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The Nexus between Land Tenure System & Household Livelihoods:

A Review of Pre-colonial Period to Post Adjudication Period
Among the Abatsotso Community of Kakamega County

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Abstract

This article offers a comprehensive exploration of the evolution of land tenure systems, spanning from the pre-colonial period through the post-independence and adjudication eras. It delves into the intricacies of communal land tenure and sustainable resource management practices prevalent in the pre-colonial era, emphasizing their role in supporting household livelihoods. Transitioning into the colonial period, it examines the disruptive impact of economic dependency and social-cultural upheaval on household livelihoods. Moreover, it elucidates the ongoing challenges faced by communities, including land disputes, fragmentation, economic vulnerability, and the escalating threats of climate change and environmental degradation. The data was informed by Critical Social Conflict Theory which served as the study's compass, with Becker's new household economic theory serving as a complement. Additionally, since the initial study was qualitative in nature, it adopted historical research design. On top of that, convenience and snowball sampling was used to reach the respondents. In its findings, it established that, the fragmentation of communal lands and the introduction of cash crop cultivation exacerbated vulnerabilities, undermining traditional livelihoods and exacerbating poverty. It concludes that, from the communal land tenure systems of the pre-colonial era to the disruptions wrought by colonialism and the ongoing challenges of land disputes, fragmentation, economic vulnerability, and environmental degradation, it is evident that land tenure dynamics are deeply intertwined with broader socio-economic and environmental processes.

Keywords: Adjudication fragmentation and degradation, Communal land, Land tenure system

Introduction

Although the agricultural activities and other livelihood options are affected by various factors (climatic conditions, markets, infrastructure, and physical conditions), unequal access to land and insecure land tenure have the most profound effect on the livelihoods of smallholders in Africa. Increasingly severe circumstances have created the need for households to balance short-term strategies such as a reduction in consumption in order to preserve productive assets facilitate eventual recovery and maintain future security, against the threat of possible long-term loss of earning and productive capacity due to the health impacts of reduced consumption. The legacy of the oppressive and racially based policies of colonial governments is still reflected in dualistic land tenure systems and inequitable land distribution patterns. This problem manifests itself in different forms across Africa. The fact that some groups of wealthy people, including foreign multinational companies, benefited from the colonial dislocation of indigenous blacks and the creation of a pseudo-feudal system has also led to extreme tension and animosity over land.

The question of whether and how land markets determine investment in land, and, through this, affect food security, remains contentious. A steady increase in the incidence of land transferred through private purchases tends to exhibit a positive relationship with growing or high population pressures and advanced commercialization. Such land transactions might have a positive impact on the capacity of individual households to mobilize food for their survival from year to year, but can also be observed to result in households being co-opted into the money economy, through labour provision, and becoming unable to sustain their livelihoods. On the other hand, land transactions in Africa involve both market and non-market transfers and indigenous land tenure systems are also said to be dynamic in nature evolving in response to changes in factor prices and resulting in a spontaneous individualization of land rights over time.

Literature Review

Kenya's historic land reform programme, known as "land adjudication," attempted to personalize property ownership in rural regions. The method had very positive goals of turning land into a valuable asset that can leverage capital and drive rural development and poverty reduction through agricultural intensification, even though it was heavily influenced by political overtones intended to solve violent land appraisal. But as time has passed, it appears that this dream has soured due to laws and policies that ignored crucial components of conventional land tenure systems that were still in place.

Aseka provides several insights that highlight the Luyia's influence in the distribution of political power, the distribution of economic resources, and the unequal access to privileges and chances in the workplace. He draws attention to how colonial economic policies affected Buluyia as a whole. Importantly, he makes the argument that any conversation about class relations and modes of production must take into account how people interact with their natural surroundings in order to understand how societies have made use of the resources provided by the environment and have responded to opportunities and challenges it has presented. He goes on to say that the Luyia farmer, like other pastoralists and farmers living before colonisation, showed a lively inventiveness in overcoming environmental challenges that occasionally threatened his existence and security. Therefore Aseka's work completed our research on Abatsotso Community by providing the relevant information.

According to Nyadimo, in his paper, presented in Munich-Germany in 2006, entitled; *The Role of Private Sector in Land Adjudication in Kenya; A suggested Approach*, the land is man's most valuable resource, supporting basic and critical needs of food, shelter and business. The question of absolute ownership of land in Kenya has remained a thorny issue, revolving around complex laws and lengthy procedures of adjudication, consolidation and registration of land. Nyadimo states that land adjudication is anticipated to eventually support the building of wealth in rural regions by enabling agricultural intensification predicated on loan availability and better use of resources and inputs. Nonetheless, it appears that this did not occur within the Abatsotso Community located in Western Kenya. In the past, the goal of the land consolidation and adjudication processes was to abolish customary tenure and establish statutory tenure in its stead. Therefore, land adjudication is a historic land reform procedure with profound implications for the socioeconomic and environmental facets of society. Nyadimo goes on to say that land reform is a means of reorganising the relationship between people and their land and that it alters the public's perception of land in its entirety.

The work of Nyadimo is very helpful to this investigation. According to his reasoning, land adjudication should increase prosperity. Inadequate understanding of land adjudication among the Abatsotso has largely impacted the Community's ability to generate riches. Land has been taken, and in the community, it is only seen as a source of pride and distinction. Its worth in terms of generating wealth has not increased. Therefore, this study will focus on educating the current society and the future

generation on the importance of land adjudication and how paramount the land is, when properly utilized when it comes to wealth generation in the society.

