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INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES

INFLUENCE OF CULTURAL PRACTICES ON CONFLICT AND ITS MANAGEMENT IN AFRICA: A CASE OF WEST POKOT AND ELGEYO MARAKWET COUNTIES OF KENYA

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DECLARATION

I declare that this research project is my original work and that it has not been presented in any other University for any academic award.

Signature: …………………………….   Date: …………………………

Sitin Daniel Kiprotich

R47/35853/2019

This research project has been submitted for examination with my approval as University supervisor.

Signature: …………………………….   Date: …………………………

Winnie Rugutt

DEDICATION

I dedicate this research project to my wife Rebecca and my daughters Jessica, Janet and Victoria.

ACKNOWLEDGMENTS

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LIST OF ABBREVIATIONS AND ACRONYMS

BBI	Building Bridges Initiative
CBO	Community-Based Organization
CJPC	Catholic Justice and Peace Commission
CSO	Civil Society Organization
DRC	Democratic Republic of Congo
FBO	Faith-Based Organization
FGD	Focus Group Discussion
ICRC	International Committee of the Red Cross
ICTR	International Criminal Tribunal for Rwanda
KNBS	Kenya National Bureau of Statistics
KVDA	Kerio Valley Development Authority
NACOSTI	National Commission for Science, Technology and Innovation
NCCK	National Council of Churches of Kenya
NCIC	National Cohesion and Integration Commission
NGAO	National Government Administrative Officers
NGO	Non-Governmental Organization
NSC	National Steering Committee
PEV	Post-Election Violence
TJRC	Truth, Justice and Reconciliation Commission
UN	United Nations

OPERATIONALIZATION OF TERMS

Baraza   Means a general public gathering that has been convened for purposes of educating or passing information to the public.

Community elders Refers to local older and distinguished members of the community who have a track record of wisdom, decorum, honesty etc. and are bestowed with the honour of leading and guiding the community.

Cultural practices Refers to customary actions, habits, or behaviours that are observed by a community as their general way of life.

Ethnic conflict Refers to a conflict between two or more ethnic groups where individuals involved explicitly fight for their ethnic group's positions either for social, political, or economic reasons.

Gacaca courts Refers to Rwandan tradition-based system of community justice which was used to promote healing and rebuilding in the wake of the Rwandan genocide.

NGAO   Refers to the National Government representatives such as the assistant chiefs, chiefs, Sub-County and County Commissioners.

NGO   Refers to any organization that is not for profit making; is free from government control; does not seek to challenge the government; focuses on human rights, peace and reconciliation; and is non-criminal in its undertakings.

ABSTRACT

Cultural practices are likely to play a significant part in causation and resolution of conflict. The main objective of this study was to investigate the influence of cultural practices on conflict and its management in Africa. A case of West Pokot and Elgeyo Marakwet Counties of Kenya was used. The specific objectives of the study included: to determine the effect of cultural practices on conflict and its management in Africa; to investigate the effect of cultural practices on conflict and its management in Kenya; and to examine the extent to which cultural practices influence conflict and its management in West Pokot and Elgeyo Marakwet Counties of Kenya. The study was anchored on Johan Galtung's model for peace. The study used a qualitative research design making use of both primary and secondary qualitative data. Primary data was collected through Focus Group Discussions whereas secondary data was collected through relevant secondary sources. The study found that, in Africa, cultural practices have both been a cause of cultural related conflicts as well as a means for their management and resolution. The study analysed the findings using content analysis and concluded that indeed cultural practices influenced conflict and its management in Kenya and in Africa as a whole. It also concluded that despite having caused conflicts, cultural practices have in most cases, positively influenced conflict and its management since African cultures have in-built cultural mechanisms for conciliation and reconciliation. These cultural mechanisms include cultural rituals, dialogue, negotiation, mediation, compensation and conflict settlements through peace agreements. Further, the study also concluded that the Kenyan government and non-state actors have positively contributed to conflict management and resolution through the formation of Security and Peace committee structures. The study, therefore, recommends that the communities supported by NGOs, FBOs and CBOs should engage more on inter-community cooperation, cross-cultural cooperation, negotiation, mediation and development of modalities for harmonious coexistence. It also recommends that both National and County governments should encourage and subsidize alternative and diversified livelihoods. Further, the study recommends that the governments should enhance their peace-building efforts and rather than rob the community elders of their autonomy, they should embrace and incorporate them in the Peace committees.

CHAPTER ONE

INTRODUCTION TO THE STUDY

1.0 Introduction

This chapter is the introduction to this study which seeks to investigate the role of cultural practices in conflict and its management in Africa. It contains the background to the study, statement of the problem, justification, research questions, research objectives, literature review, theoretical framework, hypotheses and the research methodology. A thesis outline is given at the end of the chapter.

1.1 Background of the Study

Conflict is the active disagreement between two opposing parties on their opinions or ideologies.[1] For instance, a disagreement between two opposing communities may result in violence and gradual war which mostly entails criminal activities. The criminal acts that result from conflict include killings and property destruction among others. This results in large populations being displaced from their economic activities and, consequently, their dependence on relief food.[2]

Catastrophic lack of resources such as pasture or water in one particular area occupied by one ethnic group can lead to conflicts. This is because the search and demand for such resources may lead to ethnical clashes and conflict.[3] The political system within a country

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[1] Mengistu, Muhabie Mekonnen. "The Root Causes of Conflicts in the Horn of Africa." *American Journal of Applied Psychology* 4, No. 2 (2015): 28-34.

[2] Lyman, Abra, And Darren Kew. "An African Dilemma: Resolving Indigenous Conflicts in Kenya." *Geographical Journal of International Affairs,* 11 (2010): 37.

[3] Salehyan, Idean, Cullen S. Hendrix, Jesse Hamner, Christina Case, Christopher Linebarger, Emily Stull, and Jennifer Williams. "Social Conflict in Africa: A New Database." *International Interactions* 38, No. 4 (2012): 503-511.

may initiate peace due to democracy and equal distribution of resources. However, either armed or verbal conflict may erupt as a result of feeling cheated on the two aspects.[4]

Conflict may also erupt due to the culture and economic practice of a particular community. For example, in low-level economies, leaders are always in high-level demand to control the available resources leaving the rest of the members vulnerable and easily used to cause conflict to satisfy their interest.[5] Additionally, scrambling for economic resources such land for farming, water and pasture among others leads to conflicts.

The cultural practices that lead to conflicts are present in any society in the world either in the past, in the present, and in the future. This kind of the conflict is found in the developed, in the developing, underdeveloped, and in the poor countries. However, the nature and the frequency of its occurrence and the effects of these conflicts may be different from one community to another, from one region to another, and from one nation to another.[6]

In the developed countries in the Americas and Europe, such kinds of conflicts are found in case of minorities and immigrants. The examples of these immigrants are Black and Hispanic. In Western Europe countries, there is conflict between the Catholics and Protestants especially in Northern Ireland. In Great Britain and France, the minorities and

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[4] Golden, Francis St Clair, Thomas James Roose Francis, Deborah Gallimore, and Roger Pethybridge. "Lessons from History: Morbidity of Cold Injury in the Royal Marines During the Falklands Conflict of 1982." *Extreme Physiology & Medicine* 2, No. 1 (2013): 23.

[5] Van Weezel, Stijn. "Economic Shocks & Civil Conflict Onset in Sub-Saharan Africa, 1981–2010." *Defence and Peace Economics* 26, No. 2 (2015): 153-177.

[6] Baker, Mona. *Translation and Conflict: A Narrative Account*. Routledge, 2018.

immigrants sometimes experience conflicts especially competition for use of the limited resources or in case of unemployment.[7]

In Africa, cultural practices have been a contributing factor to conflict and its management. Communities have encountered civil wars or different types of vicious violent conflicts due to cultural practices of the previous three decades.[8] The conflicts have devastated and affected the economies, the establishments of states and of common society, social relations, societies, and representations. Settling the fundamental reasons for conflict is essential to guaranteeing practical advancement and to diminish the probability of violence reoccurring in Africa's post-conflict communities. African communities therefore need to build up methods for overseeing, settling, and living past violent conflicts.

Building lasting peace in conflict-affected societies is among the most overwhelming of difficulty hindering the achievement of world peace, security, and global human development goals.[9] As Africa turns out to be progressively noticeable in the global economy, the need to transition from past violent conflicts is especially intense. In various post-conflict communities in Africa, there has been a general impasse on the way forward on issues of equity, compensation, responsibility, and achievement of social-economic development goals.[10]

[7] Murray, Rainbow. "The Political Representation of Ethnic Minority Women in France." *Parliamentary Affairs* 69, No. 3 (2016): 586-602.
[8] Uvin, Peter. "Structural Causes, Development Co-Operation and Conflict Prevention in Burundi and Rwanda." *Conflict, Security & Development* 10, No. 1 (2010): 161-179.
[9] Mengistu, 28-34.
[10] Richmond, Oliver P. *Peace Formation and Political Order in Conflict Affected Societies*. Oxford University Press, 2016.

In Kenya, cultural practices lead to ethnical conflicts, which occur frequently. Most of the ethnic conflicts are minor skirmishes. In their book, "Understanding and managing pastoral conflict in Kenya[11]," the authors acknowledge a substantial use of harshness of ethnic conflicts particularly in the course of election crises. This has led to a mass exodus by minority ethnic communities originating from their geographical areas to their "home" areas. For example, Roberts[12] observed that in December 2008, some of the Indians residing in Kisumu began exiting. Most of them, being traders, no longer believed that the Kenyan police could guarantee them security.

Ndiku[13] describes the state of peace in Kenya as complex. In their article *"Understanding Kenya"* the authors observe that there is a widespread violence due to more than six hundred thousand small arms in circulation. The informal trading in renting weapons has eased small arms access. The study further highlights some of the issues which influence and drive conflict such as culture as well as land and border disputes. The advent of multiparty politics in 1992 and the promulgation of the new constitution in 2010 generated fresh conflict factors. This is because the constitution provided for devolution and governance structures but failed to define how to attain it.[14]

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[11] Kratli, Saverio, and Jeremy Swift. "Understanding and Managing Pastoral Conflict in Kenya." *University of Sussex, Sussex* (2003).

[12] Roberts, Mara J. "Conflict Analysis of the 2007 Post-Election Violence in Kenya." *Managing Conflicts in Africa's Democratic Transitions* (2009): 141-55.

[13] Kisuke Ndiku. "Three Areas Peace Fund." Nairobi-Kenya. (2011).

[14] Kamungi, Prisca. "Identity, Democracy and Internally Displaced Persons in Kenya." (2013).

West Pokot and Elgeyo Marakwet are Counties in the former Rift Valley province in Kenya. The total area coverage of Elgeyo Marakwet County is 3029.9 km2. It borders the Counties of Baringo to the East, West Pokot to the North, Trans Nzoia to the Northwest and Uasin Gishu to the West.[15] On the other hand, West Pokot County is located along Kenya's Western border with the Republic of Uganda. It borders the Counties of Baringo to the East, Elgeyo Marakwet to the South East, Trans Nzoia to the South and Turkana to the North and North East.

Predominantly, the Pokot and Marakwet communities are pastoralists. The semi-arid environment and the nomadic life of these communities results to their constant competition for the scarce water and pasture which in turn lead to armed conflicts among them. Among these communities, causes of conflicts are related to a number of reasons namely: historical heritage, farming and grazing problems, control of natural resources, in addition to politics which is highly motivated by the elite.[16]

Noonan[17] argues that the conflict between the Pokot and Marakwet has its verifiable points of reference and are culturally motivated. In the Counties, the long history of social and cultural practices is critically harmful and compounds the effects of conflict and marginalization. There is also a belief and a tendency among the communities to view gender as an alien and illegitimate concern of peace and state building.

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[15] KNBS. National Population and Housing Census. 2010
[16] Gates, Scott, Håvard Hegre, Håvard Mokleiv Nygård, and Håvard Strand. "Development Consequences of Armed Conflict." *World Development* 40, No. 9 (2012): 1713-1722.
[17] Noonan, Oliver, and Rob Kevlihan. "Managing Conflict in North-West Kenya: The Siege of Loregon and Its Aftermath." *Conflict, Security & Development* 18, No. 2 (2018): 137-157.

1.2 Statement of the Problem

For decades, cultural practices such as cattle rustling, status, heroic actions and dowry payment have remained a challenge among the pastoral communities even as the government steps up measures to contain it. It is rampant along the border of Turkana, West Pokot, Baringo and Elgeyo Marakwet Counties where many lives have been lost, property destroyed and hundreds forced to relocate to safer places. Cultural practices in conflict-prone areas in the North Rift have left survivors with life-long mental and physical scars. Some survivors have been maimed and now depend on relatives for support.

The state and non-state actors have put up measures to contain the conflicts. However, the mechanisms put in place have not been effective as the conflicts still continue to occur in West Pokot and Elgeyo Marakwet Counties. With the cultural practices tipped to contribute to these conflicts, their role in contribution and management of these conflicts cannot be ignored. Since most measures put in place have proved insufficient in containing the conflicts, it was therefore important to study the cultural practices in place and how they contribute to the management of conflicts in West Pokot and Elgeyo Marakwet Counties of Kenya.

1.3 Research Questions

i.   How do cultural practices affect conflict and its management in Africa?

ii.   What is the effect of cultural practices on conflict and its management in Kenya?

iii.   To what extent do cultural practices influence conflict and its management in West Pokot and Elgeyo Marakwet Counties of Kenya?

1.4 Objective of the Study

The overall objective of this study was to investigate the influence of cultural practices on conflict and its management in Africa. A case of West Pokot and Elgeyo Marakwet Counties of Kenya was used.

1.4.1 Specific Objectives

The following were the specific objectives for this study:

   i.   To determine the effect of cultural practices on conflict and its management in Africa.

   ii.   To investigate the effect of cultural practices on conflict and its management in Kenya.

   iii. To examine the extent to which cultural practices influence conflict and its management in West Pokot and Elgeyo Marakwet Counties of Kenya.

1.5 Literature Review

This section reviews literature related to the subject of the study as documented earlier by other scholars, researchers, and authors. The materials for the research were drawn from various sources that relate closely to the study theme as well as the objectives. Therefore, the literature review for this study has been organized thematically to cover the key objective areas and contains both the theoretical and empirical literature reviews.

1.5.1 Theoretical Literature

Conflicts have been witnessed around the world, regionally and within nations since time immemorial. Some of the recorded violent conflicts include the Greco-Persian war of 499-

449BC, wars of Alexander the Great of 335-325BC and the Roman-Syrian war of 192-188BC. The 20th Century experienced three historic wars; World War I of 1914 to 1918, World War II of 1939 to 1945 and a 'Cold War' of 1947 to 1991. These wars had enormous impacts and devastating effects. They altered existing structures attributed to the use of lethal weapons (chemical and nuclear) and caused fierce battle for supremacy respectively. These global wars were complex due to the involvement of numerous countries spread in several continents as well as the composite system of supporters and opposing alliances.[18]

Palosaari[19] argues that forces of different magnitude were used by African countries in the 1960s to get liberty from colonizing nations while others got independence following voluntary relinquishment by colonialists. However, there were fatalities and protracted liberation wars in those countries where colonizing nations clung to power, for example, Portugal in Mozambique and Angola.

Some of those countries that successfully gained their independence from colonialists faced internal conflict due to attempts and quests for secession by some sections. Examples are Biafra in Nigeria in 1967-1970, Eritrea then a Federal state in Ethiopia who had initial attempt in 1952 and successfully seceded in 1991 and Katanga in Congo in 1961. Consequently, secession movement gave rise to ethnic conflicts especially in those countries that had multiple ethnic communities and states, for instance, Yugoslav wars of

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[18] Esman, Milton J., Ed. *Ethnic Conflict in the Western World*. Cornell University Press, 2019.
[19] Palosaari, Teemu, and Frank Moller. "Security and Marginality: Arctic Europe After the Double Enlargement." *Cooperation and Conflict* 39, No. 3 (2004): 255-281.

