaps?

The nature of interstate cooperation in management of transnational threats in Mount Elgon.

What joint mechanisms are the governments of Kenya and Uganda using to manage border security threats?

To what extent has cooperation in management of trans-border security threats been achieved between Kenya and Uganda?

What are the challenges facing cooperation between Kenya and Uganda on management of trans-border security threats?

Which case study exists here?

Focus Group Discussion guide

What is the state of relations between Kenya and Uganda?

Comment on management of trans-border threats between Kenya and Uganda?

Are the governments of Kenya and Uganda doing enough on addressing trans-border security threats?

In your opinion, do you think trans-border security threats can be managed effectively?

What best approaches can the government use to curb trans-border security threats?

APPENDIX V : The picture of the exit and entrance point to Uganda at Mt Elgon forest



Cheesuuii-Exit/Entrance Point to Kenya- Uganda



APPENDIX VI: The Chepkube Border Bridge



Appendix VIII: Research Permit

Permit from Kenya's National Commission for Science, Technology and Innovation

 REPUBLIC OF KENYA	 NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY & INNOVATION
Ref No: 582006	Date of Issue: 01/November/2022
RESEARCH LICENSE	
	
<p>This is to Certify that Miss.. Irine Sikirio Sikirio of Moi University, has been licensed to conduct research as per the provision of the Science, Technology and Innovation Act, 2013 (Rev.2014) in Bungoma on the topic: KENYA- UGANDA COOPERATION IN MANAGEMENT OF TRANSNATIONAL SECURITY THREATS IN THE MT. ELGON BORDERLANDS for the period ending : 01/November/2023.</p>	
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Appendix IX: Plagiarism Awareness Certificate



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PLAGIARISM AWARENESS CERTIFICATE

This certificate is awarded to

IRINE CHEBET SIKIRIO

Kesra105/0068/2021

In recognition for passing the University's plagiarism

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Word count: 34851

Awarded by

Prof. Anne Syomwene Kisilu

CERM-ESA Project Leader Date: 26/09/2024