

## **Indigenous Mechanism of Conflict Management and Resolution From 1850 To 1963 among the Pokot and Turkana Communities in Kenya**

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**Abstract:** *This study examines the indigenous mechanisms of conflict management and resolution practiced by the Pokot and Turkana communities in Kenya during the period from 1850 to 1963. Drawing on historical and anthropological sources, the research explores how these communities navigated conflicts within their cultural and traditional frameworks. The Pokot and Turkana relied on a variety of strategies to address disputes, including mediation by neutral elders, negotiation, and restitution. The council of elders played a pivotal role in guiding conflict resolution processes, while formal peace agreements, often reinforced by oaths and rituals, were employed to maintain harmony. The communities emphasized restorative justice, seeking reconciliation and community healing over punitive measures. The study also underscores the influence of changing external factors, such as colonialism and evolving socio-political structures, on these indigenous practices. As Kenya approached independence in 1963, these traditional conflict resolution mechanisms underwent further adaptations, reflecting the complex interplay between tradition and modernity.*

**Keywords:** *Indigenous mechanism, Conflict management mechanisms, Conflict Management Resolution, Turkana communities, Pokot Communities*

### **INTRODUCTION**

The Indigenous Mechanism of Conflict Management and Resolution among the Pokot and Turkana Communities in Kenya, spanning the period from 1850 to 1963, unveils the intricate interplay of tradition, culture, and social dynamics in addressing conflicts within these ethnic groups. During this era, these communities employed indigenous methods to navigate tensions, maintain social cohesion, and ensure harmonious coexistence. This investigation delves into the historical context and practices that shaped conflict resolution, shedding light on the mechanisms used by the Pokot and Turkana to manage disputes, restore balance, and uphold their communal structures. The 1850-1963 timeframe encapsulates a significant period in Kenya's history, marked by colonial influence, socio-cultural changes, and the eventual path to independence. Against this backdrop, the indigenous methods of conflict resolution practiced by the Pokot and Turkana communities offer a lens through which to understand their response to external pressures while preserving their identity and values. By delving into the strategies employed by these communities, this study aims to uncover the dynamics that guided conflict resolution, exploring the roles of elders, customary rituals,

mediation, and community involvement. Furthermore, the examination of this indigenous conflict management system contributes to a broader understanding of the historical underpinnings that have shaped Kenya's contemporary sociopolitical landscape.

The study seeks to investigate both indigenous and non-indigenous mechanisms for managing and resolving inter-ethnic conflict in Kenya. Indigenous methods of conflict resolution have been subject to criticism by both colonial and post-colonial state apparatus due to cultural differences and the lack of enforcing mechanisms. The mechanism of conflict management and resolution between the Pokot and Turkana communities during the pre-colonial era also requires a critical examination to understand the role institutions played in managing and resolving conflict. This is particularly important because the remedies applied by both the colonial and post-colonial state have not always been effective, and many solutions, such as the use of the military, have proved counterproductive. The study is therefore centered on understanding the role these institutions played in mitigating conflict between the Turkana and Pokot.

## **INDIGENOUS MECHANISM OF CONFLICT MANAGEMENT AND RESOLUTION**

Pre-colonial Pokot and Turkana conflict was driven by a desire to increase herd size as insurance against unplanned calamities like severe drought, famine, and livestock epidemic diseases; establish a more advantageous economic base and, enhance the socio-economic status; and control grazing areas. Restocking after a disaster that caused widespread herd deaths, like a severe drought and the accompanying lack of grass, is another common explanation (Patrick, 2021). To prepare for unexpected disasters like prolonged drought, famine, and livestock epidemic diseases, the conflicts that occurred in the precolonial era were fought over grazing areas, herd sizes, and other resources (Ogot, 1972). Furthermore, conflicts sprang out in the pastoral regions of Turkana and Pokot as a result of rising competition for finite resources and expanding populations. Conflict fueled by economic concerns, like livestock theft, escalated as a result. Borders between the Turkana and the Pokot generally cut across pastoralist-dominated lands. Communities fought over pasture, salt licks, harvesting and hunting grounds, simple production and extraction sites, water sources, and other scarce resources in the name of traditional lands rights (Gulliver, 1966; Galaty & Bonte, 1991).