Wayumba claims that Africans in Kenya lived in their traditional communities where land was owned collectively for the mutual benefit of all Community members during the pre-colonial and much of the colonial periods. Since there was no such thing as individual rights, there was no individual ownership of land. The Community owned the land, which was held for the common good of all. Cultural norms set customary regulations that ensured equality in land usage and access. Families had land allotted to them according to their individual requirements. Families with multiple wives, for example, might receive a larger land allocation than young couples just married. Traditional law governed the land, allowing elders, sorcerers, and even witch doctors to distribute land and resolve conflicts resulting from its use. Exclusive land for residential and arable usage was given to each family. The use of grazing land was communal. A family's allotted land returned to the tribe when it was no longer needed. The land was allotted to tribe members first, and then, on occasion, to non-tribal individuals. Residential buildings were frequently Community together in one area, with farmland or arable land available for each family on the outskirts.

Wayumba spends a lot of time discussing the advantages of communal property ownership for African communities in his thesis. In this regard, the Abatsotso Community is not an anomaly, as it participated in collective land ownership throughout the pre-colonial era as well. The significance of private land ownership among African individuals is a topic that Wayumba does not explore. As a result, this study discussed how the perception of freehold land tenure in the context of the Abatsotso Community suggested that a registered proprietor may use their land whatever they like, regardless of the requirements of policy.

Mwathane, in a paper he presented in Kampala-Uganda, on *Land Policies in East Africa*; argues that, prior to the colonial rule, communities in Kenya had their own leadership structures that administered land rights among their members for purposes of activities such as the construction of shelter, farming, grazing, hunting and gathering. He adds that; communities lived in harmony and occasional fights over territorial claims were resolved by panels of elders. The colonial government not only imposed alien land tenure relations but also introduced conceptual, legal and sociological confusion in traditional tenure systems. This led to far-reaching disruption of African customary land tenure system and laws.

Furthermore, according to Mwathane, it is evident that, Europeans in Kenya enjoyed the privilege of secure land tenure from 1901 when the Registration of Documents Act was formulated, followed closely in 1902 by the Crown Land ordinance (CLO) Ordinances. As a result, white people had safe title to the property, while African people had shaky ownership that was subject to arbitrary white interference. The controversial decision by Chief Justice Berth, however, that "African were merely tenants of the state and that their absolute claim on the land they occupied had been annulled by the Crown Lands Ordinance 1915, the Kenya Annexation Order-in-Council 1921, and Kenya Colony Order-in-Council 1921," caused this dual land ownership system to come under scrutiny starting in 1923. This ruling completely unsettled the Africans and generated reactions from many different spheres.

Mwathane has not addressed the background of customary law in reference to land tenure system in Kenyan communities and how instrumental they are as far as land ownership is concerned. This study will focus on what has been contributed by Swynnerton Plan of 1954. From this plan, the African farmer was to be provided with such security of tenure through an indefeasible title as it could encourage him to invest his labour and profits into the development of his farm and as this will enable him to offer it as security for financial credits. This will immensely make the Abatsotso Community not to engage in any form of conflicts in form of land ownership, hate will not arouse among the kinsmen and of course laziness will not be witnessed. It is on this matter that Mwathane's work became so fundamental in guiding the writing of this research among the Abatsotso.

According to Mwangi (2014), in his works, *Land Adjudication and Consolidation Processes in Kenya*; asserts that, the Swynnerton Plan of 1954 provides the main purpose behind land adjudication as the intensification of agricultural practices by the provision of enhanced security of tenure ensured by individual titles. Thus, the Swynnerton Plan might be considered the source of title adjudication and individualization. But according to Mwangi (2014), the Swynnerton Plan was proposed to quell the rising dissatisfaction among peasants, particularly in central Kenya. By granting individuals control over their individual holdings, the strategy aimed to institutionalize private property rights by keeping people occupied and deterring them from joining the burgeoning Mau Mau rebellion. The plan was therefore a political tool for pacification rather than a strategy for inducing agricultural development among Natives in Kenya.

Furthermore, Mwangi (2014) alludes that, the commencement of land adjudication in Kenya marked a critical point

for shifting the manner in which Kenyans relate and perceive land. Adjudication was seen as a massive land transformation process for creating individuation of land rights from Community land held as trust land by the authorities. Land adjudication process was formulated to transform land in trust land areas from the customary land tenure to the statutory freehold tenure. The methodical adjudication process used in the Special Areas—Native Land Units held in trust under the Native Lands Trust Ordinance—was developed by the Working Party on African Land Tenure in 1957–1958. Its objectives included determining and documenting land rights and interests, consolidating and demarcating land, and creating an adjudication register.

In addition, in an effort to speed up land consolidation, the newly elected government of Kenya established a mission on land consolidation and registration in 1965–1966. It was recommended by the mission that land adjudication be used to determine property rights. The 1968 enactment of the Land Adjudication Act made provisions for the identification and documentation of rights and interests in Trust land. Mwangi's work indeed is inescapable in this research. It has a big role to play. Mwangi has left a *lacuna* that demands answers; hence, this study filled them. For instance, land adjudication in Kenya, and especially among the Abatsotso community of Western Kenya, has a lot of political undertones associated with colonial strategy of divide and rule. It is important to note that, the socio-economic goal for land adjudication in Kenya was to provide individuals with security of tenure over the land they owned with the expectation of spurring improved agricultural productivity, land use management and reduced land conflicts.