1991-2002, the war in Darfur in Sudan of 2003, Nagorno-Karanakh war of 1988-1994, the first Chechen war and Rwanda's civil war of 1994 among others.[20]

Most cultural practices that lead to conflicts, mainly in the form of cattle rustling occurs in a series described as an episode. Conflict episode is a cycle in which conflict occurs in a calendar year and is in many phases summarized into three, namely latent, manifest and after-math (post-conflict). Each of the phases may be very short and influenced by the outcomes of the previous occurrences and influences future incidents. At the latent stage, the conflicts have not occurred but there are precursors of conflict such as the existence of scarce resources and divergent needs, values and interests. If a triggering event takes place, conflict moves from the latent stage to the manifest stage. This is where a conflicting behaviour is observable such as disagreement, tension and discussions which if not managed moves to crisis or full-blown conflict.[21]

Violent conflict causes a vicious cycle of socioeconomic problems following the impact it creates, notably the loss of life, assets loss and depletion, and psychological decline. In addition, these problems create diverse negative coping that impede the rebuilding of social and financial capital. However, rebuilding financial capital requires an economic intervention so as to support the affected population to lead decent and productive lives as well as become self-reliant. In addition, rebuilding financial capital has an outcome of improving economies of communities and nations as measured by the rates of growth.[22]

[20] Harbom, Lotta, and Peter Wallensteen. "Armed Conflict, 1989—2006." *Journal of Peace Research* 44, No. 5 (2007): 623-634.
[21] Tomchak, Joseph. "Re-Examining Ethnic Conflict in Sub-Saharan Africa." (2017).
[22] Justino, Patricia. "Poverty and Violent Conflict: A Micro-Level Perspective on the Causes and Duration of Warfare." *Journal of Peace Research* 46, No. 3 (2009): 315-333.

Traditional communities have local mechanisms for managing culturally related conflicts. Pkalya[23] identified four institutions that manage social conflicts namely: nucleus family, extended family, the clan and the Council of Elders. Their levels are clearly defined and power transcends hierarchically. This implies that the nucleus family and council of elders are the lowest and highest levels respectively. Disputes are handled at each level which if not managed fully or when a party is aggrieved by the outcome of the ruling, the next level serves as an 'appellant court' until the elders, the highest and final institution of conflict management. However, inter-ethnic conflict is handled by one institution, the council of elders because the conflict involves an external actor (ethnic group) who is not a member of the community.

The elders undertake fundamental roles in conflict prevention, mediation and resolution. Their roles are guided by cultural values, systems and are respected by virtue of social status and authority. Their judgments and decisions are respected and adhered to by all community members.

Conflict prevention among communities involves the use of traditional early warning mechanisms that entail the collection of intelligence information about security and external threats of another community.[24] There is also gathering and distribution of military information to the community to inform and guide the development of preventative measures. One way of gathering information is the examination of the

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[23] Pkalya, Ruto, Mohamud Adan, Isabella Masinde, Betty Rabar, and Martin Karimi. *Indigenous Democracy: Traditional Conflict Resolution Mechanisms: Pokot, Turkana, Samburu, and Marakwet.* Intermediate Technology Development Group--Eastern Africa, 2004.
[24] Pkalya,22.

intestines of goats by community experts to forecast a looming occurrence of conflict.[25] The outcome is accurate and is accepted by all community members which inform the next course of action as advised by elders. Warriors on the other hand are positioned in strategic places to protect against possible attack or engage in defensive measures.

1.5.2 Empirical Literature

1.5.2.1 Conflict and its Management

The meaning as well as the definition of conflict has brought many arguments among the scholars of sociology and conflicts. Max Weber[26] argued that any society is plagued with divisions, tensions and struggles. Sigmund Freud[27] found out that human personality as a dynamic process which is constantly adjusting to internal and external environment of the individuals and groups. Edward Azzar[28] found out that these conflicts, whether they are at individual or communal level is a result of social discontent. For these reasons, therefore, members of the same ethnic group or community express their discontent through different collective measures.

The concepts of those scholars lead to a number of definitions of the word conflict. The first one has been given by Giddens[29]. According to the study, conflict is an antagonism between individuals or groups in particular society or community. The meaning here is that conflict is an open, active and unfriendly opposition between people or groups of

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[25] Nganga, Philip Mungai. "Ethics, Values and Norms: Explaining Conflict Management in the Maasai Community, 2009–2012." Phd Diss., MA Dissertation, Institute of Diplomacy and International Studies, University of Nairobi, Nairobi, 2013.
[26] Beetham, David. *Max Weber and the Theory of Modern Politics*. John Wiley & Sons, 2018.
[27] Wittels, Fritz. "Sigmund Freud: His Personality, His Teaching and His School." (2016).
[28] Rubin, Barry. *Lebanon: Liberation, Conflict, and Crisis*. Springer, 2009.
[29] Giddens, Anthony, And David Held, Eds. *Classes, Power and Conflict: Classical and Contemporary Debates*. Univ of California Press, 1982.

people. Kinsley[30] defined conflict as a situation that will develop where there is no level of agreement between individuals or groups on the solution of a problem and the only method of solving the disparity of interest is the resort to the use of force. The meaning here is that conflict is a result of lack of agreement on interest and aspiration that cannot be compromised.

Rubin[31] on the other hand defined conflict as the perceived divergences of interests. The meaning here is that there are no alternatives that satisfy the conflict parties' interests and aspirations. As such, every party to a conflict feels that any offer given to it as a compensation for the solution to the conflict means loss of legitimate interests and aspirations. So the only way to get or achieve its goals and interests is by using force. Rubin also argued that conflict is where parties are engaged in pursuit of incompatible goals. The meaning here is that conflict is the process of trying to achieve the aspirations and the goals that cannot be accommodated.

According to Wallensteen,[32] conflict is disagreement over some issue. Conflict is something natural. Since the dawn of the human race, conflict has been the catalyst for people to sit down and debate issues to correct mistakes and to arrive at the truth. Conflict is an expression of disagreement over something that is important to either parties or sides. It is an issue between two parts or more who think that they have incompatible goals or needs. Conflict is also a struggle or contest between people with opposing needs

[30] Ferreira, Annabel, Stefan Hansen, Mogens Nielsen, Trevor Archer, And Bruce G. Minor. "Behaviour of Mother Rats in Conflict Tests Sensitive to Antianxiety Agents." *Behavioural Neuroscience* 103, No. 1 (1989): 193.
[31] Rubin, Jeffrey Z., Dean G. Pruitt, and Sung Hee Kim. *Social Conflict: Escalation, Stalemate, and Settlement*. Mcgraw-Hill Book Company, 1994.
[32] Wallensteen, Peter. *Understanding Conflict Resolution*. SAGE Publications Limited, 2018.

or demands. It is considered to be a state of human interaction. It happens when they compete over perceived or actual goals.

Conflict in itself is neutral and harmless.[33] It is like pain; it tells you that there is something wrong in the human interaction. It is considered as a warning signal in our lives. Conflict is a fact of life and it is considered to be the first step towards change in relationships. Conflict is like change always occurs to give dynamics in the human interaction. The paradox of conflict is that it can be the cause for tearing relationships apart and a cause or force to bind it.

Governance problems are often depicted as the core causes of conflict. The two ideal forms that link the governance to the conflict are: the conflict may arise from lack of governance of a territory or borders due to weak capacity; and secondly, leaders that abuse their power.[34] The two phenomena can be witnessed in the same region or community. In the broader goal of national building, good governance is crucial in assuring security, legitimate politics and achieving affective economic administration.

Good governance entails the fight against corruption, civil service reformation and democratic elections.[35] Good governance also concerns the national constitution as a governmental agency with the power to reform society. Other scholars' debates focus on the role of subnational actors and decentralized conflict governance.[36]

[33] Ylijoki, Oili-Helena. "Conquered by Project Time? Conflicting Temporalities in University Research." In *Universities in the Flux of Time*, Pp. 108-121. Routledge, 2014.
[34] Stewart, Frances, and Graham K. Brown. "Motivations for Conflict: Groups and Individuals." In *Leashing the Dogs of War: Conflict Management in a Divided World*, Pp. 219-244. United States Institute of Peace Press, 2007.
[35] Larmour, Peter. *Governance and Reform in the South Pacific*. Canberra, ACT: National Centre for Development Studies, Research School of Pacific Studies, the Australian National University., 2017.
[36] Pierskalla, Jan H., and Audrey Sacks. "Unpacking the Effect of Decentralized Governance on Routine Violence: Lessons from Indonesia." *World Development* 90 (2017): 213-228.

The successful facilitators to managing conflicts and attaining peace in a fragile post-conflict setting rely on the coherent and legitimacy of the government to re-establish ingenuous, democratic and effective local governance institutions and administrations in the affected zones. To deliver political promises together with required public goods like security, health care, educational demands and solid infrastructural needs have been linked to both horizontal and vertical power divisions. The key objective of every peace-building operation is the state building which depends on the reconstitution of sustainable governance structures. Post-conflict reconstruction requires adherence to the constitution, judicial, security reformation and the rule of law[37]. In addition to political participation and policy inclusivity, provision of basic needs and advancement of local governance is essential.

Sustainable peace is achieved through participatory construction of the legal and institutional framework. For a more visionary accomplishment other than ending the conflict, the foundation for democratic development foundation is laid. Social inclusion and cohesion, political participation is not the only key in post-conflict reconstruction but also key to complex political and social consultations. Most governments that have sought this in their transition from post-conflict have shared power with a group of ethnic and religious identities.[38]

The government's coherence and legitimacy determine the effectiveness of post-conflict reconstruction. Reconstruction of state's capacity to re-establish reliable, open, inclusive

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[37] Clingermayer, James C., and Richard C. Feiock. *Institutional Constraints and Policy Choice: An Exploration of Local Governance*. Suny Press, 2014.
[38] Wolff, Stefan. "Post-Conflict State Building: The Debate on Institutional Choice." *Third World Quarterly* 32, No. 10 (2011): 1777-1802.

and effective governance and public institutions after a conflict can only be achieved through peace, stability, and sustainable development. Heath facilities, security, good governance, education, and good infrastructure are critical in achieving political promises and the public demands.[39]

The post-conflict government often lacks legitimacy and trust at inception especially for transitional authorities as it is perceived they formed due to a negotiation process that excluded the majority of the population. Alternatively, it is perceived that the government is formed by the state's criminal populations who also have limited control of territory as well as the country's assets. Due to such circumstances, the judiciary and the police institutions are dysfunctional at the local level. As such, the majority resort to the use of illicit means due to their lack of trust in the formal dispute resolution and management mechanisms. Rebuilding of the judicial infrastructures from the lowest to the highest level is severely challenged in terms of staff capacities, promulgation and establishment of regulatory legal frameworks acceptable to the citizens.[40]

The core goal of any peace-building endeavour is national building. Post-conflict reconstruction entails the constitutional, judicial, security sector and rule of law reforms. Local governance is promoted through elimination of corruption, improved democracy, transparent and open elections, increased inclusivity, enhanced political participation as well as provision of basic goods and services.[41] The state is expected to be key in prevention and conflict resolution within its borders. However, by failing to alleviate local

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[39] Zartman, I. William. "Dynamics and Constraints in Negotiating Internal Conflicts." In *I William Zartman: A Pioneer in Conflict Management and Area Studies*, Pp. 161-172. Springer, Cham, 2019.

[40] Zartman, 79.

[41] Bache, Ian, Ian Bartle, and Matthew Flinders. "Multi-Level Governance." In *Handbook on Theories of Governance*. Edward Elgar Publishing, 2016.

scarcity, redrawing local borders and by treating communal groups unequally, it is often perceived as itself causing conflict. Patrimonial political systems lead to communal war due to elevated rent-seeking characters and competition for resources.

To sustain peace, a trustful, transparent and visionary leader is required to partner with the civil society. The focal concern to a successful state building is the ability of regional leadership to manage diverse communities, to peacefully and diligently manage competition for resources as well as to deliver equal political and economic opportunities to all.[42] The leaders should put the residents' interests beyond self-interests so as not to be victors but remain partners.

To solve the crimes as result of violence, the conditions leading to the violence should be identified, changed and discouraged. This entails addressing the root causes of violence some of which may include unemployment, lack of education, cultural factors and poverty among others. Public information and awareness campaign on the peaceful ways of solving conflicts such as diplomatic negotiation and mediation should be encouraged in the society.[43] Additionally, educational programmes and relief food programmes should be provided to the victimized people to eliminate attempts of committing crime as a way of acquiring livelihoods. For example, most youths in Kenya lack jobs hence they engage in criminal activity, conflicts and some other violence acts in the process of acquiring their daily income. Some of the crimes may include thefts, robbery among others.

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[42] Gagakuma, Wisdom, and Zigiju Samuel. "Effectiveness of Capacity Building Programs in Fragile States: The Ethiopia Case." In *State Fragility and State Building in Africa*, Pp. 135-162. Springer, Cham, 2016.
[43] Kumar, Chetan. "Building National "Infrastructures for Peace": UN Assistance for Internally Negotiated Solutions to Violent Conflict." *Peacemaking: From Practice to Theory* 1 (2011): 384-99.

Providing employment opportunities to such individuals will be a long-term solution to their violence, crimes, and conflicts.

In armed conflict, Brewer[44] noted that disarmament, which is the reduction or withdrawal of military forces and weapons from identified people or arm users, is important. Disarmament programmes need to consider both feminine and masculine genders. For example, peace education programmes broaden public awareness of peaceful alternatives in solving conflicts. As such, it gradually leads to change of attitude thus promoting voluntary disarmament and dissolution of violence.

Another critical conflict management tool in a post-conflict setting is decentralization.[45] The distribution of key government functions to local and provincial levels encourages participation and inclusivity of the local populace. Decentralization process entails the transfer of power, responsibilities, and resources to local governments which demands consistent consultations and participatory actions. Decentralization gradually develops after some of the contested issues such as boundaries have been resolved. The public administration must be able to manage and implement whole sets of government activities such as laws, regulations, and decision relating to public services to ensure development in a post-conflict setting. Support for and improvement of the capacities of civil society, other actors and stakeholders ensures sustainable post-conflict recovery. Post-conflict

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[44] Brewer, John D. *Peace Processes: A Sociological Approach*. Polity, 2010.

[45] De Simone, Sara. "Post-Conflict Decentralization: Dynamics of Land and Power in Unity State-South Sudan." *Revista UNISCI* 33 (2013): 35-55.

recovery should not only focus on rebuilding physical infrastructure but also the judicial institutions tasked to solve internal conflicts.[46]

1.5.2.2 Cultural Practices, Conflict and Its Management

At the global level, the cultural conflicts stemming from cultural practices are experienced in several countries in Eastern Europe; some clans from both Serbia and Kosovo clash in the border which can lead the rest of the tribes of these nations to clash against each other.[47] In the Middle East, there are conflicts and clashes between Sunna and Al-Shitte Arabs in Iraq. There are also the Christian and Muslims conflicts in Lebanon, Israeli and Palestine.[48]

The idea of social classes came in the 19th century. The exploitation by man in the process of production is one of the major causes of conflicts. The competition between elites for power and control regenerates conflicts. The elite constitute a group that struggles to overthrow those who control the society. This phenomenon is known as circulation of elite. This phenomenon is not restricted to state politics, but it can also be seen at the society, community or local levels in the control of power and resources. At the community level, people struggle for status. Therefore, the struggle for status can also generate conflicts in the communities.[49]

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[46] Ong, David M. "Prospects for Transitional Environmental Justice in the Socio-Economic Reconstruction of Kosovo." *Tulane Environmental Law Journal* 30, No. 2 (2017): 217-272.
[47] Capussela, Andrea Lorenzo. *State-Building in Kosovo: Democracy, Corruption and the EU in the Balkans*. Bloomsbury Publishing, 2015.
[48] Sedlar, Jean W. *East Central Europe in the Middle Ages, 1000-1500*. University of Washington Press, 2013.
[49] Berman, Nicolas, Mathieu Couttenier, Dominic Rohner, And Mathias Thoenig. "This Mine Is Mine! How Minerals Fuel Conflicts in Africa." *American Economic Review* 107, No. 6 (2017): 1564-1610.

