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The influence of Islam on Bukusu indigenous beliefs and practices relating to inheritance, Kenya

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The article examines the influence of Islam on Bukusu indigenous beliefs and practices relating to inheritance. The persistence of indigenous beliefs and practices among a predominantly Christian and Muslim people provoked this research. Thus, the article aims at investigating the influence Islam has had on the Bukusu indigenous inheritance beliefs and practices. It is guided by the premise that the Bukusu have patriarchal inheritance rules which are different from Islamic inheritance rules. The enquiry is guided by the conceptual framework which combines aspects of Bunger's (1972) islamization theory and Bascom and Herskovits (1959) change and continuity concept. This will help us identify areas of convergence and divergence between Islam and Bukusu indigenous beliefs and practices in relation to inheritance. The methodology employed to collect data consisted of qualitative techniques for primary data and documented analysis for secondary data. Qualitative techniques included the interview guide for oral interviews, group discussions and observation method, the data collected was analyzed qualitatively and from the analysis, conclusions were drawn. The research findings revealed that the Bukusu indigenous inheritance rules are so entrenched that they have not been altered by the islamization of the people. Most Bukusu Muslims still practice the indigenous patriarchal inheritance rules. Thus, the Bukusu Muslims practice syncretic Islam, the study recommends that the issue of gender disparity as portrayed in the Bukusu indigenous inheritance beliefs and practices is a thorny issue that should be addressed.

Key words: Islam, Bukusu, Bukusu culture, inheritance.

INTRODUCTION

This article discusses the influence of Islam on the Bukusu indigenous inheritance beliefs and practices. Before the advent of Islam and other foreign religions on the African continent, Africans already had their own belief systems. They had clear concepts of God and well established beliefs and practices concerning among other things death and inheritance. This is particularly true among the Bukusu of Bungoma District in Western Kenya (Osogo, 1966; Were, 1967; De Wolf, 1977; Makokha, 1993). These scholars note that since the Bukusu indigenous religion was strongly established, some beliefs and practices continued alongside the new features of Islam,

especially the indigenous inheritance rules. Due to this, only few people adopted Islam, which is still practiced to-date. Therefore, the impact of Islam on the Bukusu indigenous beliefs and practices concerning death and inheritance need to be viewed against the existing traditional system.

Due to the utilitarian value of children, boys are considered more valuable than girls in the Bukusu community. This is mainly due to the patriarchal nature of the community where only male children inherit property from parents. Female children instead ought to get married in order to fetch wealth for the extended family. For example, both men and women collectively contribute to the acquisition of family wealth and yet women get nothing in return in terms of land, cattle and proceeds from the land which are inherited by men. Women only

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owned their household property and were entrusted with the piece of land that they cultivated. This is unjust treatment of women as there should be fair distribution of labour and benefits. The denial of the right to inherit property to Bukusu women is based on the thinking that girls extend different lineages after marriage. At the same time, the Bukusu community allows wife inheritance after a husband's death, by the deceased's brother, cousin, and close relative or clan member. These aspects of Bukusu culture express negative implications on the way the society conceives women. This is against the Qur'anic injunctions and prophetic dictums on education for Muslim men and women (Ali, 1989; Bolagun (n.d) and Hussein, 1979). It is also against the Islamic law of inheritance which guarantees both sexes full right of inheritance as enshrined in the Shari'a and prohibits wife inheritance (Surah 4:11-14, Mwangi, 1993; Mwinyihaji, 2001). This being the case, it is worthwhile examining whether Bukusu Muslims have remained truly faithful to their new religion or if they practice syncretism.

Basing on the above, we shall examine the Bukusu as a specific case of an African community to illustrate the Islamic influence on the indigenous inheritance beliefs and practices.