Mwangi has not addressed this view in his work; hence this study looked forward to unravel it. Furthermore, increased tenure security on the other hand was expected to lead to the commoditization of land as a valuable asset to be exchanged through sale, mortgage and charges. This improved the livelihoods of Abatsotso Community when proper land demarcation was done and private ownership effected. Again, Mwangi orphaned this scenario in his discussion. Finally, the main concern of this study, with reference to Mwangi's argument, was to invoke debate on whether adjudication has achieved the objectives of security of tenure, agricultural intensification, sustainable land use management, and reduced land conflicts among the Abatsotso community of Western Kenya in Kakamega Central Sub-County. However, since there is a lot of insecurity in terms of land tenure system in Kenya today, this study interrogated the Ndung'u commission on this matter so as to establish the proper method of having a clear method of land ownership among the Abatsotso community of Kakamega Sub-county.

Methodology

In this study, a historical research design was used due to the qualitative nature of the study. This is due to the fact that using oral, archival, and documented sources from pre-colonial, colonial, and post-colonial periods allowed the researcher to historicize the assessment of the Abatsotso Community's land tenure system and household livelihoods. The study had a total study population of 188,212 respondents from which 96 respondents and Five focus group discussion were sampled upon the researcher reaching saturation of data. This is because the convenience sampling method was used to ensure the authenticity and reliability of the data that is going to be gathered. This study used both primary and secondary data collection instruments to enrich this study whereby interview guides, archival sources, focus group discussions and secondary sources were used to collect data.

Discussion of Findings:

Pre-colonial Period

Like many other indigenous tribes in Africa, the Abatsotso Community engaged in communal land tenure during the precolonial era. The Community owned and managed the land collectively, and each person had a customary right to a certain area of land for their home. Household livelihoods were primarily based on subsistence agriculture, pastoralism, hunting, and gathering. Land was the primary resource for sustaining these livelihoods. In the precolonial period, communal ownership and customs played a significant role in the relationship between household livelihoods and the land tenure system in the Abatsotso Community of Kakamega County:

Communal Land Tenure

Traditionally, land was owned collectively, with rights to specific areas belonging to the Community as a whole. Customary rules and customs governed decision-making on land use, which was frequently done in a collaborative manner. The Abatsotso Community practiced communal land ownership during pre-colonial times, which was an essential part of their social structure and means of subsistence. Several essential components defined the Abatsotso's communal land ownership.

Land was regarded as a collective asset belonging to the entire Community rather than to individuals. The Community as a whole held customary rights to specific territories and resources. Elder councils, traditional leaders, or Community meetings were frequently used to make decisions about how to use, distribute, and manage land. In fact, this is consistent with Max Weber and Karl Marx's critical theory of social struggle. The Community's interests were taken into account thanks to this collaborative decision-making process. According to an FGD in Butso South, the study was well informed after an in-depth interrogation that, indeed:

Land for establishment of Bukura health centres, Bukura ADC, was taken to have institutions that had benefit to the community. The health centre was used to offer health services to the Community equally since they gave it to them. The ADC was meant to civilize the Community by introducing new crops which are modern and could address food security among the Abatsotso community. The land is still under lease to the time this study was conducted.

All members of the Community had fair access to the land because of communal ownership. Plots were distributed to families and people according to necessity for farming or other uses, but overall ownership stayed community. Rotational farming and shifting cropping were prevalent techniques. Families may cultivate particular parcels of land for a while before letting them fallow to promote natural regrowth.

Land has great cultural and spiritual significance in addition to being a valuable resource economically. It was closely linked to the identity, customs, and rituals of the Community, promoting a feeling of cohesion and belonging. According to the archival data obtained by the study, it emerged that:

The ownership of communal land was essential in establishing the social structures within the society. It outlined the duties, responsibilities, and reciprocal commitments that community members had. The communal ownership model encouraged sustainable land management practices. There was an understanding of the need to preserve the land's fertility and natural resources for future generations.

Traditional practices included measures for soil conservation, protecting water sources, and preserving biodiversity to ensure the long-term productivity of the land. Communal ownership of land was a foundational aspect of the Abatsotso Community's socio-economic structure during the pre-colonial era. In addition to ensuring fair access to resources, it supported cultural traditions, encouraged a sense of shared responsibility, and enabled sustainable land usage. Their communal system, which reflected a comprehensive approach to land care and Community well-being, was essential to their identity, means of subsistence, and social cohesiveness. Therefore, according to another respondent, Musa Luchedo Khashuma, he posted to the study that:

The Europeans destroyed communal order (*Omusungu ya Rusia Kimila*). He added that, they destroyed fellowship, and unity. Before, elders were listened to as a council of elders and they ensured law and order. Their word was law. There was no written law.

It therefore emerged to the research that, land use and ownership is currently used as collateral, can be sold or leased since it is an individual property.

Shared Resources

In addition to providing a means of subsistence, land was essential to the Community's identity and cultural customs. Members of the Community pooled resources, enabling fair access to the land and its advantages. The Abatsotso Community viewed land as a shared resource before to colonisation, indicating a collective attitude towards land ownership and use. Land was viewed as the collective property of the entire Community rather than belonging to specific individuals. The Community as a whole held customary rights to the land. Customary laws frequently served as a guide for land use, allocation, and management decisions, which were then supervised by councils or communal leaders to ensure a collaborative and inclusive approach.

Families and individuals were given specific plots of land based on their needs for cultivation or other uses, even though the property was jointly owned. The purpose of this allotment was to guarantee that every member of the Community could obtain the necessary resources. Rotational land usage and shifting farming were widespread practices. Families can practice sustainable land management by cultivating a certain plot for a predetermined amount of time and then leaving it fallow. Land was intricately tied to the Community's cultural practices, ceremonies, and traditions. It played a significant role in rites of passage, cultural events, and communal celebrations. The study was informed by Desmond Ayaga that:

Beyond only being useful economically, the Community had a deep spiritual connection to the land. It was seen as an essential and sacred part of their identity. Members of the Community developed a sense of mutual solidarity as a result of collective property ownership. Individuals and families collaborated on many facets of

resource management, farming, and land use.