The pressure of cultural values such as cattle rustling, status, heroic actions and dowry payment which usually contribute to conflicts has a big effect especially on the youth and women, who are the main agents in the cultural practices that lead to conflicts. To achieve success in line to the cultural values in the society especially amongst the youths whose lives are frustrated, they develop subcultures that occasionally have their maximum goals achieved by breaking of the laws. Lower-working individuals in the society find it difficult to achieve success mainstreamed to the normal values and the structure in the society since most of them do not go to schools and lack education, and suffer dead-end jobs leaving them with little opportunities to achieve their success goals.[50] Consequently, these individuals reject the general social norms and values and form their own social subculture groups with a distinct measure of success, norms, and values. In the subculture formed, the high value is formed on the high criminal acts such as stealing from neighbourhood communities condemned by the mainstream society.

In a large society, adults are expected to be role models and guidance to the younger generations. Some cultures are structured with adults being the role models in committing organized crimes thus as role models the younger generations copies what is showed to them by the elders in communities. Since such crimes are organized, they attract more rewards and more ranks are assigned to those who commit more crimes. For example, in pastoralist community who value large numbers of livestock, the elders and youth occasionally engage in raiding livestock from neighbouring communities. This, of course, is considered by government as being illegal since in the act, several lives are lost and a lot of property destroyed. As the younger generations see the trend in their communities,

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[50] Ukeje, Charles. "Youths, Violence and the Collapse of Public Order in The Niger Delta of Nigeria." *Africa Development/Afrique Et Développement* 26, No. 1/2 (2001): 337-366.

they become very vigorous and perform raids with greater impacts than their elders. Therefore, criminal cultural practices in the society can be passed to the younger generations by elder generations through practicing of similar criminal activity.[51]

The cultural values and social structures leave women and children physically vulnerable to abuse, violence, and criminal victimization. Traditional beliefs that men should have control and right over women are cultural issues that expose women to intimidation, sexual harassment and abuse. The vulnerability and the viewing of women in society as weak exposes them to manipulation and criminal violence punishable by law.[52] In addition, the expectation of cultural values and social structures in society can pressurize the lower-class individuals to criminal activity and forms subcultures with different norms and values that are more or less criminal acts. The created criminal subculture has benefits to the best performing members; however, their activities are against the mainstream social norms, values and structures.

The disarmament and peace building initiatives associated with women are mostly effective in recovery and restoration of child soldiers in Africa. However, some concerns arise in the gender responsibilities such as inequality: women are provided with fewer resources, longer working hours and given more tasks with less access to power and

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[51] Chebotibin, Diana, Esther Munyiri, and Jane Bitok. "Traditional Rituals and Cattle Rustling Influence on Tourism Development in Baringo County, Kenya." *Journal of Hospitality and Tourism Management* 1, No. 1 (2018): 21-39.

[52] Juma, Monica Kathina. "Unveiling Women as Pillars of Peace: Peace Building in Communities Fractured by Conflict in Kenya." *An Interim Report. New York: UNDP* 1 (2000): 89.

decision making in the process of disarmament. Furthermore, women's capacities are overlooked and undervalued by the international actors.[53]

Ethnicity, which is very rampant in Kenya, can be addressed by the introduction of policies that ensures ethical equality to all races and tribes in terms of resource distribution, employment opportunity and justice. In addition, the election of a neutral leadership that does not favour particular ethnic is crucial for uniting the citizens and eliminating the ethnicity attitude. There's also need for interventions on ethnic discrimination by, for instance, the use of church leaders across the nations to preach peace, love and also the removal of the ethical attitudes among the conflicting tribes.[54]

1.5.2.3 Literature Gap

Studies on cultural practices and conflict and its management have explored the cultural practices, the local leadership capabilities and challenges in management of these conflicts. The studies clearly indicated contextual and methodological gaps. From a methodological point, the studies have been discussed in an in-depth qualitative approach, using secondary sources. The present study combined both the secondary and primary data sources to come up with the findings. In addition, previous studies that were undertaken focused on different contextual environments, but have not concentrated on the conflicts amongst the Pokot and Marakwet communities. As such, none has been conducted on the influences of cultural practices on conflicts and their managements in West Pokot and Elgeyo Marakwet Counties of Kenya. Therefore, based on the established

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[53] Tudor, Constantina Alina, Ioan Cristian Iojă, Ileana Pătru-Stupariu, Mihai Răzvan Niță, and Anna M. Hersperger. "How Successful is the Resolution of Land-Use Conflicts? A Comparison of Cases from Switzerland and Romania." *Applied Geography* 47 (2014): 125-136.

[54] Omulo, Albert Gordon Otieno. "Ethnicity, Governance and Socio-Economic Development in Africa: A Case Study of Kenya and its Luo Community, 1963-2013." (2017).

research gap, this study investigated the influence of cultural practices on conflict and its management using a case of West Pokot and Elgeyo Marakwet Counties.

1.6 Justification of the Study

1.6.1 Policy

The African governments, including the Kenyan government, will find the study useful in devising policies aimed at the establishment of peace-building initiatives and other supporting structures. Additionally, the governments will gain policy reformation focusing on the peaceful co-existence amongst the continent's communities. To practice, the study will contribute towards post-conflict development and peaceful co-existence in Kenya's Elgeyo Marakwet and West Pokot Counties by creating a better understanding of the cultural practices, institutions and challenges to peaceful co-existence.

1.6.2 Academic

The research will significantly contribute to the existing pool of knowledge by filling the existing research gap with relevant evidence based on findings and theories. The study will further provide a benchmark for future research by suggesting further study gaps. By adding to the existing body of knowledge, peace practitioners will be assisted in their efforts of conflict management.

1.6.3 Community

The study findings will educate the residents on the need and the cultural ways of resolving conflicts. As such it will educate them on how to achieve reconciliation, social cohesion and integration as well as sustainable and lasting peace in the Counties.

1.7 Theoretical Framework

Kerlinger[55] defines a theory as a set of definitions and propositions as well as interrelated constructs that systematically specify relations amongst variables with the intent of predicting and explaining phenomena. This study was premised on Johan Galtung's model for peace as posited by Galtung.[56] Johan Galtung presented a framework for understanding social conflict, how conflict impacts basic human needs and how peaceful relations can be used to restore law and order. Ramsbotham[57] showed how conflict affects societies; conflict or violence consist of actions, words, attitudes, structures that cause psychological, physical, social or environmental damage as well as prevent people from achieving their full potential.

According to Webel and Galtung[58], there are three forms of violence namely direct, structural and cultural. His model's view is that the said forms of violence need to be integrated into a framework of understanding, resolving and managing the conflict. His model views conflicts as dynamic processes where attitudes, contradictions and behaviours are constantly changing and influencing each other. Hence, direct violence may be reduced by changing conflict behaviours, structural violence by removal of structural contradictions and injustices, and cultural violence by positively transforming the attitudes. It therefore requires that conflicting parties are prevented from destroying each other, are encouraged to transform their attitudes and to overcome conflict contradictions.

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[55] Kerlinger, N. Fred. "Foundations of Behavioral Research.*" New Delhi, India: Surjeet Publications. (2008).

[56] Galtung, Johan. *Peace by Peaceful Means: Peace and Conflict, Development and Civilization*. Vol. 14. Sage, 1996.

[57] Ramsbotham, Oliver, Tom Woodhouse, and Hugh Miall. "Contemporary Conflict Resolution: The Prevention." *Management and Transformation of Deadly Conflicts, Cambridge, UK: Polity* (2011).

[58] Webel, Charles, and Johan Galtung, Eds. *Handbook of Peace and Conflict Studies*. Routledge, 2007.

The arguments are that peace making endeavours occur at national levels. However, for them to succeed, their implementation should be cascaded all the way to the lowest levels in order to ensure inclusivity. As such, peace-building require effective interventions by both external and internal actors (including local governance institutions) so as to establish conditions conducive for peace, relief and reconstruction of post-war societies. This also creates and fosters inclusivity and trust.[59] This research investigated how cultural practices cause conflict and how they can be used to solve the same conflicts in West Pokot and Elgeyo Marakwet Counties of Kenya. The theory was useful in the determination of the structures and attitudes that cause the psychological, physical, social, and environmental damage of areas thus hindering them from reaching their full potential.

1.8 Hypotheses

This study was guided by the following null hypotheses:

i.   Cultural practices do not influence conflict and its management in Africa.

ii.   Cultural practices do not influence conflict and its management in Kenya.

iii.   Cultural practices do not influence conflict and its management in West Pokot and Elgeyo Marakwet Counties of Kenya.

1.9 Research Methodology

1.9.1 Research Design

A research design is a plan, structure and strategy for investigation so as to acquire answers to research questions and control inconsistency.[60] This study adopted a

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[59] Miall, Hugh. "Conflict Transformation: A Multi-Dimensional Task." In *Transforming Ethnopolitical Conflict*, Pp. 67-89. VS Verlag Für Sozialwissenschaften, Wiesbaden, 2004.
[60] Bordens, Kenneth S., and Bruce B. Abbott. *Research Design and Methods: A Process Approach*. Mcgraw-Hill, 2002.

qualitative research design making use of qualitative data. The design was appropriate for the study because it allowed for collection of data from a various sources. The primary data was obtained from the residents of West Pokot and Elgeyo Marakwet Counties whereas secondary data was derived from articles, publications, testimonials and unpublished sources.

1.9.2 Research Site

The study site was Elgeyo Marakwet and West Pokot Counties of Kenya. A comparative study on cultural practices and conflict management was conducted. The total area coverage of Elgeyo Marakwet County is 3029.9 km2. It borders the Counties of Baringo to the East, West Pokot to the North, Trans Nzoia to the Northwest and Uasin Gishu to the West. As of 2019, the County's population was 454,480 as postulated by the National Population and Housing Census of 2019.[61]

On the other hand, West Pokot County is located along Kenya's Western border with the Republic of Uganda. It borders the Counties of Baringo to the East, Elgeyo Marakwet to the South East, Trans Nzoia to the South and Turkana to the North and North East. The county's population was 621,241 as at the 2019 National Population and Housing Census.[62]

1.9.3 Target Population

The researcher targeted the residents of Kenya's Elgeyo Marakwet and West Pokot Counties. As of 2019, Elgeyo Marakwet County's population was 454,480 whereas that of

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[61] KNBS, 2019
[62] Ibid

West pokot was 621,241. Therefore, the total target population was 1,075,721 respondents who are in accordance with the national records.

1.9.4 Sample Size

Since the study's targeted population was very big (greater than 10,000 people), the Cochran sampling formula was used as follows:

$$n = \frac{N}{1 + Ne^2}$$

Where,

n = the sample size,

N = the size of the population, and

e = the error of 10 percentage points.

Using this formula, the precision error was 10% and a confidence coefficient of 90%. From a population of 1,075,721; the calculation was as follows:

$$n = \frac{1,075,721}{1 + 1,075,721\,(.1)^2} = 100$$

Therefore, a sample of 100 residents was selected for the study. Simple random sampling technique was used in selecting the study's participants. The participants were grouped into Focus Discussion groups of 10 persons each.

1.9.5 Data Collection Methods

The study's data was collected using both secondary and primary sources. Collection of primary data was done in Elgeyo Marakwet and West Pokot Counties using Focus Group Discussions where 10 groups of 10 residents each were interviewed. Five (5) Focus Group Discussions were conducted in each county. Collection of secondary data was done

through review of source materials in the form of reports, journals and books. The production of new knowledge was fundamentally dependent on past knowledge.

1.9.6 Data Analysis Procedure

Two methods were used in analysing secondary data: the deductive approach and the inductive approach. Deductive method involved drawing conclusions on individual entities based on the general pattern found. Inductive method was used to generalize data, from particularized or sample behaviour based on past studies. Qualitative data from Focus Group Discussions, on the other hand, was transcribed, coded into themes and analysed using content analysis. Qualitative findings were then presented in narrative forms.

1.10 Scope and Limitations of the Study

The study investigated the influence of cultural practices on conflict and its management in Africa. A case of West Pokot and Elgeyo Marakwet Counties of Kenya was used. In General, the study focused on Africa and Kenya. In particular, it focused on West Pokot and Elgeyo Marakwet Counties which have been affected by recurrent conflicts. This study was faced with the limitation of scarce documented statistics on cultural practices and conflict and its management. To overcome that, the researcher did an extensive search of literature on the subject as well as on other areas of a comparable nature.

Another limitation the researcher faced was that of the research being treated with suspicion due to the fact that the research touched on an emotive subject of inter-ethnic conflict. Additionally, language barrier and illiteracy among the respondents limited the data collection efforts of the researcher. To overcome the above limitations, the researcher

clearly explained to the respondents the purpose of the research. The researcher also recruited local research assistants who had a mastery of the local languages and were well known to the area residents. The research assistants also assisted in translation by assisting the illiterate during the discussions.

1.11 Legal and Ethical Considerations

In any research, upholding of utmost confidentiality and exhibition of unquestionable integrity is an obligation that all parties have. This study ensured that no entity suffered adverse consequences as a result of this research. To that end, the researcher successfully applied and obtained a research permit from the National Commission for Science, Technology and Innovation (NACOSTI). He also informed the local National Government Administrative Officers (NGAOs) and County Directors of Education at West Pokot and Elgeyo Marakwet Counties on the intended research prior to collecting data on their areas of jurisdiction. The researcher also kept the identity of the respondents anonymous and the information yielded from the research was used for academic purposes only. The researcher also acknowledged other people's ideas and academic work through citation and referencing. Finally, after completion of the thesis, the researcher purposed to publish and share the study findings with the relevant organisations and government agencies.

1.12 Chapter Outline

The study investigated the influence of cultural practices on conflict and its management in Africa using a case of West Pokot and Elgeyo Marakwet Counties of Kenya. Three specific objectives were adopted. Collection of data was done using both secondary and

primary sources. Secondary data was collected through review of source materials in the form of reports, journals and books whereas primary data was collected using Focus Group Discussions.

This study contains five chapters. Chapter one is the introduction to the study giving the necessary background to the main work. It contains the introduction, statement of the problem, justification of the study, research questions and objectives. It also contains the literature review, theoretical framework, hypothesis and the research methodology.

Chapter two is on the effect of cultural practices on conflict and its management in Africa. It expounds on cultural practices, conflict and its management in Africa. It also highlights case studies of South Sudan, Nigeria, Rwanda, Ethiopia, Uganda and Sudan.

Chapter three is on the effect of cultural practices on conflict and its management in Kenya. It expounds on the effect that cultural practices have on conflicts and how such conflicts have been managed by the cultural leaders, the government and the non-state actors in Kenya.

Chapter four examines the extent to which cultural practices influence conflict and its management in West Pokot and Elgeyo Marakwet Counties of Kenya. The chapter looks at the historical overview of culture and conflicts in the Counties, the effects of cultural related conflicts, and details the responses to cultural based conflicts that have been implemented by various actors in the Counties.

Chapter five on the other hand contains the summary, conclusion and recommendations as derived from the findings of the study.

CHAPTER TWO

CULTURAL PRACTICES AND CONFLICT IN AFRICA

2.0 Introduction

This chapter explores the effect of cultural practices on conflict and its management in Africa. It also details African case studies with relevant effects of cultural practices on conflict and its management. A conclusion is given at the end of the chapter.