Conceptual framework

Islamization as a process involves the interaction of Islam with other cultures or religions. Attas (1993: 44 - 45) defines islamization as a liberating process. He argues that since humankind is both a physical being and spirit, liberation refers to the liberation of his spirit or soul. The liberation of the spirit directly influences his physical being or body and brings about peace and harmony within himself and between humankind and nature. In the liberation of the spirit/soul, humankind sets his course towards the attainment of his original state of purity (fitrah) at creation which is in harmony with the state of all being and existence. Attas (1993: 44 - 45) further argues that islamization is the liberation of humankind first from magical, mythological, animistic, national-cultural tradition opposed to Islam, and then from secular control over his reason and his language. The man of Islam according to him is no longer controlled by magical and the secular world views. This in essence means that the islamization of the Bukusu people was geared towards enabling them attain their original state of purity which had been soiled through socialization/interaction between them and their environment. They were to be liberated from their indigenous cultural beliefs and practices after adopting Islam. They were expected to Islamize their religious knowledge, beliefs and practices through redefining and reordering their religious data/knowledge, rethinking their reasoning in relation to the teachings of the Holy Qur'an, re-evaluating their conclusions and reprojecting their goals in relation to the cause of Islam (Faruqi, 1982: 15

16). This would make Bukusu Muslims be fully Islamized physically and spiritually. The study will examine if this is what happened when the Bukusu people embraced Islam and if not what kind or form of Islam they practice.

Islamization of the Bukusu people therefore, calls for a conceptual framework that examines the interrelationship between the two. The conceptual orientation adopted for this study combines Bascom and Herskovits's (1959: 2 - 6) conception of "Change and Continuity" and Bunger's (1972) "Islamization theory". The former which was propagated by Bascom and Herskovits (1959) and shared by Githige (1980) and Shisanya (1993) seeks to provide an understanding of the interaction between two or more cultures. It states that whenever new influences impinge on any society, some of the pre-existing body of customs and beliefs are discarded, modified or retained. Basing on this, it may be argued here that the interaction of Islam and the Bukusu indigenous religion resulted in some Bukusu religious beliefs and practices being discarded, changed or retained.

The theory of islamization developed by Bunger (1972) states that Islam in any given place is a function of the contact situation between the group which becomes muslim and the group introducing Islam. The contact situation is in turn a function of: (a) the pre-Islamic culture/religion of the group, which becomes Muslim, (b) the culture of the group that introduces Islam, (c) the particular sect of Islam introduced and (d) the precise nature of the contact. This theory is thus built on the above four significant features.

In reference to the pre-Islamic culture/religion of the group which becomes Muslim, certain features are particularly relevant. These include the conceptions of the Superhuman Being and interaction with them and the conception of human nature and personality. Here a people who believe in a high God and a definite form of life after death would be more likely to become Muslim than a group whose religion is mainly aimed at the manipulation of impersonal forces and whose concepts of after life are vague (Bohannon, 1953: 84). This feature provides a basis for analysing the pre-Islamic religious beliefs and practices surrounding inheritance among the Bukusu.

The second feature states that the major groups introducing Islam in Africa have been either merchants, accompanied by muslim clerics or themselves being both clerics and merchants (Lewis (1966: 26 - 27; Levzion, 1968:23) or Nomadic tribes such as the Somali and Baggara Arabs and muslim brotherhoods such as the Tijaniyya and Qadiriyya. This feature informs this study in that it will enable us to identify the culture of the group which introduced Islam among the Bukusu and hence its influence on the people especially in terms of beliefs and practices surrounding inheritance.

The theory further explains that for the last five hundred years or so, only Sunni Islam has played a major role in Africa, although there are Kharijite Berber communities

Ismailis and other Shia latecomers in east Africa. The differences in the form of Islam introduced are determined by the culture of the agents of islamization. Applied to our study, we can argue that the sect of Islam introduced in Bungoma is mostly Sunni which is common in East Africa. This will enable us to examine the socio-cultural influence of the sect on the Bukusu in relation to inheritance.