The Community's well-being was correlated with the wise use and administration of common land resources. Collaboration made it possible for the Community to overcome obstacles as a whole and prosper. There was an understanding of the need to preserve the fertility of the land for future generations. Sustainable land management practices, such as fallowing and natural resource conservation, were integrated into communal practices.

The shared resource model of land ownership among the Abatsotso during the pre-colonial era promoted equity, cooperation, and sustainability. It served as a mirror of the cultural values of the community, guaranteeing that the land's resources were maintained in a way that supported both livelihoods and the environment, and that the land's advantages were shared among community members.

Sustainable Land Management

Sustainable land use techniques were promoted by the communal land tenure system. An awareness of the need to maintain the fertility of the land for future generations resulted in actions that supported biodiversity and soil protection. Communal land ownership among the Abatsotso during the pre-colonial era played a crucial role in fostering sustainable land management practices. This common ownership concept resulted in sustainable land management for a number of reasons.

A sense of shared responsibility for the land was ingrained in the Community as a result of communal ownership. An oral interview with Christopher Ambani informed the study that:

They understood that since everyone owned the land, everyone shared responsibility for maintaining it. Together, the Community created a culture of shared accountability for maintaining the productivity of the land by ensuring that it was used and managed sustainably for the benefit of all. Customary laws and traditional practices guided land use. These practices, passed down through generations, emphasized sustainable methods of cultivation, such as crop rotation, fallowing, and soil conservation techniques.

It thus emerged to the research that, often, practices followed the cycles of the natural world, letting the land recover and rest, maintaining soil fertility, and averting damage. According to a responder, Esther Tsikhungu, the study was informed that:

To maintain sustainability, the amount of land allotted for farming or other use was balanced. By allowing plots to recover and retain fertility through rotational usage and sharing, overexploitation of any one region was avoided. By encouraging the preservation of a variety of habitats, communal management enhanced ecological resilience and biodiversity. The people in the neighbourhood were motivated to protect the land's integrity because of its cultural value.

Therefore, it was found out by the study that, significance of land preservation was emphasised by cultural rituals associated with land rights and customs. Preserving the Community's well-being was linked to sustainable land management. Community members were more united and socially cohesive when they worked together to manage the land resources.

The collective ownership model placed a strong emphasis on the value of protecting land for coming generations. Long-term planning was used to establish practices, guaranteeing the land's continued productivity for future generations. Communal land ownership created a framework for sustainable land management among the Abatsotso during the pre-colonial era. The concept emphasised the need to use land wisely while preserving its longevity, integrating cultural, social, and environmental aspects. This method of land stewardship maintained natural balance while simultaneously supporting livelihoods, enhancing the Community's and the land's resilience over time. Additionally, the land was sustained by use of local technology. According to the FGD, it emerged that, the Community ensured that farming was rotational which fore saw sustainability. The forest vegetation along the river was preserved since there was enough land.

Household Livelihoods

The primary source of income for households was agriculture. Subsistence farmers cultivate vegetables, sorghum, maize, and millet in their communities. Livelihoods, that offered sustenance and food security were intimately linked to the land. Raising animals, such as; cattle, goats and chickens, complemented agriculture in supporting household incomes. An interview with a responder, Corleta Anyika informed the research that:

In addition to serving as a source of food, livestock also represented wealth and were used in traditional rituals. Tenure of land was entwined with the Community's culture. Social institutions, rituals, and rites were frequently linked to the usage of land, highlighting the importance of collective ownership in preserving social cohesiveness.

The precolonial land tenure system was an example of a holistic approach, in which the Community viewed the land not just as

an economic resource but also as an essential part of its identity, spirituality, and general well-being. Livelihoods were interdependent within the community. Cooperation in land cultivation, sharing of harvests, and mutual support were essential aspects of sustaining household livelihoods.

The Abatsotso Community's precolonial land tenure system was distinguished by collective ownership, environmentally friendly land management techniques, and the incorporation of land with elements of culture and subsistence. This communal system promoted fair resource distribution, encouraged agriculture and livestock raising as sustainable forms of subsistence, and strengthened the Community's social cohesion. Land was essential to their identity and well-being as a people, not just a means of sustenance.

Colonial Period

The system of land tenure underwent substantial modifications during the colonial period. Individual land tenure was instituted by British colonial authorities, who replaced Community ownership with private property titles or leases. The taking of land and the creation of Native Reserves caused disruptions to customary ways of life. Due to the loss of important agricultural land, the Abatsotso Community experienced congestion and a shortage of land inside the reserves. Subsistence farming gave way to cash crop growing as a result of colonial administration-encouraged economic dependency on cash crop cultivation. A growing number of households now depend on cash revenue from crops like tea and coffee. The preceding discussion was reinforced by Agnes Ichela, who posted that:

Community members were forced to work on fields controlled by Europeans and on colonial projects in order to fund the growing of cash crops and infrastructural projects. This further disrupted household livelihoods. Due to colonial impositions and regulations, the Abatsotso Community in Kakamega County experienced substantial changes in the relationship between the land tenure system and household livelihoods throughout the colonial era. The concept of collective ownership was upset by the introduction of individual land tenure arrangements by colonial powers. Individuals or settlers were frequently given land, upending the communal system of land tenure. Many members of the Abatsotso Community lost their land as a result of the imposition of individual ownership.