2.1 Cultural Practices, Conflict and its Management in Africa

In a typical African traditional setting, the use of satires, proverbs, totems and facial gestures among others have been effectively used as psycho-social tools for social control.[63] In times of conflict, African cultures have in-built mechanisms that are potent for conciliation and reconciliation. Such could include the role played by the father, being the head of the family; the role of peer group (such as the age sets); and the role of traditional chiefs some of whom have been empowered by the tradition to sanction individuals found guilty of certain misdemeanours. African cultures also have reward systems whereby individuals who have displayed exceptional or heroic attributes are rewarded. The reward could be in form of status elevation whereby the individual is conferred with a chieftaincy title.[64]

Throughout history, tribal models for conflict management and resolution have been in existence both globally and in the African continent. These models are systems based on tribal norms, beliefs and cultures. These indigenous models of conflict management and resolution have always ben the mainstream practice in Africa especially in the pre-

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[63] Heritage, African. "Culture and Conflict Management Among the Yoruba of South-Western Part of Nigeria: A Historico-Development Approach." Routledge, 2019.
[64] Ibid

colonial era.[65] To date, these models continue to regulate intra-tribal as well as inter-tribal disputes. Conflict had been prevalent in traditional African society before the advent of colonialism and it can be traced to many aspects of African culture which tend to dictate its actions. Within every societal conflict, there is always a beneficiary who intends to utilise conflict as a resource for power control. Battles were fought and won; there were conquests, conversions, concessions and betrayals within and among the early communities.[66]

There are many ethnic conflicts which are usually caused by the social interaction between the communities from the different ethnic groups. Examples of ethnic conflicts are the conflicts between the Tutsis and Hutus in Rwanda and Burundi. In Somalia there has been factional fighting between the clans under the clans' leadership of warlords. In Sudan, the whole country has and continues to experience conflicts involving tribal and clan fighting. For instance, in Western Sudan region of Darfur, the neighbouring Arab and Fur tribes clashed. Their clash engulfed the whole Arab ethnic groups and African natives of Darfur into the conflicts which resulted into rebellion in Darfur region. The same conflict is also going on in central Sudan between African native agriculturalists and the Arab pastoralists.

In Africa, cultural practices are believed to have caused conflicts and also to have been used as a means of resolving them. Despite having been a cause, they have mainly contributed positively to conflict resolution in Africa. Mainly, differences in culture are

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[65] Huyse, Lucien, and Mark Salter. "Traditional Justice and Reconciliation after Violent Conflict: Learning from African Experiences (Stockholm: International IDEA)." *Online: Http://Www. Idea. Int/Publications/Traditional_Justice/Upload/Traditional_Justice _ And_Reconciliation_After_Violent_Conflict. Pdf (18.4. 2010)* (2008).
[66] Allen, Tim, and Anna Macdonald. "Post-Conflict Traditional Justice: A Critical Overview." (2013).

believed to have caused conflicts in the continent. Some of the countries in Africa that have had such conflict experiences are Sudan, South Sudan, Sierra Leone, Liberia, Eritrea, Uganda, Democratic Republic of Congo (DRC), Namibia, Chad and Mozambique among others. Avruch[67] argued that, as the cultural content of ethnic groups, ethnicity is a resource that groups and individuals alike have invariably mobilized for political ends. Whereas culture has a much broader social scope encompassing ethnicity, ethnic groups are more often organized for political reasons. Hence, different ethnic groups are known to have and share similar cultures. For instance, different ethnic groups speak similar languages and have same traditional practices that are the indispensable elements of their cultures.[68] These aspects, therefore, are critical and have been utilised positively thus contributing immensely to conflict resolution in Africa.

2.2 Case Studies

2.2.1 South Sudan Communities' Cultural Conflict Management Approach

In South Sudan, there exist numerous inter-clan and tribal conflicts, mainly augmented by cultural differences. The serious ones are the Baria clan clashes against themselves in Jabal Lado and clashes with the clans of Mundari tribe in Central Equatoria state as well as clashes between the clans from Dinka and Bor in Jongli state.[69]

[67] Avruch, Kevin. *Context and Pretext in Conflict Resolution: Culture, Identity, Power, and Practice*. Routledge, 2015.

[68] Narayan, Uma. *Dislocating Cultures: Identities, Traditions, and Third World Feminism*. Routledge, 2013.

[69] Schomerus, Mareike, and Tim Allen. *Southern Sudan at Odds with Itself: Dynamics of Conflict and Predicaments of Peace*. Development Studies Institute, London School of Economics and Political Science, 2010.

In Upper Nile, there are conflicts between the Nuer and Dinka clans. In addition, there are conflicts in greater Bahr el Ghazal state which are as a result of disagreement between the Dinka clans themselves. In Warrap and Lakes states, the clans fight themselves in cattle camps. Revenge attacks, cattle raids and counter raids are common among the youth of the same clan or from different clans within the same tribe. These conflicts are fuelled by external actors who pursue selfish political and social benefits using the youth from their clans to fight each other.[70]

The traditional institutions play fundamental roles as the custodians of cultures and traditions.[71] Since the traditional rulers have close links with the grassroots, they have an intimate understanding of the problems of the populace. In the quest for societal order, stability and peace, the traditional institutions become veritable instruments. Therefore, in the greater interest of the populace and society, the traditional institutions should be acknowledged nationally and clear provisions put in place for their functions.

In South Sudan, traditions and culture have contributed to inter-clan conflicts in areas such as the Lakes state. Communities have encouraged fighting both within and without the clans' borders throughout generations. Cattle raiding and girls' elopement are commonly practiced there. Fighting is part of the hobbies for some youth especially from the Guk and Agaar clans where the communal land is acquired through fighting. In

[70] Stavenhagen, Rodolfo. *Ethnic Conflicts and the Nation-State*. Springer, 2016.
[71] Ali, Mustapha Alhaji, and Hadiza Mali Bukar. "Traditional Institutions and their Roles: Toward Achieving Stable Democracy in Nigeria." *Journal of Public Value and Administration Insights* 2, No. 3 (2019): 6-11.

addition, they believe that fighting is the only way of resolving problems which in turn encourages an increase in the inter-clan conflicts between the communities.[72]

South Sudan's protracted war has generated a violent culture amongst the populace. Light weapons have proliferated immensely hence perpetuating more violence. Additionally, the conflict management capacities of institutionalized peace structures e.g. tribal chiefs, peace committees and government are regarded as being limited.[73] South Sudan is not affected by a major religious cleavage (for example, between Christians and Muslims) as most groups hold Christian, animist, or mixed beliefs. However, the cultural norms and practices among a number of groups have evolved in ways that promote localised conflicts due to cattle raiding.[74]

Poverty among the communities in South Sudan is associated with cattle raiding where youths are engaged in it to acquire wealth in terms of cows for consumption and prestige. Traditionally, marriages motivated the youth to steal cows so as to use it for payment of dowry. Because marriage among the communities is one of the key issues, it is a duty that is needed to be fulfilled by each and every member of the community. As such, members of the community who do not have cows resort to stealing through cattle raids. The desire to marry many wives and the expensive nature of dowries are the factors that exacerbate

[72] Chilvers, Richard. "Preventing Cattle Raiding Violence in South Sudan: Local Level Peace Building Focusing on Young People." (2016).

[73] Bakardzhieva, Ioana. "The Conflict in South Sudan: Energy and Political Challenge." (2016).

[74] Sudan, South. "Water Harvesting for Peacebuilding in South Sudan: An Assessment of Livestock Water Harvesting Structures in Eastern Equatoria, Western Equatoria, and Lakes States." (2015).

inter-clan conflicts.[75] Hence it suffices to say that some of these conflicts are culturally motivated.

Land disputes are also behind the increased tribal and inter-clan conflicts in areas such as the Lakes state. Because communities in Lakes state use the land for subsistence agricultural activities and livestock keeping, this makes them carry out the inter-clan wars. The wars are as a result of competition between those who want to use land for grazing or pasture for their animals and those who want to use it for the cultivation of crops. Rivers and swampy areas are also the areas of conflicts because of the competition for water and fishing which also takes place in such places.[76] Therefore, some conflicts are dependent and are caused by the cultural inclinations and activities of the actors.

There are also fights related to property and domination over other clans. Some clans arbitrarily attack and fight other clans as a way to prove that they are courageous or brave enough.[77] This pride and desire to portray bravery is very much a cultural inclination and trait. Underdevelopment and poverty are the factors that contribute into inter-clan and tribal conflicts in Lakes state. Youth are illiterate and they are idle. They do not have any skills to get jobs in the urban areas or in towns. Because of the illiterate youths, the only option left to them is that of involving themselves in cattle raiding to acquire wealth. Pride of the people, rooted in culture, in Lakes state is also a factor that leads to increased inter-clan conflicts. The youth are encouraged by their cultural pride to involve themselves in

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[75] Gray, Sandra, Mary Sundal, Brandi Wiebusch, Michaela Little, Paulw Leslie, Ivyl Pike, Monique Borgerhoffmulder, Gnther Schlee, Dan Sellen, and Sandra Gray. "Cattle Raiding, Cultural Survival, and Adaptability of East African Pastoralists." *Current Anthropology* 44, No. S5 (2003): S3-S30.
[76] Zakaria, John Lat. "A Review of Tribal Armed Conflict Resolution in Selected Countries in Lakes State, South Sudan." Phd Diss., University of Fort Hare, 2014.
[77] Bennett, Jon, Sara Pantuliano, Wendy Fenton, Anthony Vaux, Chris Barnett, and Emery Brusset. "Aiding the Peace: A Multi-Donor Evaluation of Support to Conflict Prevention and Peacebuilding Activities in Southern Sudan 2005-2010." (2010).

fighting with other communities in an effort to get recognized as being brave warriors worth being remembered. The youth are given nicknames and given marks for their success in wars. Women and girls cheer and ululate when receiving news of victory and performance of the youth. This therefore emboldens the youth thus making them engage in more inter-clan and inter-tribal fights.[78]

Because of interests and political ideology, the clan relationships became strained immediately upon the independence of South Sudan. The emerging conflicts were supported by availability of the modern weapons from different sources.[79] Political factors are also among the causes of inter-clan conflicts. Politicians are known to mobilize their tribesmen and clansmen to fight and defend their selfish political interests.[80]

South Sudan's traditional mechanisms of conflict resolution and management are as diverse as their diverse cultures. Each one of the major ethnic groups has conflict resolution rules and procedures which differ according to culture and customs. The Nuer and Dinka tribes have a traditional system of authority for enforcing decisions. Community leaders known as *Kuar Kwac* amongst the Nuer and *Bany Bith* amongst the Dinka are the major actors in the resolution of conflicts. Their offices, held by special priestly clans, are hereditary as well as spiritual. These leaders have no political or executive authority to compel conflict parties to abide by their decisions. However, both the Nuer and Dinka respect them. Hence these leaders enforce compliance by the conflict

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[78] Ibid

[79] Bennett, Jon, Sara Pantuliano, Wendy Fenton, Anthony Vaux, Chris Barnett, and Emery Brusset. "Aiding the Peace: A Multi-Donor Evaluation of Support to Conflict Prevention and Peacebuilding Activities in Southern Sudan 2005-2010." (2010).

[80] Deng, Luka Biong. "University of Juba Assessment of Intra Clans Conflicts in South Sudan Case Study: Lakes State." 2019.

parties using a moral force. Additionally, these leasers perform sacrifices, administer oaths and mediate in all forms of conflicts. The most common conflict resolution mechanisms include customary mediation, compensation and restitution. Amongst the Nuer and the Dinka, settling of disputes through elders' mediation require the consent of conflict parties. The community leaders e.g. the *Kuar Kwac* and the *Bany Bith* remain the ideal and preferred mediators. Nonetheless, any other respectable elders qualify to assist in dispute settlement.[81]

The Luos are a sub-set of the Nilotic group. The main Luo tribes in South Sudan include the Acholi, Shilluk, Anyuak, Jur Chol and the Päri. The traditional institution of conflict resolution in the Päri society as well as in all other Luo sub-tribes is the kingdom. The society is composed of six villages each of which has its own king known as *Rwäth*. The Päri traditional justice and conflict resolution centres on a traditional court known as *Jo Likweeri*.[82]

Among non-Nilotic groups, the Azande tribe is the single largest group. The Azande inhabit Western Equatoria State. The causes of conflicts are either imaginary or real. The imaginary ones consist of all misfortunes attributed to sorcery and magic called *mangu* and *ngua* respectively. Other than the actual conflicts caused by real incidents, societal relationships deteriorate and tensions build up due to imaginary causes associated with sorcery and magic. To address these types of conflicts, the courtiers (*agbiangbanga*), the chief (*gbia*), the headmen (*abairagene*) and influential community elders called the

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[81] Samson S Wassara, "Traditional Mechanisms of Conflict Resolution in Southern Sudan," *Political Science*, no. March (2007), www.berghof-peacesupport.org.

[82] Berghof Foundation, "Sudan : Conflict Analysis and Options for Systemic Conflict Transformation," *Political Science*, no. January (2006): 81, www.berghof-foundation.org.

abakumba must be involved. All these actors interact in the court that is locally known as the *ngbanga*. These courts have hierarchies and thus courts exist in three levels: that of the headman, the sub-chief and the chief.[83]

Generally, South Sudanese's traditional conflict resolution mechanisms are similar. They all revolve around mediation, compensation as well as restitution. However, compensation and restitution are the popular mechanisms. Nevertheless, application of the above tenets differs from one ethnic group to the other. In the rural areas of South Sudan, due to the vacuum in the rule of law and the justice system, traditional conflict resolution remains very relevant.[84]

2.2.2 Nigeria Communities' Cultural Conflict Management Approach

The family is regarded as the smallest conflict management unit in most communities; the nuclear family is headed by the father while the extended family is headed by compound head. Within the nuclear setting, the father is the economic and the political head of the family and he dictates who gets what, when and how. The decision of the father is taken with utmost importance as the supreme and unquestionable head of the family.[85] The father, being the family head, is the mediator whose judgement in disputes among family members must be respected within his household. He ensures peace and tranquillity, makes rules as well as controls the relationship among family members such as wives, their children, slaves and other dependants. He also influences his children's decisions on

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[83] Belay Tefera K, "Conflicts, Conflict Resolution Practices and Impacts of the War in South Sudan," *International Journal of School and Cognitive Psychology* 2, no. s2 (2015), https://doi.org/10.4172/2469-9837.1000s2-013.

[84] Wassara, "Traditional Mechanisms of Conflict Resolution in Southern Sudan."

[85] Sudarkasa, Niara. "Interpreting the African Heritage in Afro-American Family Organization." *Families in the US: Kinship and Domestic Politics* (1998): 91-104.

marital issues, future professions and allocation of duties. Whenever there are disputes among the wives or children, he mediates as well as serve as the judge. In the absence of the father, such conflict can be resolved by the oldest son, who is next to the father in family authority, or neighbours due to the communal nature of such a society. Whenever such disputes are unresolved, they are transferred to the head of the clan.[86]

The system of seniority is another feature worthy of mention within the family structure. It has significant implications for Nigeria's conflict management and peace-building. For instance, for a typical Yoruba structure such as is obtainable in the South-Western part of the country, there exists a reciprocal responsibility of respect and role modelling between the young ones and the old ones in the family. The older generation is expected to live a life worthy of emulation by the younger generation of which the former reserves the right to correct and mete necessary correction on the misdeed of the latter.[87]

Kinship is the web of social relationships that form significant parts of the social structures. It is a social network of people sharing a common descent or blood relationship. It refers to the principle by which individuals or groups are organized into social groups, roles, categories and genealogies. The head of the kin is considered as the oldest and most experienced among the families that form the kin.

Another important institution that forms a crucial part of culture is religion. In Yoruba culture, the religious institution is prominent in resolving conflict ranging from power tussle for kingship to land dispute, theft accusation and other conflict issues. There are

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[86] Onadeko, Tunde. "Yoruba Traditional Adjudicatory Systems." (2008).
[87] Abiodun, Rowland. "Woman in Yoruba Religious Images." *African Languages and Cultures* 2, No. 1 (1989): 1-18.

various religious sects including *Ifa* worship, *Sango* worship, *Obatala, Oya,* and *Osun.* The religious institution has contributed in managing conflicts which can degenerate to chaos. In many communities, before a king is enthroned; the religious institution has the role of consulting the gods on the choice of the family to be enthroned which would bring peace and unity within the society.