The Pokot and Turkana used formed social groups based on kinship, jokes, ages, consensus, Arekapel (age-sets), elder women and men, and blood brotherhood to management and resolve conflicts. Traditional conflict resolution relied heavily on the institution of the clan. A clan is called an ateker in Turkana, but in Pokot it is called Hor. Both the Turkana and the Pokot place a high value on clanship as a social and political institution because of the way it brings together members of different generations and fosters a sense of obligation to help one another out when it's in the clan's best interest. To keep things peaceful within the clan, there were laws and regulations everyone had to follow. For instance, marriage between clan

members was strictly forbidden. They were bonded together as clan members and would not go to war with each other, therefore this factored into the conflict.

The notion of reciprocity also contributed to the success of dispute resolution. Peaceful coexistence and the absence of wars and conflicts were the results of an extensive system of reciprocal rights, goods, favours, and obligations among African communities. Communities would help one another in times of crisis, such as starvation or the loss of cattle (Wiggins, 1996). Turkana and Pokot got along because they both valued and practised the principle of reciprocity. Sharing was valued and safety was maintained in a social structure that encouraged mutual aid and equality thanks to the practise of reciprocity. By prioritising the interests of the group over those of the individual, reciprocity helped maintain peaceful interactions. Using this guiding idea, previously private rules become public safety nets. As a result, a spirit of fairness and justice was ingrained, and trust between people became paramount (Antonioni, 1998; Moberg, 2001).

Age differences were significant in mediating disputes. Erisait (leopard) and emorut (stone) generation sets alternate in Turkana civilization (Lamphear, 1989). Similar to women, men can be broken down by age (Gulliver, 1958; Lamphear, 1976b). Men in modern Turkana rely heavily on their age groupings as a means of social organisation. Senior age groups exercise authority over younger age groups, and peers act as peers (Gulliver, 1958; Lamphear, 1989). The Pokot and Turkana used the age set as a social and political organising mechanism in addition to a rite of passage. Individuals of similar ages, such as (Muren), treated one another as brothers and sisters and were held to same standards of conduct in public. Turkana and Pokot communities had age sets that enforced rules and punished disobedient youth. Traditional cultures in both of these areas relied heavily on age sets to avoid disruptive behaviour (Almagor & Baxter, 1977).

The Turkana and Pokot age-set system was an important institution for conflict control. Mediation panels among the Turkana-Pokot typically included elders who had been selected as adolescents to serve as leaders of the offender's age cohort. The victim would file a formal complaint with the head of the perpetrator's age group, who would then summon the offender to face judgement by the group. This worked well because, as age groups, they naturally understood and forgave one another (KNA/DC/BAR/6/1 Law and Order Suk Disturbance). Interactions between different age groups among the Turkana and the Pokot throughout the war were crucial in finding peaceful solutions. Through dialogue, they were better able to understand each other's perspectives, which ultimately led to compromise and the resolution of the issue (Gulliver, 1958). The following are some of the criticisms levelled at the age set system, which has been proposed as a means of conflict settlement. When it came to solving complex conflicts, the age set system was more militaristic and less effective. Sometimes becoming autocratic and usurping the authority of the elders, the morans lacked the technical knowledge and specialised diplomatic abilities necessary to get by. The elders

lacked an effective means of enforcing the sanctuaries' rules and ensuring that the morans complied with them (Gulliver, 1958; Areman, 2021).

Turkana and Pokot groups use joking relations, a common African social phenomena, to defuse potentially violent or hostile situations through the use of jokes and playful banter. They were routine in Turkana and Pokot villages, a sort of "agreement" amongst the many groups that sought to prohibit rage and hatred, the root causes of violence. In an effort to finally put an end to social problems and wars, people would sometimes form humorous relationships. This means they can be used to demonstrate the existence of preexisting links and the consequent lack of necessity for war in the context of conflict resolution. According to Muigua (2017), joking relation was a common social phenomena used to defuse tensions between neighbouring ethnic groups in Africa through informal communication. fake battles (etaparath) and fake dances (etum) are used in Turkana to promote a sense of community and discourage antisocial behaviour. In the event of inappropriate behaviour, envoys were dispatched to the affected households to discuss possible solutions (Adhiambo, 2014). The Turkana were called "overgrown babies" by the Pokot because they didn't act mature enough to take peace negotiations seriously. At various points in history, the Pokot considered the Turkana to be both "bad friends" and "good enemies." Friends at first, they eventually became foes, yet when peacemaking became necessary, they listened to one another (Holtzman, 2017). As a result, jokes were able to smooth over the ideological divide between the two groups that no amount of negotiation could fix. Since humour and goodwill are founded on forgiving and accepting one another, they can help prevent and end hostilities. Because of their links to the same community, disputants are expected to maintain a level of decorum that would otherwise be unheard of in a court of law. This suggests that the third party in the African scenario had greater access to resources that could have been used to bring about a peaceful resolution. Joking around helped keep the peace between the Pokot and the Turkana for a while.