Therefore, this study noted that, this dispossession disrupted traditional livelihoods based on communal land use, leading to economic instability and social upheaval. Traditional farming techniques were disrupted by the colonial administration's introduction of exploitative economic practices and forced labor systems. This fits quite nicely with Becker's new theory of household economics. Community members' sovereignty and means of subsistence were impacted by the frequent coercion of workers into colonial farms or plantations. The Abatsotso Community's ability to support itself was jeopardised when colonial authorities forced a change from subsistence farming to cash crops. This altered their traditional livelihood strategies and made them reliant on cash-crop farming.

The imposition of individual land ownership led to fragmentation as communal lands were divided among individuals or settlers. The Community's ability to maintain control over its customary lands and resources was diminished by this division. Land alienation affected rituals, customs, and social cohesiveness within the Community by upsetting cultural activities connected to share land. From the archival data interrogated by the study, it emerged that:

Unfair access to land and resources resulted from colonial land policies that frequently favoured settlers and marginalised the indigenous population. Members of the Community's economic gaps were made worse by this inequality.

It was thus discovered by the research that, land ownership disputes and unequal land distribution contributed to social tensions and conflicts in the community, which had an impact on household stability and well-being. The Abatsotso Community's traditional subsistence-based lifestyles were interrupted when colonial powers forced a shift into cash-crop farming. Their economic activities changed as a result of this shift, rendering them reliant on the erratic cash-crop markets.

The colonial era brought about a profound disruption in the nexus between land tenure and household livelihoods among the Abatsotso community. The Community's socio-economic stability and cultural heritage were severely harmed by imposed individual land tenure, economic exploitation, land fragmentation, inequality, and a shift in livelihood methods away from traditional traditions. The communal and sustainable traditions of the pre-colonial era were greatly altered by these shifts, creating a new socioeconomic environment that had a lasting impact on household livelihoods in the Abatsotso community.

Post-Independence and Adjudication Period

Following Kenya's independence in 1963, attempts were undertaken to resolve disputes over land tenure and give certain land rights back to native populations, such as the Abatsotso. Land adjudication procedures aimed to give title deeds or certificates of ownership to people and families as well as to make land ownership more clear. The goal of these procedures was to codify land rights. Nonetheless, there were still problems related to land tenure, such as uneven distribution of land, conflicts over land, and fragmentation of land. Among the Abatsotso Community in Kakamega County, attempts have been made to remedy historical injustices and develop more formalized land tenure structures during the post-colonial and adjudication periods. The nexus between land tenure and household livelihoods during these periods involves a mix of challenges and attempts to find solutions:

Several African countries, notably Kenya, implemented land reforms after winning independence. These sought to create more egalitarian land tenure systems, redistribute land, and remedy historical injustices. During the adjudication period, title documents were issued in an attempt to formally establish land tenure. This process aimed to bring clarity to land ownership, resolve disputes, and provide legal recognition of individual or Community land rights.

Protracted and bureaucratic procedures have frequently been associated with the adjudication process. Title deed issuance delays affect both households' capacity to make long-term investments and the security of their property tenure. In some cases, the adjudication process has been criticized for excluding marginalized communities, including women and minority communities. This exclusion can perpetuate historical inequalities in land distribution.

A legal foundation for land ownership is established by the granting of title deeds, which also offers tenure security. This security can help household livelihoods by making finance more accessible, enabling long-term planning, and stimulating land investment. Changes in agricultural methods are common in post-colonial periods. Efforts to modernize agriculture and engage in market-oriented farming may impact household livelihoods, either positively through increased income opportunities or negatively due to market uncertainties. According to Catherine Mukabane, the study was informed that:

There can be chances to apply sustainable land management techniques with more defined land tenure regimes. This could include programmes that promote livelihoods and preserve the environment, such as agroforestry, soil conservation, and water resource management.

During the post-colonial and adjudication eras, community-led efforts to tackle problems together may also come to fruition. These could include agreements on resource sharing, land-use plans for the community, and dispute resolution procedures that improve the resilience of the Community as a whole. Efforts to integrate traditional practices within the formal land tenure system can help preserve cultural heritage and ensure that land management aligns with the values of the Abatsotso community.

Throughout the post-colonial and adjudication eras, the relationship between land tenure regimes and household livelihoods reveals a complex interaction of governmental attempts, difficulties, and Community actions. Although formalization through adjudication has advantages like tenure security, there are drawbacks as well that must be resolved for a more sustainable and inclusive approach to land management and the Abatsotso Community's means of subsistence.

Impact on Household Livelihoods

The Abatsotso Community's household livelihoods were significantly impacted by the modifications to the land tenure structure. A major factor influencing household livelihoods in the Abatsotso Community in Kakamega County is the land tenure system. The system of land ownership, management, and distribution is a fundamental component of societal organization that has a direct impact on the Community's social, cultural, and economic fabric. This complex interaction between household livelihoods and land tenure exposes complex factors that have changed over time and affected the resilience and well-being of the community.

Economic Dependency

Traditional subsistence livelihoods were undermined by economic dependent on cash crops and wage labor. To make ends meet, a lot of households had to produce cash crops or work for wages. Profits from cash crops are frequently impacted by changes in the market. Households may face financial instability if prices for the particular cash crop decrease on a global or regional scale. According to the archival data interrogated by the study, it emerged that:

Intensive cash crop cultivation methods can cause soil degradation and biodiversity loss, particularly if they are not sustainable. This could have an effect on the land's long-term productivity and jeopardize the Community's

means of subsistence.

Depending on a single cash crop can make households vulnerable to risks associated with that particular crop, such as disease outbreaks or adverse weather conditions. Diversification of crops is crucial to mitigate these risks.