The throne is seen as sacred and must be treated as such; the choice of who ascends the throne requires high level of scrutiny which must be decided by the gods of the land so that the society could enjoy the god's blessings. Hence, this promotes peace and harmony among monarchical families as they regard the decision of the gods as the ultimate which cannot be altered. Also, when there is conflict between towns or villages, the religious institution helps in conflict resolution as they offer advice on how to resolve the conflict. This is usually carried out by seeking the direction of the gods, who is regarded as the '*Olumona*'. Hence, their impact cannot be underestimated.

Set of religious beliefs as regards deities, sanctity, profanity, taboos and sacrilege in traditions are so strong that individual life, fortune or misfortune, choice of leaders, calamity or general peace and prosperity are believed to have their source from the gods. *Ogun* (god), is well referred in worship due to the believe that this god has the ability to preserve life of the faithful ones and give judgments against defaulters through *ara* (thunder strike).

The role of ancestors is also seen as very important in maintenance of social order and pre-empting conflict situations in most traditions such as the Yoruba. Some of the occurrences are regarded as traceable to the working power of past ancestors who are

believed to be in the unseen world and controlling the affairs of their posterity.[88] However, most rituals and traditional ways by which tranquility and harmonious living is attained by the communities has been replaced by modernity, Christianity and Islam.

Monarchies are also used in some communities. For example, in Ibadan monarchical system, the *Olubadan* is the king and has an executive council that helps in executing his duty via delegation. The *Olubadan* listens to cases by both sides and makes decisions which help to resolve the conflict. If *Olubadan* is unable to arrive at a verdict due to the intricacy of the case, he makes concessions to enable difficult disputes to be resolved amicably.

2.2.3 Rwanda Communities' Cultural Conflict Management Approach

In most African communities, traditional conflict resolution and prevention mechanisms are anchored in cultural governance systems. In most cases, traditional conflict resolution and mediation mechanisms are employed where there is absence or ineffectiveness of other mechanisms of social code of practice. They deal with community (both intra and inter) and inter-personal conflicts for example dispute settlement over land and land rights, inheritance, murder, dowry, cattle raids, theft, banditry, marital problems, fishing and grazing rights and rape among others.[89]

The traditional mechanisms are managed by elders who comprise of senior and respected members of respective communities. These elders are rich in wisdom, cultural knowledge, are easily accessible and listened to by all since people have confidence in them. Because

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[88] Onadeko, Tunde. "Yoruba Traditional Adjudicatory Systems." (2008).
[89] Chumo, Nancy Jepchirchir. "Community Interventions on Inter-Ethnic Conflicts in Kenya: A Case of Endo Ward in Elgeyo Marakwet County." Phd Diss., Moi University, 2017.

of strong customary norms, close community ties and societal commitment, the elders' decisions are readily observed. Among other things, the elders lead conflict management individually at household levels and collectively at community levels. Throughout history, elders have undertaken crucial roles in endogenous mechanisms of conflict management and resolution at the local as well as at the national level. They have played key roles in addressing conflict issues of diverse magnitude through pursuit of truth and justice, fostering of societal harmony, restitution and meting of punishment to the perpetrators.[90]

Gacaca courts of Rwanda are examples of traditional mechanisms that handled both local and national conflict issues. The *Gacaca* courts were instrumental in hearing and determining cases and also awarding punitive measures against perpetrators of the Rwandan Genocide. The courts were later institutionalized in Rwanda's legal justice system due to its effectiveness in genocide-related conflict resolution, mediation and restitution which could neither have been handled by the usual formal courts nor the International Criminal Tribunal for Rwanda (ICTR). They expedited cases against genocide suspects, eliminated impunity, reconciled the different ethnic communities of Rwanda and employed customs to resolve disputes.[91]

2.2.4 Ethiopia Communities' Cultural Conflict Management Approach

In Ethiopia, inter-ethnic conflict has been managed by peace committees comprising of elders from warring communities as was the case in Afar region. In the region, conflict was between pastoralist and agriculturalist communities notably the Afar and Woreda. A hybrid conflict resolution mechanism was employed which incorporated modern and

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[90] Malan, Jannie. "African Journal on Conflict Resolution Vol. 13, No. 1, 2013." (2013).
[91] Ingelaere, Bert. "The Gacaca Courts in Rwanda." In *Traditional Justice and Reconciliation After Violent Conflict: Learning from African Experiences/Huyse, Luc [Edit.]; Ea*, Pp. 25-59. 2008.

traditional aspects on conflict resolution where some members of the committee were appointed by government on one hand and the other comprising of elders or clan chiefs.[92] However much of the conflict management structure was heavily borrowed from traditional systems. This is because the traditional system concentrates mainly in compensation and reconciliation hence circumventing the formal justice system. Also, some of the endogenous strategies employed by the people of Ethiopia include the use of opinion leaders (influential clan, religious and community leaders), women peace groups, compensation, and promotion of inter-ethnic marriages to enhance inter-ethnic relationships.[93]

2.2.5 Uganda Communities' Cultural Conflict Management Approach

The inter-ethnic conflict between Ugandan Communities such as the Karamojong and the Teso are resolved by council of elders who perform critical roles in maintenance of social order, averting violations of communities' norms and promoting negotiation and compensation.[94] This arrangement is similar to the councils of elders of the Marakwet, Pokot, Samburu and the Turkana communities of Kenya.

The communities have similar culture and lifestyle and encounter similar conflicts notably cattle rustling and conflicts over grazing areas and watering points. The elders lead in dispute resolutions within and with other ethnic communities in mediation, dialogue,

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[92] Asmerom, Abrha Tesfay. "The Value of Indigenous Social Knowledge* In Managing Intra and Inter-Group Conflicts: Experience from South East Tigray, Ethiopia." *African Journal of Political Science and International Relations* 11, No. 8 (2017): 220-233.
[93] Akresh, Richard, Leonardo Lucchetti, and Harsha Thirumurthy. "Wars and Child Health: Evidence from the Eritrean–Ethiopian Conflict." *Journal of Development Economics* 99, No. 2 (2012): 330-340.
[94] Chapman, Chris, and Alexander Kagaha. "Resolving Conflicts Using Traditional Mechanisms in the Karamoja and Teso Regions of Uganda." *Minority Rights Group Briefing* (2009).

negotiation and arbitration as well as in the signing and support of enforcement of peace agreements.[95]

2.2.6 Sudan Communities' Cultural Conflict Management Approach

Conflict and post-conflict reconstruction in Darfur in Sudan was managed by multiple actors at international, national and local levels. The community-based administration comprising of the chief, tribe leaders and Sheikhs who are appointed based on succession or in special cases the reputation for patriotism, handle tribal conflicts, reconciliation and maintenance of stability and security. They are considered effective as they play a significant role in strategic issues at the community level especially conflict management and in the promotion of harmony among different communities.[96]

This effort was enhanced by the Government of Sudan which incorporated community leaders in governance at local, national and federal levels due to recognition of their effectiveness and role in peace-building and reconciliation in war-ridden regions of Sudan. Similarly, the United Nations Mission in Darfur recognized the position of community leaders in society and their community-driven approach to conflict mediation and resolution.[97]

2.3 Conclusion

The study found that cultural practices have caused cultural related conflicts in Africa. Ethnic and clan-based differences have caused conflict e.g. conflicts between the Tutsis and the Hutus in Rwanda, the Nuers and the Dinkas in South Sudan and the inter-clan

[95] Ibid
[96] Leturcq, Jean-Gabriel. "Heritage-Making and Policies of Identity in the "Post-Conflict Reconstruction" of Sudan." *Égypte/Monde Arabe* 5-6 (2009): 295-328.
[97] Harbom, 623-635.

factional fighting in Somalia. However, cultural practices have in most cases, positively contributed to conflict management, for instance, in South Sudan, Nigeria, Rwanda, Uganda, Ethiopia and Sudan among other countries. Satires, proverbs, totems and facial gestures have been effectively used as psycho-social tools for cultural conflict control and management in Africa. In addition, African cultures have in-built mechanisms that are potent for conciliation and reconciliation including at the family level, intra-community level as well as inter-community level. These include the involvement of traditional chiefs and community elders.

At the local level, the chiefs, tribal leaders and Sheikhs handle tribal conflicts. They undertake reconciliation and the maintenance of stability and security. They are considered effective as they play a significant role in pertinent issues at the community level especially conflict management and in the promotion of harmony among different communities. Their efforts have lately been enhanced by the governments, who have incorporated community leaders in governance at local and national levels due to recognition of their effectiveness and role in peace building and reconciliation.

CULTURAL PRACTICES AND CONFLICT IN KENYA

3.0 Introduction

This chapter discusses the nature of cultural practices and conflict in Kenya. It specifically covers a historical overview of culture and conflicts in Kenya, discusses the effects of cultural related conflicts and details how the cultural leadership, government and non-state actors have responded. A conclusion is given at the end of the chapter.

3.1 Culture and Conflicts in Kenya

3.1.1 A Historical Overview

Kenya is a multi-ethnic society comprising of more than 40 ethnic groups. The country has witnessed numerous inter-ethnic conflicts over the years. However, historically, most of the affected ethnic groups related peacefully with each other in various ways in pre-independence and post-independence periods. The peaceful coexistence contributed immensely to their social, economic and political development due to cordial relationships that facilitated trade, marriage and political engagements among them.[98] One of the notable political affairs that called for unity among multiple ethnic communities was a pursuit of independence from Kenya's colonists. However, there were instances where these relationships were adversely affected by conflicts emerging from various cultural issues.

More often than not, most of the conflicts tend to revolve around ethnic, cultural, or linguistic identities. As such, the nature of conflicts and their causes invariably change in

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[98] Apollos, Machira. "Ethnicity, Violence and Democracy." *Africa Development/Afrique Et Développement* 26, No. 1/2 (2001): 99-144.

accordance to cultures, security situations or seasons. The causes of conflicts amongst communities are varied, a reflection of the geographical, political and socio-economic differences of their regions. However, competitions over natural resources appear to be the main cause of conflicts especially for most traditional rural communities. The natural resources mainly include land for settlement, land for grazing, arable land for crop production and water resources upon which the livelihoods of communities depend. Disputes over natural resources include disputes over ownership and use of arable land, trespassing of animals into agricultural land and use of water resources.[99]

Verifiably, conflicts in Kenya are firmly connected to land-dwelling residency issues and the nation's cultural history.[100] Nevertheless, lately, clashes over access to water and land are viewed as the significant reasons for brutality and dislodging among pastoralists in Kenya in areas such as Pokot, Baringo, Samburu, Turkana and Marsabit.[101] Physical limits cutting crosswise over customary transient courses and wars in neighbouring nations increase the issues related to conflicts. These contentions are frequently exacerbated by extended dry seasons and the mass proliferation of small arms and light weapons.

Additionally, there are overflowing affirmations that the financially wealthy and the politicians are behind cattle rustling. Politicians are also known to flush out potential supporters of their political rivals. Every one of these elements in addition to the migrant

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[99] Wassara, "Traditional Mechanisms of Conflict Resolution in Southern Sudan."
[100] Juma, 89.
[101] Diba, Yattani Isacko. "Inter-Ethnic Conflicts Between the Gabra and Dassenetch Communities of Marsabit County, 1960-2011." Phd Diss., Doctoral Dissertation, Kenyatta University, 2015.

and remote nature of pastoralists compounds and entangles the entire peace-making programs in the affected areas.[102]

Among the pastoralists in Kenya, livestock ownership is not simply another economic activity. Rather, it is an integral and valued way of life for them. Most pastoralists inhabit vast land in regions that suffer harsh climatic conditions where often the scarcity of pasture and water forced them to live a nomadic life.[103] Such kind of life is perennial and happens during certain periods of time every year, where pastoralists move from one place to another through pre-determined routes in search of water and pasture. While migrating, they are faced with conflicts and hostile confrontations from communities in the localities endowed with water and pasture.[104] The situation is worsened when the migrating communities lay claim of ownership of the land they have traversed, as well as water points and grazing areas. In addition, they are faced with numerous challenges such as disease, attacks from wild animals and raids from other pastoralist communities resulting in the loss of herds and life.

Traditionally, the lost animals were replenished through raids conducted using simple warfare tools such as bows and arrows.[105] However, weaponry has changed over time whereas in other instances, raids are organized by men without cattle and those who graduated into manhood. This is done to mobilize livestock to pay as dowry and enter an

[102] Juma, 89.

[103] Kandagor, Daniel Rotich. "Rethinking Pastoralism and African Development: A Case Study of the Horn of Africa." *Proceedings from Lecture, Egerton University, Njoro* (2005).

[104] Tesfay, Yayneshet, and Kelemework Tafere. "Indigenous Rangeland Resources and Conflict Management by the North Afar Pastoral Groups in Ethiopia." *Drylands Coordination Group Report, Ethiopia* (2004).

[105] Khisa, Christopher Simiyu, Dr Edmond Were, and Maurice Amutabi. "Trends in Livestock Rustling and the Dynamics of Socio-Economic Development in Samburu and Marsabit Counties in Kenya." *Strategic Journal of Business & Change Management* 3, No. 4 (2016).

independent pastoral existence. In most instances, raids attracted retaliation from the affected communities. In turn, this bred ethnic animosities as witnessed amongst the Marakwet, Turkana, Pokot and Samburu communities.[106]

Inter-ethnic conflict took a different dimension in Kenya upon the introduction of political pluralism in the 1990s where violent inter-ethnic conflicts became frequent and violent during the electioneering period. Since then, there have been spates of periodic electoral violence as experienced in 1992, 1997 and 2007. The most violent one in Kenya's history was the 2007/2008 Post-Election Violence (PEV) that claimed lives, displaced several thousand people, caused the loss of millions worth of properties and livelihoods. The election-oriented conflicts pit one ethnic group against the other for political reasons motivated by cultural-historical factors such as unresolved historical land issues, grazing areas, farmland and water as witnessed in Western, Rift Valley, Northern and Coast regions. These conflicts are perpetrated by organized groups and/or co-ordinated individuals in the form of ethnic militia and separatist groups, for instance, Sabaot Land Defence Force in Mount Elgon in 2005 and Mombasa Republican Council in 2008 respectively.[107]

The raids in ancient times neither disrupted livelihoods and lives of communities nor prevented different communities from living together because they were mere cattle theft. Conversely, in the past two decades, raids became more frequent, destructive and violent due to dynamics in the nature, motive and modes of operation. Due to the ready market

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[106] Osamba, Joshia O. "The Sociology of Insecurity: Cattle Rustling and Banditry in North-Western Kenya." *African Journal on Conflict Resolution* 1, No. 2 (2000): 11-37.
[107] Cheserek, Grace J., V. A. O. Odenyo, and P. Omondi. "Nature and Causes of Cattle Rustling Among Some Pastoral Communities in Kenya." *Journal of Emerging Trends in Economics and Management Sciences* 3, No. 2 (2012): 173-179.

for raided livestock, cattle rustling transformed from being a customary value to a commercial venture. Criminal theft of livestock and indiscriminate murder of the targeted community is facilitated by the use of modern weapons accessible through the porous borders of Kenya especially with conflict-prone states such as Northern Uganda, South Sudan, Somalia and Ethiopia. The use of guns and the involvement of politicians and influential people in government made the practice fatal, sophisticated and difficult to curb.[108]

3.1.2 Effects of Cultural Related Conflicts in Kenya

In Kenya, there have been conflicts between various communities. The conflicts have occurred in several counties including West Pokot, Turkana, Uasin Gishu, Trans Nzoia, Elgeyo Marakwet, Samburu and Baringo among others. According to Chebotibin,[109] local facilities find it hard to operate in conflict-prone areas in efforts to manage conflicts.

Cultural practices have generally contributed to conflicts in Kenya. Conflict occurrence or recurrence is motivated by parameters within each episode, for instance actors, interests, cultural rites of passage and beliefs, unpatrolled borders by security forces, harsh climatic conditions, marginalization, and pervasive belief stemming from folkways. There is also history that killing other ethnic community member to whom one is in conflict with is culturally legitimate and functional, which is common among pastoralist communities in Kenya.[110]

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[108] Schilling, Janpeter, Francis EO Opiyo, and Jurgen Scheffran. "Raiding Pastoral Livelihoods: Motives and Effects of Violent Conflict in North-Western Kenya." *Pastoralism: Research, Policy and Practice* 2, No. 1 (2012): 1-16.
[109] Chebotibin, 21-39.
[110] Wilmot, William W., and Joyce L. Hocker. *Interpersonal Conflict*. Mcgraw-Hill Higher Education, 2010.