The conceptual framework adopted explains the pre-Islamic religion of the people who become muslim, how islamization takes place, the form of islam introduced and the contact situation between muslims and non-muslims, hence the influence of Islam on other religions and vice versa. It also explains the features of contemporary Islam, how and why Islam takes the form it has taken. The islamization theory is best suited to explain the contact situation between Islam and the Bukusu culture in relation to inheritance. Therefore, the conceptual framework provided a model of thought to address the objectives of this study.

Objective

The article aims at discussing the influence of Islam on the Bukusu indigenous inheritance beliefs and practices.

METHODOLOGY

The methodology that was employed for this study is discussed in the subsequent sections.

Sample

The study was carried out in four divisions of Bungoma District from May to December 2007. The sample for the study consisted of 1 public comforter, 24 Bukusu indigenous adherents and 24 Bukusu Muslim elders and 24 Muslim youths. The total sample size was thus 73. Only one public comforter was purposely sampled because he is currently the only one in the study area. The Bukusu indigenous religion adherents, the Bukusu Muslim elders and the Muslim youths were sampled through snow-ball approach and random sampling. These respondents comprised three men and three women from each division. The snow-ball sampling approach was used where the already identified respondent introduced the researcher to the next respondent after being interviewed. To deal with the weakness of the snow-ball approach, random sampling was used which involved breaking linkages of the snow-ball approach after a series of four respondents. These respondents provided information on the influence of Islam on the Bukusu indigenous beliefs and practices regarding inheritance.

Data collection

Both primary and secondary sources of data were utilized in this study. Primary data was gathered from the field to supplement secondary data. Primary data was derived from first hand information through oral interviews conducted by the researcher,

informal group discussions and non-participant observation.

Oral interviews

A structured interview guide was used for oral interviews and the researcher tape-recorded the sessions where necessary besides note-taking. The questions could easily be reframed to encourage free discussions other than just eliciting questions and answers. Oral interviews provided an opportunity for cross checking of responses to avoid possible misinterpretation and to ensure the understanding of the collected data and hence, validity. The method allowed the researcher to understand and capture the respondents' point of view through probing. According to the responses to the oral interviews, the influence of Islam on the Bukusu indigenous inheritance rules and regulations is half-half and hence change and continuity in the beliefs and practices.

In the course of oral interviews, discussions generated into informal group discussions especially when dealing with male muslim elders. These provide information about similarities and differences in the respondents' opinion and experiences on the research topic. This enabled the researcher to quantify the validity of the data obtained.

Observation method

Non-participant observation method was used where the researcher attended Islamic and Bukusu indigenous burial and post-burial ceremonies where appropriate in order to establish the practices carried out during these ceremonies. For example, the researcher attended the burial of a male elder belonging to the Balunda clan who bury the dead in a sitting position. This enabled the researcher to establish the essence of such kind of burial. Through observation, much was learnt by observing phenomena without manipulating the subjects. This was to provide a detailed and comprehensive description of what happens before and after burial ceremonies and what Islam has brought as change.

Primary data formed the core of our data which was supplemented by secondary data obtained from published books, unpublished articles, government reports and records, journals and periodicals, legislative council debates and district and provincial annual reports. These were obtained from national libraries and archives.

Document analysis method

For library research, both published and unpublished materials in Kenyan libraries were read and analyzed. Data was gathered from textbooks, journals, periodicals, official government reports, provincial and district annual reports and legislative council debates from national libraries and the Kenya national archives. These provided secondary data to supplement primary data on the spread and impact of Islam from Arabia to Africa, Kenya, Western Kenya and Bungoma, and the interaction between the Bukusu indigenous religion and Islam in Bukusuland. They also provided information on the Bukusu indigenous beliefs and practices on inheritance. The archival data was derived from provincial and district annual reports and legislative council debates at the Kenya National Archives in Nairobi. They provided information on the Bukusu indigenous religion