Resolutions were reached through consensus among Turkana and Pokot communities, rather than through a winner-take-all method. Confidence was boosted, and each party felt like they had some control over the outcome, so agreements reached through consensus were greatly valued. Therefore, the decision made by the wise men and women held up over time. A consensus-based agreement might be broadcast to the entire community and formally confirmed as a social contract. When one community raided another, the Pokot and Turkana typically utilised a consensual method. This was done to let people know that the conflict resolution procedure had ended successfully. Both the parties and the community monitored the agreement's implementation to ensure it was being followed. During the wars, this was widely supported by Pokot and Turkana residents as a means of maintaining harmony. Confidence was boosted, and each party felt like they had some control over the outcome, so agreements reached through consensus were greatly valued. The decision made by the wise men and women was thus sensible, long-lasting, and functional. This was done to let people know that the process of resolving the disagreement had ended successfully (Muigua, 2017).

The parties and the community at large checked in to make sure the agreement was being honoured.

Among the Turkana, public opinion was generally given a lot of weight, and regular citizens were not excluded from social events. They saw, however, that the elders were unable to function and resolve disagreements within the customary framework. Managing conflicts took a lot of effort, but it sparked interesting conversations about things apart from the main system. The perpetrator's socioeconomic status and other factors are taken into account when determining the amount of restitution for a crime (Adhiambo, 2014). The monetary penalty and monetary compensation are both quantified in terms of the corresponding number and species of animals. For instance, the community viewed murder (akibut) as a serious offence, and the penalty for such an offence varied depending on the victim's sex and marital status. Thirty was the going rate for a man, a camel, or a cow. A victim must pay sixty animals for a single woman, and forty animals for a married woman. The victim's family would take revenge by killing them if they didn't pay the fine. To rid the killer of guilt and shield him from the afterlife's ghosts, a rite called Akibel Akoit was carried out (Adhiambo, 2014).

Forgiveness was more like a negotiated form of mediation, with one or more parties agreeing to forgo their demands in exchange for peace. It was founded on the idea that "if you accept now, then when you (or your kinsperson, associate, or animal) make an analogous error, people will be willing to forgive you" (Holtzman, 2017). Many people in the area also believe that God will reward them for being patient. Affective factors and social ties that can encourage the parties to buy into the reconciliation attempt were found to be especially important among the African communities in Gambia during the pre-colonial era, where terms like *sabar* in Arabic meant patience or forgiveness (Aron, 1990).

During the pre-colonial era, the Pokot and Turkana dispute was managed through the employment of the negotiation method. Peace talks between the Pokot and Turkana tribes were facilitated by their elders. Because of this, they were able to get along and share the grazing pastures and water sources. Thus, the bargaining method was an effective means of bringing people together (Mwagiru, 2006). After negotiations broke down, Pokot and Turkana tried a dyadic strategy in which a third party acted as a mediator to try to resolve the impasse. According to Doob (1993), when one party, both parties, or both parties and a third party recognise an issue that has to be resolved, mediation takes place. "voluntary, informal, nonbinding process, undertaken with a third party, that fostered the resolution of disagreements or demand between directly invested parties" (Millar, 1971) best describes mediation. The success of mediation between the Turkana and the Pokot was found to be highly dependent on factors such as the mediator's political standing, conflict management expertise, social standing, resources at their disposal, and capacity to remain discreet during the process (Bercovitch & Houston, 1996). Mulu (2008) claims that "mediation between the Turkana and Pokot was an act of intervention in a conflict by a third party or outside power to improve the chances of resolution." Based on the above, it can be concluded that informal mediation was a flexible, expedient, and faster mechanism for dispute resolution among the

Turkana and pokot, which in turn encouraged cost-effective resolutions. It was favoured due to the mediation process's successful and long-lasting results (Mulu,2008).