From the above discussion, the study therefore discovered that, conflicts over land usage may arise from the switch to cash crops, particularly if traditional agricultural methods and food crops are abandoned. This may worsen tensions in the neighborhood and have an effect on households' general well-being. The practice of growing cash crops may cause social divides in the society since certain households will profit from it more than others. Community members may become tense and unequal as a result of this. Sustainable farming techniques, a variety of revenue streams, and Community participation in land use and crop selection decision-making processes are all necessary to optimize the benefits and reduce the drawbacks of cash crop cultivation. Additionally, supporting initiatives that enhance market access, provide agricultural training, and promote environmental conservation can contribute to the overall well-being of the Abatsotso community.

Social and Cultural Disruption

Traditional social structures and cultural norms pertaining to resource usage and land management were upended by changes in land tenure practices. Disruptions in social and cultural domains have the potential to have a substantial effect on household livelihoods in the Abatsotso Community in Kakamega Central, Kakamega County, in multiple ways. Communities can become less cohesive when social structures and customs are disrupted. Strong social ties often support households during difficult times, and disruptions can erode this support network.

Conflicts within the Community can result from social disruptions, particularly those connected to disputes over resources or land, according to Becker's new household economic theory. This stress can have an impact on day-to-day activities and foster an unstable environment. Cultural traditions frequently entail support and cooperation within the community. Therefore, according to George Amakove, it emerged to the study that:

If these behaviours are disrupted, household resilience may be impacted by the loss of Community support and shared resources. Losing one's sense of belonging and cultural identity can result from cultural disturbance. The language, customs, and cultural practices of the Abatsotso Community are essential to who they are. A disturbance might have an impact on one's feeling of belonging and community.

Furthermore, the study was informed that, cultural upheavals may cause a departure from conventions and traditional means of subsistence, which would have an impact on the households that depend on them. For example, disruptions to cultural events or practices associated with livelihood activities may have an effect on sources of revenue. Furthermore, another respondent asserted that:

The customary knowledge and legacy that have been passed down through the generations may be lost as a result of disruptions. This loss may have an impact on livelihood strategies that depend on particular traditional knowledge for success in addition to cultural behaviours.

Household economic instability is often a result of social and cultural disturbances. Disruptions might interfere with customary livelihood strategies or income-generating activities associated with a culture. Members of the Community also experience worry, anxiety, and a feeling of being uprooted as a result of the loss of cultural customs and social disturbance. Households may find it difficult to concentrate on their means of subsistence as a result of this emotional impact. According to an FGD in Butso south, the Community loved living together. They could even call their relatives and friends and offer them land for company and security. The FGD posited that:

Before the government introduced land adjudication in 1966, the Abatsotso lived in communal setting known as *Mulwashi* which was marked by a protective fence about 6 ft deep. The study found out that, whenever *Mulwashi* became overpopulated, young members moved out and established another *Mulwashi*, and whenever *Mulwashi* was totally vacated, it became (*Likunda*). The vacated site became a shrine surrounded by *Tsifubu* (*Euphorbia*), marked by stones around for offerings/prayer – an example is in *Shisiru*, the only remaining example. People would move because of fertile land, diseases, invasion like leprosy, death of children which was seen as a bad luck and attack by wild animals. *Mulwashi* was also surrounded by a trench, 10 ft and fenced by *Tsifuru*. It promoted social cohesion, stayed *khuluhia*, eat together but the family sizes increased.

Critical social conflict theory suggests that resolving social and cultural upheavals in the Abatsotso Community requires an all-encompassing strategy that honours and conserves their cultural legacy while figuring out how to adjust to evolving conditions. In order to enhance traditional livelihoods through sustainable practices that uphold the Community's values and traditions, this may entail community-led activities to conserve cultural practices and advance procedures for resolving

conflicts. Initiatives that emphasize inclusiveness and Community conversation can also aid in bridging divides and reviving social cohesion in the neighborhood.

Ongoing Challenges

Land-related issues still have an impact on household livelihoods in Kakamega County's Abatsotso Community. The Abatsotso Community Kakamega County has built their social, economic, and cultural identity on the land tenure system. Nonetheless, this system is still beset by enduring difficulties, indicating a complicated terrain moulded by contemporary governance, historical legacies, and socioeconomic forces. The Abatsotso people and their way of life are greatly impacted by the persistent problems with the land tenure system, which have an impact on many aspects of their lives. The land tenure system of the Abatsotso Community has encountered a range of difficulties resulting from historical shifts, including communal ownership prior to colonialism, disturbances during the colonial era, and attempts at formalization through adjudication following colonization. These challenges are deeply intertwined with the Community's historical experiences and contemporary realities. They are discussed as follows:

Land Disputes

Families continue to experience uncertainty and insecurity as a result of ongoing land disputes and battles over ownership. The Abatsotso Community in Kakamega County may see significant and long-lasting effects on household livelihoods if land disputes persist. Land disputes can lead to uncertainty regarding land ownership, which makes it challenging for households to plan for and make investments in agricultural activities. Reduced agricultural output as a result of this disturbance may have an impact on the financial security and income of households whose livelihoods depend on the land. There is a sense of unease about land tenure when there are land disputes. Households may be discouraged from making long-term improvements to the land because they fear losing access or being evicted.

Money that is being spent on more beneficial endeavors might instead be allocated to the legal and administrative costs involved in settling land disputes. These investments in health, education, and other vital areas of household well-being may be hampered by this resource diversion. In the neighborhood, social conflicts are frequently caused by land disputes. Tense relationships within a Community can affect collaboration and social cohesiveness, two things that are essential to the well-being of the whole.