Data analysis

Some data gathered was transcribed and translated into English since Kiswahili and lubukusu languages were used besides

English. Data obtained from oral interview was compared and contrasted. The data was then categorized, synthesized and projected into themes based on the objectives. The data was then interpreted within the articulation of the concepts of change and continuity and the islamization theory. Through description, comparison and interpretation as methods of analytical discussion, conclusions from the data were made in respective stages

RESULTS AND DISCUSSION

Inheritance in the Qur'an

Being a patriarchal society, the Bukusu inheritance rules only allow male children to inherit and not the females who are expected to get married elsewhere and hence belong to a different lineage. The Bukusu people, therefore, wanted their property to remain intact within the clan lineage. This is against the Islamic law of inheritance, which guarantees both sexes the full right of inheritance. The shares are enshrined in the Shari'a, which stipulates the share of each individual. In Islam, girls gets a half the share of what boys get. The principles of inheritance law are laid down in broad outline in the Holy Qur'an (Surat 2:180 - 240; 4:7 - 12; 19, 33, 176).

The Islamic law of inheritance is of central importance in the Muslim religious life and forms an integral part of the Sharia. Muslims believe that the Sharia is divinely ordained and it constitutes the will of Allah. According to Muslims, the Sharia sets forth regulations on a person's relation with God as well as his or her relations with fellow people. The Sharia also provides people's obligations to God (Jannati, 1985; Hitti, 1970; Gibbs, 1961). The Islamic law of inheritance is binding to all Muslims due to its divine origin as indicated by various Qur'anic injunctions.

Muslims believe that Allah is the absolute owner of the universe and everything in it while people are regarded as trustees of the wealth and property therein. It is therefore, imperative that every individual should dispense the property and wealth held in trusteeship in accordance with the will of Allah (Abd al - Ati, 1975, 1977). The Islamic law of inheritance applies to both male and female property and the shares for each heir are explained in the Qur'an. Therefore, both the man's and woman's property is inherited by the family members related to the deceased through marriage and kinship. Thus, the Holy Qur'an has broadly laid down several principles of the Islamic law of Inheritance. For example Surah 2:180, 240 states: "It is ordained for you that any one who is at the point of death, and has goods to leave, should bequeath equitably to his parents and near relatives. This is an obligation upon the pious. Such of you as die leaving wives should bequeath to them maintenance for one year."

As to the legal heirs, the Qur'an holds in *Surah* 4:11-12, thus; Allah charges you concerning (the provision for) your children: to the male the equivalent of the portion of two females, and if there be women more than two,

then theirs is two-thirds of the inheritance and if there be (only) then the half. And to his parents the sixth of the inheritance. If he has a son; and if he has no son and his parents are the heirs, then to his mother appertains a third and if he has brethren, then to his mother appertains the sixth, after any legacy or debt (has been paid) (4:11) *Surah* 4:12 also talks of the share of the husband which is half of what the wife leaves if they have no children but if they have children then he will inherit a fourth of the wealth. Wives inherit a fourth of what the husband leaves if there are no children but a sixth if they have children. If one has not left either parents or children, sisters or brothers as heirs, then a distant heir especially on the mother's side, will inherit a sixth each of the property left after any legacy or debt has been paid. Other Surat on the same are: 4: 126; 5: 105 - 108; 57:7. Some of the dictums of the prophet include the well known one, "Learn the laws of succession and teach them to the people, for they are one half of useful knowledge" (Fitzgerald, 1931:120). Another prophetic teaching states, "The inheritance laws constitute one third of religious scholarship and they are the last discipline to be forgotten" (Khalidun, 1967:22). The aforementioned Qur'anic injunctions and prophetic dictums portray the central importance of the Islamic Law of Inheritance to Muslims. It provides for specific shares of inheritance but at the same time allows some power of testamentary disposition.