The elder's council has been used successfully to resolve conflicts in pastoral areas of Turkana and Pokot for centuries (Beyene, 2017). According to a number of sources (Bekele, 2010; Kelemework, 2011; Hundie et al., 2008), customary institutions continue to be the most popular and effective means of conflict management and resolution in many rural and agricultural parts of Ethiopia. Kokwo or ekuko (councils of elders) in Pokot and Turkana accordingly are an elected body of community members who serve a governing function at the local level, despite the accumulated knowledge of the customary institutions and the call for Turkana authorities to support the running of traditional means of access and the successful operation of customary courts (Beyene, 2017). The primary function of these councils is to mediate disputes between members of the community through council sittings (kikao), often fining one or both parties for violating community standards. The Pokot referred to the council of elders as *Poy* in the Pokot language. Community elders from the conflicting communities made treaties on peacekeeping. This strategy involved slaughtering a goat and using goat blood for cleansing. Sharing a meal among the warring Turkana community elders signifies peaceful coexistence. However, this strategy primarily dealt with the situation at hand and thus served specific warring situations. (Gulliver, 1958).

The council of elders from both communities engaged in multiple functions to enhance peace and forestall conflict. They engaged in the collection of intelligence information concerning community threats. The casting of sandals by knowledgeable elders from both communities was a common practice. The elders would foretell an impending attack by accurately reading the intestines of slaughtered goats. The community members were then asked to vacate the danger spots with their livestock. Rituals were also performed to protect the community from external attacks. The warriors would be vigilant to spy on the possible enemy attack by looking for suspicious footprints. At times, the elders from Pokot and Turkana would enter into negotiations and convince warriors not to go to raids. The elder from the two communities entered into a peace pact called *Miss*. The peace pact brokered by the elders of the two communities allowed the community to access strategic resources such as pasture water from each other. Both communities donated milk, honey, and bulls that would be slaughtered and shared. Weapons of war, such as spears, allow and shields, were collected, broken and bullied at the ritual site to signify the end of the war and the beginning of peace (Nyanhoga & Nogoto, 2014). The ceremonies were sometimes referred to as cursing ceremonies.

Among the Pokot, the ceremonies were necessary for customary conflict resolution due to their longevity and effectiveness. The ceremonies between Pokot and Turkana communities invoke curses in a ritual of burying the hatchet as a last resort in resolving conflicts (Gray, 1981). The Turkana and Pokot regard the burying hatchet ceremony as a non-negotiable step in the process of managing and resolving conflict. They act as a seal and a culmination of the indigenous peace processes and agreement. In addition, the interviewees claimed that

indigenous rituals marked the closure of conflicts among many African communities. For even the few issues that were brought to the police, society would require a custom ceremony to acknowledge the resolution of the conflict ritualistically. In a part of the world that was once rife with violent tribal clashes, people revered *muuma/cursing* ceremonies and universally regarded them as a tool to keep communities healthy and just. The present-day communities in Pokot and Turkana still regularly use *Kokwo Poyi sittings* for resolving conflict at the community level, often without success (Thomas, 1992). Despite their importance, the council of elders were inadequate in the protection of rights especially of vulnerable groups like women, children, and minorities. For instance the fine for killing a woman among the Turkana and Pokot was fifty heads of cattle while for a man it was hundred heads of cattle. The council of elders were also found to be resistant to change which limited the effectiveness of alternative approaches to conflict resolution. (Lokol, O.I. July 2022).

The contributions of women to war and peace have long been underestimated for a long time. Women, over the years, often contribute to the outbreak of violence and even hostilities. Time and again, they have been linked to inciting men to defend the interests of their groups, as well as honour and even livelihoods. Women have also been instrumental in preserving order and normalcy during chaotic times. When conflict arises, and men engage in war and are killed, disappear or take refuge outside their country's borders, women are left with the burden of ensuring family livelihood. Women struggle to protect their families health and safety, a task which rests on their ability to cope pragmatically with change and adversity (Gulliver, 1958). In the post-conflict phase, women played an important role in the peace process and rehabilitation and reintegration phases. Women play a significant role in decision-making in conflict settlement and peace processes. Women can and do act in this phase as negotiators and mediators to encourage dialogue between the parties; by highlighting the needs of women in the demobilisation and reconstruction phase. Women's groups and networks can make an important contribution to a sustainable peace process; former women soldiers, survivors and refugees can foster reconciliation through their experiences. The support of women by other women in psychosocial care, trauma management and reintegration of widows and combatants helps prevent social and economic isolation; during the return or resettlement of internally displaced persons (IDP) or refugees. The women affected can be supported in the settlement choice by activists or women's groups. During the reconstruction of the justice and administrative systems, qualified women can help in the formulation of laws and regulations to ensure gender equality in public life and fair access to economic resources (e.g. land and property rights) (Lamphear, 1976) It is often argued that women are well-positioned to play more critical roles in peacemaking in Turkana-Pokot because of their socially constructed functions as the custodians of family and community values and as nurturers, caregivers and mediators within the family (Vicker, 1993)