The ongoing uncertainty and stress associated with land disputes can take a toll on the mental health of individuals and households. From the archival data, it emerged to the study that:

Anxiety and psychological discomfort might result from the prospect of losing land or from having to fight long legal fights. Unresolved land conflicts may, in severe circumstances, lead to household displacement and forceful evictions. This throws off established social networks and support systems in addition to increasing homelessness.

Land disputes may result in fragmented or poorly managed land, reducing overall agricultural productivity. This can lead to food insecurity and limit the ability of households to generate income from farming. Access to necessary amenities like infrastructure, healthcare, and education is frequently correlated with land ownership. Encroachment on land could make it difficult for households to get these services, which would lower their standard of living overall. Establishing clear and open land tenure arrangements, encouraging Community discussion and dispute resolution, and putting in place efficient land governance institutions are all essential to addressing these issues. It is crucial to work with the Community to develop long-term solutions that take traditional and legal viewpoints into account. Households can also be better able to bear the effects of protracted land disputes by encouraging economic diversification and offering assistance for alternate livelihood options.

Moreover, during the study, it was discovered from a respondent, Anzwenze Shikoti that:

The arrival of land buyers (*Abakuli*) as early as 1964 has also impacted on the land tenure and its influence on the household livelihoods among the Batsotso by bringing about increased land fragmentation, displacement, resettlement and suspicion. The boundary disputes, exaggeration of land size among others. The indigenous people provide labor to the *Abakuli* who seem to be better and live in secluded wall fenced compound. It emerged from the study that the indigenous people view this as individualistic as opposed to communal life hitherto to the arrival of the *Abakuli*.

This different class of lifestyles, witnessed in the current Batsotso land is still creating disputes as far as land ownership is concerned.

Land Fragmentation

Land fragmentation resulting from the split of land among several successors makes it challenging for households to practice sustainable agriculture. Land fragmentation, which is defined as the split of land into smaller, frequently irregularly shaped portions, this significantly affect household livelihoods in the Abatsotso Community of Kakamega County in a number of ways. The size and productivity of farming operations are constrained by the fact that smaller land plots are frequently less productive for agriculture. This can lead to lower yields, affecting the overall income and food security of households that rely on agriculture for their livelihoods.

Critical social conflict theory states that fragmented land may lead to inefficient patterns of land usage, which makes it difficult for households to adopt contemporary and sustainable farming methods. According to Benjamin Shivachi;

This inefficiency can lower land production overall and impede the adoption of better technology. Households with smaller land holdings could find it challenging to participate in a variety of livelihood activities.

The study established that, communities who have historically relied on agriculture as their main source of income may find this restriction especially difficult to overcome. Households may be compelled by land fragmentation to enter a cycle of subsistence farming, where the emphasis is on producing just enough to meet short-term requirements. This restricts households' capacity to generate revenue through surplus production.

Fragmented land holdings contributes to uncertainties regarding land tenure. The lack of clear and secure land rights hinder households from making long-term investments in their land, such as adopting soil conservation practices or planting perennial crops. Due to fragmentation, there may be more competition and disputes among neighbours as a result of limited land resources. Conflicts pertaining to property lines, water supplies, and other resources have the potential to deteriorate interpersonal relationships and undermine communal unity. Another respondent informed the research that, indeed:

Smaller and dispersed property lots may present difficulties for the development of infrastructure. Collective projects like irrigation systems or neighborhood-based infrastructure projects could be challenging to carry out, which would reduce the amount of opportunities to enhance living circumstances.

The study therefore discovered that, land fragmentation can exacerbate over time as smaller plots are further divided among heirs. This inter-generational impact also perpetuate the cycle of land fragmentation, creating a long-term challenge for sustaining household livelihoods. Further according to one of the respondents interviewed by the study, fragmentation of land has caused a big blow to small holder farmers. The farm yields are very low compared to the big population that is currently present in the Abatsotso community. Their farms end up producing maybe 2 - 3 bags of maize, which cannot even sustain a nuclear family for a year.

To address the impacts of land fragmentation, community-led initiatives and government interventions are essential. In order to lessen reliance on dispersed agricultural plots, this involve developing sustainable farming methods, supporting alternative livelihoods, and conducting land consolidation programmes. Additionally, fostering Community dialogue and creating awareness about the importance of sustainable land management contribute to more effective solutions.

Economic Vulnerability

Becker's new household economic theory states that resource scarcity and crop price volatility continue to create economic vulnerabilities. The Abatsotso Community in Kakamega County experience significant and long-lasting impacts on household livelihoods due to economic fragility. Not having a variety of sources of income leads to economic fragility. Households primarily rely on a single economic activity, such as agriculture, especially reliance in sugarcane farming, they become more susceptible to external shocks, market fluctuations, and other risks associated with that specific activity. Natural resources are a major source of income for many cultures, including the Abatsotso. Overuse of these resources can result in their depletion and loss of possibilities to generate money, which can put the economy at risk. According to Amina Makokha, the study was informed that:

When households rely on volatile markets, their economic vulnerability is increased. The revenue obtained by households involved in agricultural or other economic activity might be adversely affected by price volatility, shifts in demand, or obstructions in market access.

Economic vulnerability exacerbated by restricted access to financial services, such as credit and savings options. Households may find it difficult to improve their financial status if they are unable to invest in assets that will provide income or protect them from economic shocks. A substantial portion of the livelihood of many communities, like the Abatsotso, comes from agriculture. Climate change increases the vulnerability of the economy by causing unpredictable weather patterns that

impact livestock production and crop output. Economic activity can be hampered by inadequate infrastructure, such as bad roads and restricted access to markets. Households find it difficult to sell their produce or obtain necessary services due to this lack of infrastructure, which prolongs their economic vulnerability.