The Islamic idea of inheritance is consistent with the Islamic concept that wealth is not our own but is Allah's property, which we hold in trust. This is stated in *Surah* 57:7, "Believe in Allah and His messenger, and spend of that whereof He has made you trustees and such of you as believe and spend (a right) theirs will be a great reward." It is only just therefore that Muslims should leave the property they have after death. Thus, the laws of inheritance reflect the structure of family ties because rights of inheritance are generally regarded as the consideration for distress of protection and support owed to the deceased during his lifetime. The Law of Inheritance seem to be a fundamental aspect of the individual's duty to Islam in that they provide for the continuity of the family group as a basic unit of the universal Islamic community.

The main purpose of the Islamic law of inheritance is material provision for surviving dependants and relatives of the deceased. Islam allows a man to transmit the whole of his property by direct gift but does not allow him to dispose more than a third of his property by testation. It has been security held of the Islamic law of inheritance. After one dies every just claim against his/her property is paid. If anything has been pledged, it must be redeemed first and tithes and the expenses of pilgrimage must also be paid. After claims of this sort, every other just claim against the deceased is paid. This is followed by the expenses of the funeral as laid down by law: of the shroud and the serving of it, of washing the body, digging the grave and the plank for protection of the body and carrying

it to the grave when so desired (in the absence of voluntary carriers).

After this, distribution is made of the property bequeathed by the deceased by will, as to a third of the Estate, after deduction of the foregoing expenses. It is only after this that the estate is divided among the heirs. Schacht (1964:78) while explaining the distribution of a Muslim estate states:

Out of the estate are paid, first the cost of the funeral and second the debts; these become immediately due by the death. If the debts equal or exceed the assets of the deceased, the assets are distributed among the creditors, if necessary in proportion to their claims. Conversely, claims form part of the estates. Obligations and rights survive to a lesser degree than debts and claims; many contracts are dissolved by death for instance hire and lease, and in some cases suretyship. From the remaining assets are further deducted the legacies which are restricted to one third of these assets unless the heirs give their approval as do not exist at all.

Thus, in the provisions of the law of inheritance we find ample attention paid to the interests of all those whom nature places in the first rank of affection; and indeed it is difficult to conceive any system containing rules more strictly just and equitable. A limit is, therefore, set to the quantum of his estate that a man can bequeath. The basis for the imposition of this limitation lies in the fact that the inheritance by the legal heir is a matter of right, not of need. In the same view, it is believed in Islam that the wealth a child inherits from his or her parents to make him/her independent of others brings greater reward to the child.

EMPIRICAL RESEARCH- ISLAM AND CHANGE

Inheritance in the Bukusu Muslim community

There are several factors that generate change in society and all of them are interrelated. Kurgat, (2004: 75) argues that change is facilitated by firstly, contact with other cultures. It is through such contact that diffusion the source of most cultural change takes place. Many societies that have experienced rapid change have been the meeting ground of people from many cultures. Most sociologists agree that values especially those organized into generalized ideologies, have an important influence on individual and collective behavior and consequently on social processes.

Secondly, cultural accumulation is another important factor that brings about cultural change. Cultural accumulation sets limits both to the possibilities of invention and to introduction of traits from other cultures. Further, it may cause conflict among individuals in organizations, institutions, communities, or among

nations an issue which is endemic to all social relations. Cultural conflicts may result from differences in lifestyles and values which in the long run can generate new social norms and institutions and even generate the impetus for change by producing loyalty, solidarity and cohesiveness in social groups that unite in the face of the antagonist.

The Bukusu people have experienced many changes due to colonialism, foreign religions like Islam and Christianity, and westernization. However, the basic elements of the community and culture have remained intact. For example, many indigenous inheritance beliefs and practices of the Bukusu continue to be held as manifested in the rituals observed. Some of the Bukusu norms and values have only been modified and not changed wholly. Despite the prohibition by Islam of some Bukusu beliefs and practices that were seen to be repugnant and superstitious, some of the cultural practices are still in continuity as they are still considered relevant and are highly acknowledged by the Bukusu people. The older people and even some of the younger generation today have found no reason to discard their traditional practices and beliefs. This is because their culture is what expresses their way of life and religiosity-it offers them practical solutions to their problems.