Women provided early warning information of impending conflicts too. For instance, while fetching water or collecting firewood, women would come across unfamiliar footprints indicating that a group of raiders had passed there. This information was interpreted and shared with the elders for action. For example, women prophets from both the Turkana and Pokot community were renowned for their ability to interpret footprints. They could tell the number of people and where they were coming from. This helped take up measures to avert the conflicts and the associated effects. Secondly, while women slaughtered an animal, they would observe the pattern in the intestines and interpret this information if it indicated an attack (*Arem*) was impending. The community would then take necessary action (Bollig, 1990).

The women also deterred conflicts by discouraging the men from engaging in raids through lamenting, crying and pronouncing curses on anyone who went for the raids against their wishes. Turkana women in Lobeyi -Kotaruk cursed many young men who refused to heed their advice of not engaging in raids. The young men went ahead and raided the Pokot. Since the young men disregarded their mothers' advice, they never returned. They were all killed by the Pokot. This incident served as a deterrence for other young men from engaging in raids. Hence better ethnic relations were maintained with the Pokot resulting in peace (Bercovitch & Houston, 1996).

Women Peace Crusades (*Alokita a Ngaberu*) was a group of women united for the purpose of communicating messages to the community through songs, poems, speeches and dance. The Turkana-Pokot women joined in with women from other communities, such as the Toposa, Didinga, and Nyangatom. The women adopted this method to reach out to the elders and men engaging in raids to stop and embrace peace. This approach of crusades was meant to reach out to the communities living along the borders of Kenya, like Turkana and Pokot. The peace crusades drew women from different areas as well as from different communities that were in conflict. For instance, the Turkana, Toposa, Didinga, and Nyangatom crusade brought together the Turkana, Toposa, Nyangatom and Didinga women. The crusades opened opportunities for dialogue between the communities involved in the peace crusades. For instance, when the Turkana Toposa Didinga Nyangatom was going to Toposa land, tensions existed between the Turkana, Toposa and Didinga. Through this *alokita*, the three communities were able to talk and dialogue over the issues of cattle raids that had affected the relationships between the three communities. It helped in restoring and strengthening the inter-ethnic relationships between these communities. The crusade also helped in reaching out to the young men with messages of peace in the grazing fields, which conventional methods such as workshops and conferences could not do. The women called upon the young men to stop raids and embrace other communities through peace—their calls as mothers were headed upon because young men deeply respected their mothers.



## CONCLUSION

The Indigenous Mechanism of Conflict Management and Resolution among the Pokot and Turkana Communities in Kenya from 1850 to 1963 reflects the intricate interplay between tradition, culture, and social dynamics in addressing conflicts within these ethnic groups. By examining historical practices, this study illuminates the indigenous strategies employed to navigate tensions, maintain social cohesion, and uphold communal structures. The study's temporal scope, encompassing a pivotal period of colonial influence and eventual independence, provides a backdrop for understanding the communities' responses to external pressures while safeguarding their identity. By delving into these strategies, the research aims to uncover the roles played by elders, customary rituals, mediation, and community involvement, offering insights into the nuanced dynamics that guided conflict resolution.

However, this study also recognizes the limitations inherent in these indigenous mechanisms, which faced criticism from both colonial and post-colonial authorities due to cultural disparities and enforcement challenges. As the Pokot and Turkana communities endeavored to manage conflicts using their traditional methods, external interventions often yielded counterproductive outcomes, such as the use of military force. To improve future conflict management, it is recommended that these historical insights be integrated into contemporary strategies. Lessons from the successes and failures of indigenous methods can inform the development of hybrid approaches that blend cultural values with effective enforcement mechanisms. Furthermore, fostering dialogue between communities, government bodies, and non-governmental organizations can create a platform for sustainable conflict resolution strategies that respect cultural diversity while ensuring lasting peace. This study thus underscores the importance of learning from the past to forge a path toward more contextually relevant and effective conflict management in Kenya.

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