Economic vulnerability is often linked to low levels of education and skills. Without access to quality education and training programs, community members struggle to diversify their skills and engage in higher-value economic activities. Health issues can contribute to economic vulnerability by reducing household labor productivity and increasing medical expenses. According to Faustine Anjere, it emerged to the study that:

Financial hardship on households can increase if they are unable to obtain cheap healthcare treatments. Productivity and economic progress may be hampered by outdated farming methods and technology. In the event that the Abatsotso Community has restricted access to technology and information that could enhance their farming practices, they may have economic difficulties.

Comprehensive initiatives are required to solve the Abatsotso Community's economic fragility. Initiatives to diversify sources of income, provide access to training and education, upgrade market infrastructure, and support climate-resilient and sustainable farming methods are a few examples of these. Additionally, interventions that address healthcare and financial inclusion can contribute to building the economic resilience of households within the community. The link between the land tenure system and household livelihoods within the Abatsotso Community has changed over time, with notable disruptions during the colonial period, according to critical social conflict theory and Becker's new household economic theory. Even with efforts to address land tenure issues, household livelihoods in modern Kakamega County are nevertheless impacted by persistent obstacles.

Climate Change and Environmental Degradation

Agricultural productivity is impacted by climate change, which also brings about droughts, floods, and unpredictable weather patterns. Unsustainable practices lead to environmental degradation, which exacerbates issues with land productivity and the availability of natural resources. According to Zainab Makokha, it emerged to the study that:

Unpredictable weather patterns, such as erratic rainfall and protracted droughts, are a result of climate change. Rain-fed households are impacted by this variability, which also upsets traditional farming techniques and lowers agricultural productivity. Crop yields can vary as a result of differences in temperature and precipitation patterns. Harvest irregularities impact the ability of households to plan for their food needs and have an impact on agricultural revenue generation.

Homes, crops, and livestock are directly threatened by more frequent and powerful extreme weather events like storms and floods. Households may suffer large financial losses as a result of these occurrences, which may have an impact on their entire standard of living. Soil erosion and other environmental problems lower the fertility of the land. This deterioration may result in lower agricultural productivity, which would impact households' capacity to make ends meet through farming. Changes in climate patterns can affect water availability and quality. This can impact both agricultural activities and household water supply, creating additional challenges for the community. Degradation of the environment affects ecosystems and resource availability, which leads to a decrease in biodiversity. Traditional methods that depend on particular plant and animal species for food, medicinal, and cultural reasons may be disrupted by this loss.

Climate change can contribute to the spread of vector-borne diseases and other health risks. Households are further burdened by this in terms of medical expenses and lost productivity as a result of illness. Animal productivity and health can be impacted by alterations in the climate and surrounding environment. Households that depend on cattle for food, income, and cultural customs are under risk because of this. The Abatsotso community, like many other vulnerable communities, may have limited resources and capacity to adapt to the impacts of climate change. According to another responder, the study was informed that:

Inadequate financial, technological, and informational resources may make it more difficult for them to put adaptive techniques into practice. Sustainable agriculture methods, community-led adaptation plans, and environmental conservation initiatives are essential to addressing the effects of climate change and environmental degradation.

Initiatives like soil management, agroforestry, water conservation, and the adoption of crop types resistant to climate change are a few examples of these. A comprehensive strategy for preserving home livelihoods in the face of environmental problems must also include increasing Community understanding of climate change and developing their ability to adapt to its effects.

The study further discovered that land along the river lines has been cleared for cultivation hence no control of running water from the farmland leading to overflow and erosion which consequently contributes to increased floods and destruction such as witnessed in other parts of the country such as Budalangi and destruction of the ecological system.

Conclusion

In examining the evolution of land tenure systems across different historical periods, this article has unravelled the intricate interplay between socio-economic dynamics and environmental sustainability. Beginning with the pre-colonial period, the article delved into the communal land tenure systems prevalent in many indigenous societies, characterized by shared resources and sustainable land management practices. These systems not only facilitated household livelihoods but also nurtured a sense of communal ownership and stewardship over the land. Transitioning to the colonial period, the article illuminated the disruptive impact of colonialism on land tenure systems and household livelihoods. The imposition of private land ownership, coupled with exploitative labour practices, led to economic dependency and social-cultural disruption among indigenous communities. Moreover, the fragmentation of communal lands and the introduction of cash crop cultivation further exacerbated vulnerabilities, undermining traditional livelihoods and exacerbating poverty.

Moving into the post-independence and adjudication periods, the article explored the complexities of navigating land tenure reform and addressing ongoing challenges. Land disputes emerged as a persistent issue, fuelled by historical injustices and conflicting interests over land ownership and resource control. Land fragmentation compounded these challenges, diminishing the productivity of agricultural lands and exacerbating economic vulnerabilities among rural households. Furthermore, the article underscored the looming threats of climate change and environmental degradation, exacerbating existing vulnerabilities and posing existential challenges to livelihoods. Changes in rainfall patterns, increased frequency of extreme weather events, and degradation of natural resources have profound implications for agricultural productivity and food security, particularly for rural communities reliant on rain-fed agriculture.

Finally, this article has provided a holistic understanding of the complexities surrounding land tenure systems and their impact on household livelihoods across different historical periods. From the communal land tenure systems of the pre-colonial era to the disruptions wrought by colonialism and the ongoing challenges of land disputes, fragmentation, economic vulnerability, and environmental degradation, it is evident that land tenure dynamics are deeply intertwined with broader socio-economic and environmental processes.

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