According to Mugambi (1989:111), in almost every discussion concerning African heritage, the question of continuity and change tends to predominate. Change and continuity are processes integral to every culture and will continue to occur. It is important to recognize that every culture that has made significant impact in world history has done so only after rediscovering and affirming its roots and tracing them to antiquity. Thus, cultural renaissance is neither a blind return to the past, nor a blind leap into the future since the past is reincarnated into the present, and owing to that reincarnation, visions of the future are facilitated. Therefore, African identity is grounded in the indigenous customs.

The study established that Bukusu inheritance rules are so entrenched that they have not been altered by the Islamization of the people. The conflict between the Islamic inheritance rules and the indigenous inheritance rules put off many potential converts. Many converts resented the inheritance rules and hence fell back to their indigenous religion or joined Christianity. Many respondents had consensus that Bukusu Muslims still practice the indigenous patriarchal inheritance rules. In the event of death, especially of the father, they normally choose the elder son or brother to the deceased to be in charge of the deceased's property till an appointed time when it is shared out. If some or all children are still young, the chosen custodian will be in-charge of the property till all children are mature enough before the property is shared out. During the distribution, women whether daughters or widow(s) are not given any property (Issa Juma and Abdul Kundu, interview, (15/5/07) 15/5/07).

However, in a few instances, the deceased's daughters

are given some property like cars, money or even a plot on which to put up a house. Mostly those given are the ones who are widowed, divorced or those unstable in their marriages. They are given the property to make them financially stable but the property given is not based on their stipulated shares in the Qur'an. It is worth noting that though these women know their right to inheritance based on the Qur'an, they rarely complain when denied their rightful share. This is owing to the patriarchal nature of the Bukusu community and the socialization process they undergo. They have been socialized in a manner that makes them believe and accept that they do not need to own or inherit any property from parents. Only a few enlightened widows have had to go to the Kadhi's court to demand their share of inheritance. Under such instances, the Kadhi guides the distribution of the property to ensure the widow gets her share but only if it is verified that she and the deceased married through Ndoa (wedding) as per the Islamic faith (Rukia Sikuku, Rashida Nanjala, Interview, 30/6/07).

Yusuf Fwamba (interview, 30/6/07) argued that most of the Bukusu Muslims are not existentially involved in their faith. This is due to lack of human power to teach the Bukusu converts the Deen (religion) which has resulted into the superficial nature of the religion among the people. Bukusuland does not have Bukusu Dees (religious scholars/teachers) who know the religion in depth to teach other converts about the religion. At the same time, there are few qualified Bukusu Islamic religious education teachers to teach Islamic Religious Education in Schools. This accounts for the superficial nature and minimal spread of the religion in the area. To corroborate the above, Trimmingham (1964: 72) argues that the problem of the spread of Islam among Africans and above all its assimilation arises from the nature of those who should have been its chief agents. To him, the Muslims at the coast built their Islam into a defensive cultural barrier that cut them off from upcountry Muslims. They did not settle among them in the countryside, nor send out Qur'anic teachers. The later groups in interior settlements were often almost isolated, worshipped in their own mosques, and had little social intercourse with coastal Africans. This accounts for superficiality of conversion in the interior.

Similarly, Samiulah (1983:15) states that lack of human and material resources to teach the converts the *Deen* in depth has resulted in many unIslamic practices and ideas finding their way into Islamic community for example, the use of Qur'anic formulae in magical incantations and offering sacrifices to the dead in the name of appeasing Allah to bless them. Therefore, the people performing Da'wah have to exercise great tact and patience in order to win people away from the unIslamic practices without hurting their feelings. Therefore, according to maalim Ali and Ramadhan Juma, (interview, 15/7/07), some Bukusu Muslims do not give women inheritance due to lack of Islamic knowledge on the same.