In 2001, an assessment of conflicts in Kerio Valley by the National Council of Churches of Kenya (NCCK) established that conflicts in the region are sporadic and violent between the Pokot community of Baringo East Sub-county and Marakwet community in Tot Division of Marakwet East sub-county.[111] The communities were warring over pasture and territorial boundaries.

Kerio River is the natural and official boundary of Baringo East and Marakwet East Sub-Counties inhabited by Pokot and Marakwet communities respectively. Baringo East Sub-County is arid with limited water and pasture, yet the Pokot community has large herds of cattle as opposed to the Marakwet community. The Marakwet have small herds of cattle and their land though semi-arid has better pasture and water. During the times of drought in Baringo East, the Pokot community would cross over to Marakwet's side for grazing as there is plenty of pasture. After prolonged grazing, the Pokot could lay claim of Marakwet land across River Kerio bringing about boundary disputes.[112]

The inter-ethnic conflict in other neighbouring areas such as Samburu is historical and revolves around water, pasture, and land. Conflict in the form of cattle rustling is perceived as part of life for pastoralist communities but it yields negative effects in social, economic, political and environmental realms. These effects include damage to properties; loss of human lives; diminished access to water, pasture, herbs, and income; reduced number of livestock; displacement of people; increased enmity between parties; environmental degradation; high levels of malnutrition and starvation; erosion of cultural

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[111] Okumu, Willis. "The Role of Youth in Trans-Local Peace Building Among Pastoralist Communities in Northwestern Kenya." *Youth and Peaceful Elections in Kenya* 1 (2013): 148.
[112] Ocarl, George. "Food Aid and Food Sovereignty Among the Pokot of East Pokot District, Baringo County, Kenya." Phd Diss., Egerton University, 2014.

values and changes in livelihood styles; introduction of extreme dependency syndrome especially on relief food and disruption of livelihoods and socio-economic activities.[113]

However, these effects are intertwined; they impact each other and cumulatively result in hardships. There is also limited access to essential services such as banking due to loss or theft of personal documentation, and engagement in fighting causes deaths and injury which affect factors of production among others.[114] Known originally as cattle raids, cattle rustling was practiced many decades in the past as an acceptable tradition. It was governed by norms whose purpose was socio-cultural, to replenish lost livestock due to theft or effects of drought and to generate bride price for men who attained marriageable age.

Cattle rustling involves forceful taking of others' cattle using traditional weapons such as bows and arrows as well as spears. Since it was governed by strict norms or rules of war, raiders were forbidden from destroying property, killing unarmed men, women, children and the elderly.[115] Dowry and male rite of passage also motivate cattle rustling in that for these traditional values to be complete, cattle of a certain number are required. Most communities practice the male rite of passage, where men officially acquire the status of community elders, allowing them to participate in community matters.

There have been instances of cultural conflicts in Kenya. In Baringo County, the area has seen imminent closure of the schools since over ten head teachers from Makutani and

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[113] Cheserek, 173-179.
[114] Jaspars, Susanne, and Sorcha O'Callaghan. "Livelihoods and Protection in Situations of Protracted Conflict." *Disasters* 34 (2010): S165-S182.
[115] Kipkorir, Benjamin E., and Frederick Burkewood Welbourn. *The Marakwet of Kenya: A Preliminary Study*. East African Publishers, 2008.

Mochongoi primary schools sought to have their services terminated.[116] They claimed that they could not run schools where teachers and pupils feared for their lives due to recurring conflicts and insecurity in the area. Some head teachers took advantage of some police officers to collect vital documents and certificates from the schools. One head teacher reported that he could not account for 246 pupils.[117]

According to Khisa[118], most schools do not resume due to the rampant conflicts in Marsabit. Increased insecurity in the area and continuous cases of cattle rustling leave villages and schools deserted. The same situation is observed in the neighbouring Counties.[119] For example, in Baringo in 2015, a classroom at Chemolong'on Primary School was littered with shoes, lunch boxes, and stationery that were left behind when teachers and pupils ran for safety on hearing of gunshots during one afternoon lesson. Pupils stopped going to school for fear of attacks which left 28 schools closed and more than sixteen thousand people displaced since the onset of the conflict in parts of the county in late 2014.

The communities in Baringo Counties have been fighting for a while. The arid and semi-arid nature of Sub-Counties such as Tiaty, combined with the nomadic nature of the communities and persistent drought create complex conditions for raids against other communities. The hilly and steep terrain coupled with poor transport and communication systems makes it difficult to apprehend raiders or criminals. The remote nature of the valley makes communities living there to rely on traditional mechanisms to solve societal

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[116] Chebotibin, 21-39.
[117] Ibid
[118] Khisa, 4.
[119] Anderson, David M., and Michael Bollig. "Resilience and Collapse: Histories, Ecologies, Conflicts and Identities in the Baringo-Bogoria Basin, Kenya." (2016): 1-20.

problems including conflict. However, the mechanisms fail especially in regard to sharing of water and pasture resources during the dry seasons.[120]

Makutani is one Ward which was termed as the focal point of conflict since March 2005. It is a region in the south-western edge of Pokot Territory. In 2005, the Pokot warriors undertook progressive strikes against the neighbouring Ilchamus murdering nine individuals and taking more than 2000 heads of cattle. The enormous assaults which were conducted for a few weeks constrained the Ilchamus who pulled back and left extensive parts of the range as a dead zone. The enormous security forces operations halted the Pokot from further dislodging the Ilchamus. In 2007, the provincial government set up a regulatory post in Makutani to parley the groups' contending land and water claims. With such conflicts, the local institutions such as chiefs' camps, schools and health facilities find it hard to operate there.[121]

In the 1990s and in 2007, cultural political instigation motivated violence which was witnessed countrywide but more so in the Rift Valley. In particular, Nandi, Kericho, Uasin Gishu and Nakuru counties were worst hit in all the occasions that the violence erupted pitting the Kalenjin community against the Kikuyu whom the former perceived as intruders in their ancestral land. The victims were mainly members of the Kikuyu and Kisii communities whom were perceived as having inappropriately acquired land that belonged to the native Kalenjin community.

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[120] Kratli, 22.
[121] Mutsotso, Beneah M. "Overlap of Mukutani Administrative Boundary and its Definition of the East Pokot–Il Chamus Conflict in North Western Kenya." *Journal of Sociology* 5, No. 2 (2017): 109-117.

That period went down in the country's post-independence history as one of the most violent and destructive periods. Estimates indicated that approximately 1,300 people lost their lives directly due to the violence, with at least 660,000 people being displaced internally. Up to date, arising directly from the conflicts, a number of Kenyans still live outside the country mainly in Uganda. The violence witnessed, threatened to tear the country apart. Experts are of the opinion that the violence may have ended on the streets but the hatred remained in the hearts of people.

3.2 Response to Cultural Based Conflicts in Kenya

3.2.1 Cultural Leadership's Response to Cultural Conflicts

Most culturally motivated inter-ethnic conflicts are historical and have lasted for many decades. However, they have been managed through diverse strategies that are unique to the ethnic groups affected. Though most of the strategies employed by ethnic groups are mainly traditional, their effectiveness has not been eroded by the effects of western education, religion and civilization. Therefore, they are still in use, even in modern society. The traditional mechanisms have proved successful and effective due to the use of existing community resources, systems and institutions. Traditional mechanisms, therefore, serve as the community's body of knowledge and authority anchored within a community's cultural and governance structure.[122]

The traditional mechanisms support the community's resilience against adverse effects of conflicts or any adversity faced since the affected community has an inherent potential to bounce back from shocks and risks of adversity. This is enhanced by the internal capacity

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[122] Mcgarry, John, and Brendan O'Leary. "The Political Regulation of National and Ethnic Conflict." *Parliamentary Affairs* 47 (1994): 94-94.

to utilize available physical and economic resources to support its recovery. Resilience is considered as a strategy in the face of risks and hardship and as the ability to persist and adapt respectively.[123] The socio-economic strategies of traditional mechanisms help communities manage conflicts effectively, mitigate effects of conflict or adversity and build resilience because of their transformative nature that helps to harness and develop capacities of communities to tackle various dimensions of vulnerabilities, risks and shocks. In this regard, the strategies contribute to the successful adaptation of new changes brought by conflict, minimization of risks in times of vulnerabilities, coping with threatening circumstances and managing the community's recovery process.

It is not only the traditional systems that engage elders in conflict resolution, but also the government. The government engages elders in facilitating dialogues, reconciliation, and leading consultations and negotiations among parties and overseeing agreement in sharing resources such as water and pasture as in the case of pastoralists.[124] However, in modern society, the peace agreements facilitated through traditional systems are sustained through integration with modern law and managed and enforced through existing government structures such as the judiciary and the national steering committee on peace and security. Complementarily, projects implemented jointly by warring communities contribute to peace-building and improvement of socio-economic development of communities because

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[123] Ratner, Blake, Ruth Meinzen-Dick, Candace May, and Eric Haglund. "Resource Conflict, Collective Action, and Resilience: An Analytical Framework." *International Journal of the Commons* 7, No. 1 (2013).
[124] Mwangi, Esther, and Stephan Dohrn. "Securing Access to Drylands Resources for Multiple Users in Africa: A Review of Recent Research." *Land Use Policy* 25, No. 2 (2008): 240-248.

they introduce alternative livelihoods, boost education, promote trade and encourage co-operation and interaction among different communities.[125]

Most of these projects in conflict-affected areas brought about diversification of livelihoods which decreases dependence on livestock which has been the cause of inter-ethnic conflicts. This increases sources of income by encouraging the exploration of other resources and the adoption of new technologies suitable in respective sectors on the community's livelihoods. Recurrent conflicts may drive affected individuals and communities to build resilience through internal and external mechanisms that are adaptive or distressful. Though these mechanisms are different, they are complementary where external mechanisms fill capacity gaps and provide additional resources that internal mechanisms do not adequately meet during the conflict and post-conflict periods.[126] They help the affected to withstand, recover from and re-organize themselves in response to adversities depending on prevailing situations.

Adaptive strategies tend to minimize risks and are not detrimental to abilities to recover after adversity such as keeping small herds, practicing subsistence farming, voluntary migration, use of social support systems, diversification of livelihoods and development of traditional mechanisms for conflict prevention and resolution. On the other hand, distressful strategies are those mechanisms considered as a last resort or as an extreme reaction to severe occurrences or shocks such as slaughtering and selling of livestock at throw-away prices and reduced food consumption in the case of drought or conflict.

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[125] Young, Laura A., and Korir Sing'Oei. *Land, Livelihoods and Identities: Inter-Community Conflicts in East Africa*. Minority Rights Group International, 2011.
[126] Opiyo, Francis EO, Oliver V. Wasonga, Janpeter Schilling, and Stephen Mwangi Mureithi. "Resource-Based Conflicts in Drought-Prone Northwestern Kenya: The Drivers and Mitigation Mechanisms." *Wudpecker Journal of Agricultural Research* 1, No. 11 (2012): 442-453.

However, communities may opt for coping or adaptive strategies where affected individuals or communities adjust to changes brought by adversity such as the use of traditional systems and external support to prevent recurrence or negative impacts of adversity. Comparatively, adaptive strategies support the sustainability of resources and livelihood sources whereas distress strategies are short-term in nature and considered an extreme remedy.[127]

The work of elders continues from negotiation and compensation to conflict settlement sealed by peace agreement which lays down guidelines that facilitate harmonious co-existence, sharing of pasture land and grazing particularly during the dry seasons and to encourage trade between the communities. The community elders undertook such activities through the convening of both individual community and inter-community Barazas. Peace agreement is brokered by respected community elders from both warring communities and it entails the agreed framework for punishing individuals and community that flouts the agreement. The agreement culminates in a ritual where instruments of war from the two sides are broken and buried together with some charm.[128] Pkalya[129] gives an example of a peace agreement commonly referred to as the "Kolowo" declaration reached in 2003 at Kolowo in Baringo County so as to curb cattle rustling among warring communities. The agreement provides for sharing of grazing resources along Kerio River and stipulated compensation for loss of livestock, for example, an

[127] Alinovi, Luca, Marco D'errico, Erdgin Mane, and Donato Romano. "Livelihoods Strategies and Household Resilience to Food Insecurity: An Empirical Analysis to Kenya." *European Report on Development* (2010): 1-52.
[128] Young, 11.
[129] Pkalya, 22.

offender pays back double the number of livestock stolen and forty cattle paid to the bereaved family for every person killed.

Nevertheless, traditional mechanisms of conflict management haven't been effective in the recent past due to the effects of protracted conflicts that weakened customary institutions; the effects of education; modernization on cultural systems and generally the decline of elders' influence in society. In Kenya, the role and contribution of elders in conflict management has been weakened partly by the establishment of the peace committees at all administrative units of national government anchored in the security system. As such, the peace committees are appointed by government officers at each unit guided by parameters of age, sex, ethnic diversity composition, academic qualification, leadership experience, marital status and social standing as opposed to the traditional institution where qualifications for one to sit in the council of elders were clearly defined by cultural values and principles.[130]

Due to this distinct difference and support from the government, peace committees usurped more power than the elders. In addition, the decisions made by elders with respect to public matters and conflict management are subject to endorsement by the government hence robbing the elders their autonomy in decision-making.[131]

3.2.2 Government's Response to Cultural Conflicts

The government and its agencies use diverse means to prevent, respond to or reduce the adverse effects of conflicts. They lead in inquiry and intelligence gathering to inform any action to be undertaken such as the prosecution of conflict actors, policy formulation and

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[130] Schilling, 1-16.
[131] Ibid

reforms, conflict mediation and resolution and disarmament. First, the government is undertaking disarmament to mop illicit firearms that enter through its porous borders due to protracted conflicts in neighbouring countries. The Kenya National Focal Point on Small Arms and Light Weapons has been responsible for disarming communities through the confiscation of illegal firearms hence reducing incidences of cattle rustling in Kenya.[132]

Secondly, the government's national administration, intelligence and security systems have supported disarmament through provision of mechanisms for conflict early warning and response. Additionally, the newly established community-based policing to fight crime at the lowest levels of administrative units such as villages has encouraged information sharing between the Kenya Police Service and the public.[133]

Thirdly, Kerio Valley Development Authority (KVDA), a government regional development institution established in 1979 has been instrumental in the development of livelihoods and infrastructure along the Kerio Valley region guided by its mandate and government's Vision 2030 and related policies on regional development.[134] KVDA has been a key implementer of irrigation and other livelihoods-based projects in partnership with other national and international institutions, to aid areas affected by conflicts.

Fourth, the institutionalization of a peace-building agency dubbed, the National Steering Committee on Peace-building and Conflict Management (NSC) has been instrumental in

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[132] Martin, Pilly. "Conflicts Between Pastoralists and Farmers in Tana River District." *Spaces of Insecurity. Human Agency in Violent Conflicts in Kenya. Leiden: African Studies Centre. P* (2012): 167-193.
[133] Obaso, Nyongesa Maurice. "Management of Strategic Change at Ewaso Nyiro South Development Authority, Kenya." Phd Diss., School of Business, University of Nairobi, 2016.
[134] Ibid

handling conflict matters in Kenya. The NSC was founded in 2001 when it was realized that conflicts could be managed effectively through collaborative efforts of government, the community and Non-Governmental Organizations (NGOs). NSC comprises government departments, civil society organizations, NGOs and donor representatives who co-ordinate peace initiatives across the country. This is done through a peace committee structure in every sub-county in Kenya.[135]

There is also a role played by both the Kenya Red Cross Society and the International Committee of the Red Cross (ICRC). They advocate for lasting peace, sound and equitable economic development and improved public health care and employment in these marginalized areas. After conflict, communities must live side by side again. In order to achieve that, the post-conflict environment ought to be transformed positively to facilitate peaceful coexistence. The transformation must be a collaborative effort of the government, the non-state actors and the local community. Subsequently, the projects that have been introduced such as irrigation farming have led to new agricultural methods, improved crop varieties and land reclamation. These approaches have transformed conflict-prone, deserted and bare land into farms of cereals and vegetables for subsistence and commercial purposes.[136]

The National Cohesion and Integration Commission (NCIC) has established the requisite structures for the prevention of violence, conflict management as well as conflict transformation. Further, the NCIC has developed multiple stakeholder strategies for ethnic

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[135] Adan, Mohamud, and Ruto Pkalya. *A Snapshot Analysis of the Concept Peace Committee in Relation to Peacebuilding Initiatives in Kenya: Practical Action 2006*. Practical Action, 2006.
[136] Campbell, Danielle, and Janet Hunt. "Using a Community Development Approach for Aboriginal Development in Central Australia." (2013).

conflict early warning and response. These strategies are based on the lessons learnt from the Uwiano Platform - a partnership that undertook peace promotion and violence monitoring during the 2010 referendum campaigns. The NCIC together with its partners is in the process of setting up a web-based platform for independent real-time conflict monitoring and reporting. This platform will aim at empowering Kenyans and partners to collaborate in receiving and acting on information on early warnings on conflict and also in the promotion of effective partnerships for national cohesion at various levels.

Further, the Truth, Justice and Reconciliation Commission (TJRC) and the NCIC have established a joint taskforce on healing and reconciliation. The taskforce's mandate is to develop procedures and modes of working between the two commissions as well as for the smooth continuation of healing and reconciliation work after the winding up of the TJRC. There are also the Building Bridges Initiative (BBI) talks based on Kenya's history of election-related ethnic conflicts since the adoption of multiparty democracy in the early 1990s. Kenya has started a program of national reconciliation and healing through the BBI. The BBI talks are aimed at ensuring inclusivity of all communities, political factions and other interest groups in the governance process.

3.2.3 Non-State Actors' Response to Cultural Conflicts

There are various initiatives and programs carried out by non-state institutions that comprise of Community-Based Organizations (CBOs), Faith-Based Organizations (FBOs), Civil Society Organisations (CSOs) and NGOs to improve welfare and development of conflict-affected population and area respectively. These initiatives and programs are geared towards conflict management and development in general, for

example, training, humanitarian and relief assistance, peace-building, reconciliation, and community empowerment projects.[137]

The first way in which the non-state actors respond to cultural conflicts is through humanitarian assistance. Humanitarian assistance includes emergency medication, shelter, hygiene kits, clothing, and food among others. On the other hand, conflict management and peace-building activities such as reconciliation; rehabilitation of shelter and social amenities; rebuilding relationships; dialogues; negotiation; mediation; problem-solving workshops and facilitated policy interventions are undertaken when conflict has been managed.

Through the media, the non-state institutions highlight problems of insecurity, gaps between legislation and enforcement of security, challenges faced by communities, and conduct research and disseminate information on conflict issues. However, the main area of intervention implemented by these organizations is mainly capacity building.[138]

Capacity building results in empowerment where communities attain self-reliance and greater control over their resources and in the management of own affairs. Urick[139] argues that capacity building and empowerment are appropriate means to which communities achieve sustainable development. Non-state institutions carry out community and resource mobilization, technical training and provision of micro-finance to improve economic well-being that is instrumental in creating jobs and initiating income-generating activities.

[137] Ibid
[138] Mwagiru, Makumi. "Conflict Early-Warning and Response Mechanisms: A Review of Sub-Regional Organisations in Africa." *Africa Review* 2, No. 2 (2010): 163-174.
[139] Urick, Michael J., Elaine C. Hollensbe, Suzanne S. Masterson, and Sean T. Lyons. "Understanding and Managing Intergenerational Conflict: An Examination of Influences and Strategies." *Work, Aging and Retirement* 3, No. 2 (2017): 166-185.

Economic-oriented activities are successfully implemented through support in micro-finance coupled with training on financial literacy to enable the start-up and sustainability of economic enterprises. Also, the institutions play fundamental conflict management roles by strengthening existing and recommending appropriate security and peace structures.[140]

Some of the activities include conflict mapping, training of peace committees, developing early warning systems and supporting government security and peace committees to respond and manage conflict. Complimentary roles of state and non-state institutions ensure that development is realized in a stable and secure environment and in partnership with multiple actors. While security is an absolute role of the government, it yields better results when it is complemented with development and peace initiatives in partnership with other players who are not necessarily state agencies.[141]

The NGOs, FBOs and civil society facilitated intercommunity dialogue, formation of peace committees and provided humanitarian support. They also facilitated traditional mediation, conflict resolution mechanisms, and early warning and response mechanisms. Additionally, they played a role in the introduction of peace monitors, starting of youth projects and intercommunity joint projects.

The youth and community projects introduced and implemented by the non-state actors were mainly done in conjunction with concerned government agencies. Collaboration of

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[140] Lyons, Terrence. "Post-Conflict Elections and the Process of Demilitarizing Politics: The Role of Electoral Administration." *Democratization* 11, No. 3 (2004): 36-62.
[141] Urick, 166-185.

multiple agencies with inter-related approaches contributed significantly to resolution of conflicts in the affected areas.[142]

The introduction of Youth Enterprise Fund by the government and the introduction of small grants by non-state actors supported micro-enterprise development in areas affected by conflicts such as Turkana. Specifically, the non-state actors initiated youth empowerment programs targeting male youth who were rehabilitated with some having previously engaged in cattle rustling and other criminal activities within the county.[143]

3.3 Conclusion

The study found that culture has contributed to conflicts in Kenya. There have been cultural conflicts in Kenya that are firmly connected to land-dwelling residency issues and the nation's cultural history. However, clashes over access to water and land are viewed as the significant reasons for conflicts in most areas. The roles of elders in management and resolution of conflicts have ranged from negotiation, mediation and compensation to conflict settlements through peace agreements. These agreements lay down guidelines that facilitate harmonious co-existence, sharing of resources particularly during the dry seasons, and to encourage trade between the communities. The cultural leadership, Kenyan government and non-state actors have positively contributed to the management of recurrent cultural conflicts by encouraging traditional conflict resolution mechanisms. There is also formation of security and peace committees which are instrumental in peace work as well as in reduction of the incidences of cultural related conflicts.

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[142] Ibid
[143] Obaso, 49.

CHAPTER FOUR

CULTURAL PRACTICES AND CONFLICT IN WEST POKOT AND ELGEYO

MARAKWET COUNTIES

4.0 Introduction

This chapter discusses the concept of cultural practices and conflict in West Pokot and Elgeyo Marakwet Counties of Kenya. It looks at the historical overview of culture and conflicts, the effects of culturally related conflicts, and provides the responses to cultural based conflicts in the Counties. Primary data collected using Focus Group Discussions was supported with secondary data in order to give a clear picture of the situation in the two counties. A conclusion is given at the end of the chapter.

4.1 Culture and Conflicts in West Pokot and Elgeyo Marakwet Counties

4.1.1 Cultural Causes of Conflicts

The inter-ethnic conflicts in West Pokot and Elgeyo Marakwet Counties are historical and revolve around water, pasture and land. The major actors are the Marakwet and Pokot ethnic groups. Other cultural practices such as rites of passage and dowry payment also motivate these conflicts, by contributing to cattle rustling. Cattle rustling involve using traditional weapons such as bows, arrows and spears. According to the study respondents, rites of passage are a major cause of conflicts in the areas, as stipulated in the following responses;

> In the Pokot culture, the rite of passage (called *Sapana* in the local language), is an important milestone in everyone's life, especially the men. This practice involves men officially acquiring the status of community

elders, allowing them to participate in community matters. Without undergoing the rite, the status in the community is non-existent.[144]

The rites of passage in the Pokot have been reported in the literature. Mutsotso[145] reported that it involves a man spearing his favoured bull and serving meat to his friends and elders. Men who have not undergone this rite do not have a say in community affairs hence motivating them to get bulls by any means. Dowry payment was also cited to be a major contributor to cultural conflicts, as reported by the respondents;

> In both Pokot and Marakwet communities, dowry given in form of livestock generates bride wealth to families of the bride according to terms set culturally. Dowry among the Marakwet is 4-5 cows, 5 goats and 1 bull, payable over years. The community also considers men who come from a poor family who may be asked to give 3 cows. Among the Pokot community, dowry payment is a bit higher; with 20-26 cows and 10-40 goats depending on the beauty, level of education and character of the bride payable at once.[146]

Osamba[147] also reported that raids are organized by men without cattle and those who have graduated into manhood to mobilize livestock to pay as dowry and enter an independent pastoral existence. In most instances, raids attract retaliation from the affected communities which breed ethnic animosities as witnessed among the Pokot and Marakwet communities.

Known originally as cattle raids, cattle rustling was practiced many decades in the past as an acceptable tradition that was governed by various socio-cultural norms. Its main purpose was to replenish livestock lost due to theft or effects of drought and to generate bride price for men who had attained marriageable age. Animal and crop production

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[144] Bosek K., Interview with Sitin Daniel Kiprotich, West Pokot, April, 2020.

[145] Mutsotso, Beneah Manyuru, David Kimaiyo, and Perpetua Gaciuki. "The Centrality of Cattle in the Social Organization of the East Pokot Pastoralists of North Western Kenya." *European Scientific Journal* 10, No. 8 (2014).

[146] Kenduiyo F., Interview with Sitin Daniel Kiprotich, Marakwet, April, 2020.

[147] Osamba, 11-37.

which are also a source of livelihoods for the Marakwet community are hampered by harsh climatic conditions and limited arable land. Additionally, the harsh and difficult conditions brought about by droughts inhibit natural re-stocking of livestock. Thus, the aforesaid motivates the affected communities to resort to cattle raids. The dry seasons are, therefore, characterized by conflicts amongst the pastoralist communities who fight for the scarce water and pasture. As a result, cattle raids become a means of retaliation for the aggrieved. The conflicts are also historical, political, and resources-based, as determined in the study vide the following response;

> The areas of Kerio Valley, Endo, Loiyangalani, Sarima and Mt Kulal among others have been experiencing these conflicts for some time now. The main conflicts are historical inter-ethnic hostilities exacerbated by the availability of illicit weapons, political incitement and fertile land especially in parts of Elgeyo Marakwet. The same can be said in the other end of the Pokot-Turkana border in areas such as Amolem, Takaywa, Sarmach, Nyangaita, Alale, Lokiriama and Ombolion.[148]

Gitau reported historical conflicts at the border between West Pokot and Elgeyo Marakwet Counties. Specifically, the study looks at Kerio Valley which struggles to overcome complexities brought about by the historic occurrences or episodes of conflict amid harsh natural environmental conditions. It was adversely hit by violent inter-ethnic conflict between 1991 and 2001, a period that coincided with Kenya's challenges with democracy politics.[149]

Politics, as reported by Cheserek, [150] have expanded the scope of politics of ethnicity. This is because democracy offers incentives for ethnic mobilization and frustrates cohesion of a nation. As a result, politics escalated the intensity and frequency of inter- ethnic

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[148] Chebuigut P., Interview with Sitin Daniel Kiprotich, Marakwet, April, 2020.
[149] Gitau, Simon M. "Conflicts Between Pastoral Communities in East Africa. Case Study of the Pokot and Turkana." Phd Diss., University of Nairobi, 2013.
[150] Cheserek, 173-179.

conflicts, for instance, 1991/1992 and 1997/1998 in Marakwet East Sub-County and 2007/2008 nationwide. Two notable massacres took place in Marakwet East Sub-County between 2000 and 2001 - one in October 2000 against women and children who had turned up for a country-wide polio vaccine at Tot health centre, and the renown Murkutwo massacre on the early dawn of March 2001.

Violence has claimed many lives, productive assets and livelihoods mainly in the Rift Valley. Other than culturally motivated conflict, there is fierce competition and conflict among supporters of aspiring political leaders since elective positions provide the elected with power to access and distribute resources. Electoral violence is perceived as an available weapon to vent out frustrations, communicate grievances and settle scores among competing politicians.[151]

The study found that land ownership, especially grazing fields, was the main cause of conflict among the Marakwets and the Pokots. One Focus Group from the Marakwet community reported as follows;

> The Pokot community lays claim of ownership on all grazing land. The community, therefore, invades other community's grazing land, believing that those fields belong to them.[152]

Therefore, there are persistent conflicts along Marakwet and Pokot communities especially in areas such as Kerio River, which form the border between these two communities. The Pokot are persistent with pastoralism, while the Marakwet are embracing other means of livelihoods such as farming. As reported in literature,[153] the

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[151] Osamba, 11-37.
[152] Kipchirchir A., Interview with Sitin Daniel Kiprotich, West Pokot, April, 2020.
[153] Cheserek, 174.

Marakwet community have attempted to minimize risks on their livestock-based livelihoods by embracing farming. This shift is helping to reduce cattle rustling as it is no longer attractive to them as before.

4.1.2 Effects of Cultural-Based Conflicts

Culture-based conflicts in both Marakwet and Pokot communities have led to damage to properties and shelters, displacement of people, killings, looting, injury and abductions among other effects. The study determined that conflicts in these areas cause destruction and loss of assets such as land, houses, livestock, labour and household items which are necessities as well as factors of production. As reported by Justino,[154] the destruction of these productive assets led to reduced access to vital sources of livelihood, thus negatively impacting on productive capacity, and likelihood of economic survival of people, households and communities. The study respondents stated as follows;

> Conflicts have highly led to migration of people due to the fear of the loss of their lives. There is also displacement and restricted movement which can be attributed to physical insecurity. Due to this migration, human and animal diseases are spread, which we are unable to control and treat.[155]

The disruption of the way of life and livelihoods of individuals and communities has been reported.[156] The situation was further aggravated by unavailable health services. On the other hand, displacement of pastoralist and farming communities affected food security thus contributing to starvation, malnutrition and unprecedented dependency on relief food. Injuries, deaths, psychological trauma, malnutrition and disease outbreak also affected the

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[154] Justino, 315-333.
[155] Kiprugut K., Interview with Sitin Daniel Kiprotich, West Pokot, April, 2020.
[156] Ibid

quality and demographics of the population which in turn cause significant drop in life expectancy and a reduction in investment.

Generally, the displaced community is rendered vulnerable or disenfranchised as their livelihoods and infrastructure are destroyed hence incapable of meeting their basic needs. They are rendered unable to practice good husbandry in farming and agriculture. The disruption and destruction of livelihoods also causes reduction in incomes of individuals and households which in turn increases poverty and dependency rates.

The study found that burning of houses, schools and other important infrastructure was part of the effects of conflict amongst the Pokot and Marakwet communities. For example, in Marakwet, the participants cited that houses were burnt down by attackers suspected to be from the neighbouring Pokot community. As a result of the conflict, many people had to camp in schools. There have also been killings that have sparked tension in the area with thousands of residents fleeing their homes. The residents have resulted to taking refuge in various schools with claims that the raiders have been plotting to strike back following a fierce shoot-out with security personnel. Schools which have been affected are Pstono, Trarak, Kapsen, Kamelei Primary Schools and Kamelei Secondary School. The cross-border attacks between the Marakwet and Pokot are worrying and may degenerate into an ethnic war. The study respondents reported as follows;

> About 116 houses were torched on the West Pokot-Elgeyo Marakwet border after a raid in the wake of June 2019. More than 200 houses were set on fire at Kamelei and Kapsen village forcing over 2000 people to migrate to safe places. The incident also left four people seriously injured

among them a teacher who was shot in the in the leg and taken to Kapenguria County Hospital.[157]

These findings confirm the fear exhibited by the residents in both Counties of West Pokot and Elgeyo Marakwet. Additionally, the changing dynamics and motives of cattle raids have had impact on traditional and customary values; as well as on identity issues associated with cattle raids. The commercial motive and use of sophisticated arms that have replaced bows, arrows and spears have intensified the magnitude and devastation of conflict leading to murder, loss of human life and livelihoods; and the displacements of human population.[158]

The spate of killings in the region reawakens memories of survivors' wounds and also the pains that victims face during these frequent conflicts. Though the government put up measures such as carrying out operations to flush out cattle rustlers in various places such as Embobut, Lelan and Kamulegon forest along the West Pokot-Elgeyo Marakwet border, there are still cases of cattle rustling which re-emerged along Pokot and Marakwet common border. These re-emergent cases displaced over 500 families and prompted closure of some schools in the region.