In the researchers' view, the Muslim community (Umma) at large should see to it that Bungoma District gets more Alims (Religious leaders/teachers) who should enlighten the Bukusu Muslim converts about the religion in depth. They should also train more Bukusu converts on Islamic theology and Islamic law so that they can be able to guide the mu'mineen (faithfuls) in the area on important issues like inheritance. Similarly, the issue of Bukusu Muslim women property ownership and inheritance rights should be addressed by the larger Muslim Umma (community).

It is in the above context that (Mazrui, 1986) argues that though the introduction of foreign religions strongly threatened the very foundation and validity of African religions, the latter neither yielded fundamentally nor resisted indiscriminately and so managed to survive. Mazrui (1986) further states that Africans are "a people of the day before yesterday and the day after tomorrow." He notes that Africa's triple heritage of indigenous culture, Islam and western culture is sometimes a source of cultural enrichment, and at other times a cause of social and political tensions. Within the context of this triple heritage, Christianity and Islam have sometimes been in conflict, sometimes been in gracious competition, and have increasingly sought areas of ecumenical cooperation.

From the foregoing discussion, we can argue that when the Islamic faith encountered the Bukusu indigenous religion, there was bound to be a conflict of interests. When two cultures come into contact, there is usually the issue of adaptation or rejection. People from diverse cultural and religious traditions may learn new interests, values and norms from one another. Cultural interaction may also lead to the undermining of religious beliefs and values. In this case, we can argue that acculturation which is the communication between cultures on the same footing of mutual respect and tolerance is a necessary condition for Islam which is a universal religion. This will make it more accommodating to the Bukusu Muslim converts.

Conclusion

This paper examined the influence of Islam on the Bukusu indigenous inheritance beliefs and practices. Our research findings demonstrated that the Bukusu inheritance rules are patriarchal thereby favoring male children over females. Thus, only male children are allowed to inherit and not females who are expected to get married elsewhere and hence, belong to a different lineage. The male chauvinistic tendencies in the Bukusu community have pushed women to the subordinate and inferior position. Hence, the intrinsic value of women is negated in the Bukusu community. In general, the gender bias against women as exemplified in the Bukusu inheritance beliefs and practices is an issue which should

be addressed. Here, the socio-religious significance of the Bukusu inheritance rites is highlighted.

The study also established that Bukusu inheritance rules are so entrenched that they have not been altered or erased by the Islamization of the people. A lot of inconsistencies are demonstrated by most Bukusu Muslims who observe indigenous inheritance rules. The conflict between the Islamic inheritance rules and the indigenous inheritance rules put off many potential converts. Many converts resented the inheritance rules and hence fell back to their indigenous religion or joined Christianity. Many respondents have consensus that Bukusu Muslims still practice the indigenous patriarchal inheritance rules though they have adopted other Islamic beliefs and practices. Therefore, Islam has led to continuity in the Bukusu indigenous inheritance rules and regulations. Thus, the Bukusu indigenous religion has enriched Islam and Islam has likewise enriched the Bukusu religion a situation conducive for inculturation.

The Bukusu religion just like Islam is a way of life that is flexible and adaptable. It has to be lived and not to be preached-it is pragmatic rather than spiritual and theoretical. It only adopted the foreign aspects which were acceptable to the traditional way of life. Many of the islamized Bukusu people did not relinquish ties with their old beliefs and practices. In moments of distress and tribulation such as sickness, as well as on important social occasions or ceremonies like birth, naming, initiation, marriage and death, they often resort to the old beliefs and practices. They are children of two worlds, the old and the new, but more of the former than the latter. Hence, the Bukusu indigenous beliefs and practices in relation to inheritance are so ingrained in the people's lives and culture as they freely accommodate their social customs, practices and rituals.

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