The impact is also being felt economically, as people are forced to lose their ancestral land and therefore cannot undertake any economic activity. Jaspars[159] elaborates the impact of conflict on land and livelihood assets such as disruption of rights to property and land. This in turn affects farming, limits movement, leads to loss of proof of ownership of livelihood assets and also limits access to essential services such as banking.

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[157] Chepkirong C., Interview with Sitin Daniel Kiprotich, West Pokot, April,, 2020.
[158] Osamba, 11-37.
[159] Jaspars, 182.

This has contributed to high rate of unemployment, which was cited in the study. Unemployment was worsened by access to guns which pushed young men into engagement in banditry as a means of livelihood, hence persistent insecurity. The unemployed Marakwet and Pokot youth who engage in highway banditry and robbery has been reported in other studies.[160] This has threatened transportation of crop products to markets and has also scared away investors and other agencies that wanted to intervene in various challenges faced by the Marakwet and Pokot communities.

Pkalya[161] details how traditional conflicts disrupt local economies and the interaction of market players. The study found that due to persistent insecurity, there was the destruction of factors of production mainly capital and land. There was also restriction of movement of populations, closure of local markets within the Pokot and Marakwet communities. As a result, there was a significant reduction of output in crop and animal production as well as food shortage thus leading to increased threats to human survival.[162] This was confirmed by food security survey of 2011 which revealed that Tot Division suffered from acute food shortage as available food did not sufficiently meet the population's needs due to the impact of recurrent conflict that forced community members to discontinue farming, livestock rearing, and trade as they moved to safe places. As a result, new economic activities, livelihoods and technologies emerged to cope with shocks and

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[160] Khaemba, James. "Inter-Ethnic Conflicts on the Border Lands of Kanyarkwat and Kwanza Locations of Trans-Nzoia and West Pokot Counties-Kenya." Phd Diss., Moi University, 2014.
[161] Pkalya, 24.
[162] Mckay, Andrew, and Scott Loveridge. *Exploring the Paradox of Rwandan Agricultural Household Income and Nutritional Outcomes in 1990 And 2000*. No. 1099-2016-89045. 2005.

threats. For instance, the Marakwet community having lost their livestock to cattle raiders and for fear of attacks moved away from livestock keeping and embraced farming.[163]

In this region, violent conflicts have also contributed to the destruction of environmental resources as displaced populations sought to settle in new locations where they ran to for safety. Besides creating settlements in ecologically sensitive and risky areas, the displaced population cleared vegetation for farming, firewood and construction of shelters.[164] This was motivated by the fact that safe or conflict-free areas had limited land resources forcing migrants to settle on escarpments, hanging valleys and water catchments. As a result, they endangered their lives by settling on dangerous steep sections of the valleys and escarpment and interfered with flow, purity, source, and protection of water.

Culture-based conflicts resulted into natural calamities and disasters in Pokot and Marakwet communities. Due to displacement caused by fears of attack, there is evidence of heavy human activities in areas they considered safe. This caused soil erosion and loosening of soils in the steep areas resulting in landslides as experienced in April 2010 in Kitany village in Kaben location of Tot Division of Marakwet East Sub County and also most recently in November 2019. In addition, community members exploit alternative livelihoods especially those that are perceived to quickly restart economies, such as charcoal burning and illicit logging which in turn deplete vegetation and forests. This was reported by the study respondents as follows;

> An illicit trade network of charcoal and building materials that involve the
> felling of trees has emerged in the forested areas. Due to the rough terrain,

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[163] Cheserek, 173-179.
[164] Ibid.

there is lack of government vigilance since government law enforcers cannot easily access these areas.[165]

4.2 Response to Cultural based Conflicts in the Counties

4.2.1 Traditional Response Mechanisms

The Pokot and Marakwet communities have traditional local mechanisms for managing conflict. The main traditional institutions that manage conflicts include at nucleus family level, extended family level, clan and council of elders levels. The levels are clearly defined and power transcends hierarchically, meaning that the nucleus family and council of elders are the lowest and highest levels respectively. Disputes are handled in each level, where if not managed fully or when a party is aggrieved by the outcome of the ruling, the next level serves as an appellant court until the elders, the highest and final institution of conflict management.

However, inter-ethnic conflict is handled by the council of elders because the conflict involves an external actor who is not a member of the community. The elders, guided by cultural values and systems, play fundamental roles in conflicts prevention, mediation and resolution. Because the elders are respected by virtue of social status and authority, their judgments and decisions are respected and adhered to by all community members.

Culturally, conflict prevention in these communities involves the use of traditional early warning mechanisms. There are community members whose job is to collect intelligence information about security and external threats from other communities. There are also others who are tasked with gathering and distributing military information to the

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[165] Kipkorir A., Interview with Sitin Daniel Kiprotich, Marakwet, April, 2020.

community to inform and guide development of preventive measures. In that regard, one FGD reported as follows;

> One way of gathering information is the examination of intestines of goats by community experts to forecast a looming occurrence of conflict. The outcome is accurate and is overally accepted by all community members which inform the next course of action as advised by elders.[166]

Warriors are then positioned in strategic places to protect against possible attack or engage in defensive measures. In addition, the warriors spy its territorial borders for any strange footprints[167], suspicious movements and grazing trends of neighbouring community and subsequently disseminate the information to elders for appropriate action. Additionally, the community elders initiated mediation and negotiation so as to resolve conflict. The study also found that certain rituals which were performed by the Marakwet community elders as part of conflict control. This was reported by one FGD as follows;

> Elders in the Marakwet perform a ritual called *"putyon"* to call for divine protection against external attacks. In the event that conflict is eminent, elders would initiate talks with conflict parties on the basis of intelligence information gathered. Where need be, elders would involve mediators or negotiating parties who would play neutral roles in negotiation, mediation and resolution.[168]

As observed by Ekuam,[169] a decision for combat rests with elders who must make a decision for it, give blessings and provide direction to warriors. Inspite of this, the mission may abort in instances where there is sudden illness of one of the warriors or a tree falling on the path that the warriors were taking or if women put on a belt called *'leketio'* and

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[166] Cherugut W., Interview with Sitin Daniel Kiprotich, Marakwet, April, 2020.

[167] Triche, Ryan. "Pastoral Conflict in Kenya: Transforming Mimetic Violence to Mimetic Blessings Between Turkana and Pokot Communities." *African Journal On Conflict Resolution* 14, No. 2 (2014): 81-101.

[168] Kiprop D., Interview with Sitin Daniel Kiprotich, Marakwet, April, 2020.

[169] Ekuam, Daudi E. "Conflicts, Conflict Resolution and Peace Building: The Role of Pastoral Women." *Gender Inequalities in Kenya* (2006): 123.

went before the warriors. This is because such happenings were believed to be signs of bad omens and a sign that the planned raid was jinxed.

No single combat is completed without detrimental effects such as deaths and injuries inflicted to warriors and community members. In such occurrences, elders from the aggrieved community initiate consultations with elders from the raiders' community in pursuit of compensation and punishment of perpetrators in a non-violent manner. This was reported as follows;

> The decisions of such consultations are arrived at by consensus amongst the elders. The goal of compensation arrangement is to appease affected communities or individuals and to serve as a preventive measure to deter future occurrence of conflict. The compensation in the Pokot-Marakwet conflict is 40 cattle for every person killed.[170]

It is worth noting that traditional mechanisms of conflict management have not been effective in the recent past due to the effect of protracted conflict that weakened customary institutions, effects of education and modernization on cultural systems and generally the decline of elders' influence in society.

4.2.2 Governments' and Other Concerned Actors' Response Mechanisms

The government has formed a security team for protection and apprehension of attackers in order to ensure a lasting peace in Pokot-Marakwet Counties. The community has long been demanding for the security team and the government by establishing police camps in the border of West Pokot and Elgeyo Marakwet Counties.

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[170] Pkecho M., Interview with Sitin Daniel Kiprotich, West Pokot, April, 2020.

There has also been the formation of peace committees, which was a joint venture between NGOs, government and reinforced by community elders. The government formed peace committees' structures in these areas and anchored them in the Ministry of Interior and Coordination of National Government thus giving them legitimacy and power. The Catholic Justice and Peace Commission (CJPC) is one of the non-state organisations that have supported this process and the local government administration.

In 2013, the Kenya Red Cross Society initiated a 500-acre irrigation scheme along the border of West Pokot and Elgeyo Marakwet Counties with the aim of promoting food security and co-existence amongst the Marakwet and Pokot communities who have been in conflict for decades over sharing of water and arable land along Kerio River. The impact of the project is manifest through improved infrastructure; human and food security; diversified livelihoods; and reduced dependency on relief food which was common due to poor crop and animal production mainly caused by recurrent inter-ethnic conflict.

Davies[171] details how irrigation farming systems are not new to the Counties especially the Marakwet community. Davies asserts that the community mainly adopted indigenous methods e.g. the furrow system along the escarpments mainly to grow food and water its livestock. The system was improved further by government through introduction of modern technologies hence harnessing water and effectively utilizing natural resources.

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[171] Davies, Matthew. "The Irrigation System of the Pokot, Northwest Kenya." *AZANIA: Journal of the British Institute in Eastern Africa* 43, No. 1 (2008): 50-76.

4.3 Conclusion

The study found that some of the cultural causes of conflict include rites of passage, dowry payment as well as cultural claims to perceived ancestral land and cattle. Some of the consequences of these conflicts include loss of lives, destruction of property, displacements, environmental degradation and loss of livelihoods. The study established that the Pokot and Marakwet communities have devised several strategies for coping with the recurrent culturally motivated inter-ethnic conflict. The strategies that have been adopted include voluntary migration, moving away from livestock to farming, and most importantly, the use of traditional conflict prevention and resolution mechanisms. Among them is the use of elders-led negotiation, mediation and compensation. The communities have also embraced the support of the government and that of non-state actors. Due to delay in government's response to conflicts, the communities have resorted mainly to traditional conflicts prevention and resolution mechanisms which have lately been enhanced by the government's Peace committee structures.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.0. Introduction

This chapter presents the summary of the findings. Further, it details the conclusion and gives recommendations for practical and policy implementation. The presentation of the summary of the findings is done objectively so as to address the research questions and the overall objective on the influence of cultural practices on conflict and its management in Africa.

5.1 Summary

The study investigated the influence of cultural practices on conflict and its management in Africa. A case of West Pokot and Elgeyo Marakwet Counties of Kenya was used. The study found that, in Africa, cultural practices have caused cultural related conflicts. However, they have in most cases, positively contributed to conflict management, for instance, in South Sudan, Nigeria, Rwanda, Uganda, Ethiopia and Sudan among other countries. It also found that the use of satires, proverbs, totems and facial gestures have been effectively used as psycho-social tools for cultural conflict control and management in Africa. In addition, African cultures have in-built mechanisms that are potent for conciliation and reconciliation, including at family level. These include the involvement of traditional chiefs and community elders.

The study found that there have been cultural conflicts in Kenya that are firmly connected to land-dwelling residency issues and the nation's cultural history. However, clashes over access to water and land are viewed as the significant reasons for conflicts in most areas.

The elders' roles in conflict management and resolution have therefore ranged from negotiation, mediation and compensation to conflict settlements through peace agreements. These agreements laid down guidelines that facilitated harmonious co-existence, sharing of pasture and grazing lands particularly during the dry seasons, and to encourage trade between the communities.

The study found that among the Pokot and Marakwet communities, cultural conflicts were present, and culture positively contributed to conflict and its management in the counties. The study also established that pastoralism among the Pokot and the Marakwet is a cultural way of life and not just an economic endeavour. Most pastoralists inhabit vast land in regions that suffer harsh climatic conditions where often the scarcity of pasture and water force them to live a nomadic life. Such kind of life is perennial and happens during certain periods of time annually where they move from one place to another through pre-determined routes in search of water and pasture. While migrating, these pastoralists encounter conflicts with communities present in the localities endowed with water and pasture especially in dry seasons. The situation is worsened when the migrating communities lay claim of cultural ownership to land they have traversed as well as water points and grazing areas. Cultural ways of solving conflicts have, therefore, formed a major part of conflict resolution in these areas. These cultural mechanisms range from cultural rituals to common dialogue, negotiation and mediation meetings between community elders.

5.2 Conclusion

The study analysed the findings using content analysis and concluded that cultural practices influenced conflict and its management in Kenya and in Africa as a whole. It also concluded that despite having caused conflict in some occasions, cultural practices have in most cases, positively influenced conflict and its management in West Pokot and Elgeyo Marakwet Counties of Kenya. More specifically, the following conclusions were made in the study;

Some of the cultural causes of conflict include rites of passage, dowry payment as well as cultural claims to perceived ancestral land and cattle. African cultures have in-built mechanisms for conciliation and reconciliation, including at family level. These include the involvement of traditional chiefs, community elders and the use of satires, proverbs and totems as psycho-social tools for cultural conflict control and management.

Amongst the Marakwet and Pokot communities of Kenya, cultural conflicts revolve around livestock and associated productive assets such as land, water and pasture. These conflicts are contributed to and exacerbated by the availability of illicit weapons and political incitement. Among others, the most direct impacts of these conflicts are loss of human lives; damage to property; loss of livelihoods; displacements and loss of decent homes; environmental degradation; loss of livestock and reduction of access to water and pasture. Hence, cultural ways of solving conflicts have become important among the communities. The cultural mechanisms include cultural rituals, dialogue, negotiation, mediation, compensation and conflict settlements through peace agreements.

Besides the cultural mechanisms to manage conflicts, the study also concluded that the Kenyan government, state agencies and non-state actors have positively contributed to the management of recurrent inter-ethnic conflicts by encouraging traditional conflict prevention and resolution mechanisms. The traditional mechanisms have lately been enhanced by government's formation of Security and Peace committee structures which are instrumental in peace work as well as in reduction of the incidences of cattle rustling and other cultural related conflicts.

5.3 Recommendations

Based on the study findings, the following recommendations were made:

There are unstable conditions that threaten peace and relationships among the Pokot and Marakwet communities. These are caused by backward cultural practices that bring more harm than good. The study therefore recommends that the communities should have continued talks between themselves as a way of mitigating and stabilizing their regions. To this end, the communities should engage more on inter-community cooperation, cross-cultural cooperation, negotiation, mediation and development of modalities for harmonious coexistence. Other concerned actors such as NGOs, FBOs and CBOs should develop early warning and early response systems and dialogues with conflict parties.

Since the Pokot and Marakwet communities entirely depend on pastoralism for their daily livelihood, both National and County governments' interventions should focus on livelihood protection so as to avoid negative effects. This will contribute significantly to economic recovery and help communities in increasing their resilience. The study therefore recommends that the governments should intervene through the provision of

seeds and fertilizers; subsidies on farm implements and pest management inputs to enable them have diversified livelihoods. Further, the study recommends that the governments should enhance their peace-building efforts through internal enforcement, disarmament and increased state accountability on peace and security matters. Finally, this study recommends that rather than rob the community elders of their autonomy, the government should embrace and incorporate them in the Peace committees.

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APPENDICES

Appendix I: Focus Group Discussion Guide

My name is Daniel Kiprotich Sitin. I am a student pursuing a Post Graduate Diploma in Strategic Studies at the University of Nairobi. I kindly request your assistance in this research through this Focus Group Discussion. The aim of this research is to investigate the influence of cultural practices on conflict and its management in Africa: A case of West Pokot and Elgeyo Marakwet Counties of Kenya. Your responses will be used for academic purposes only and not for any other use and they shall be treated with utmost confidentiality.

1. What are some of the cultural practices that have caused conflicts in your County?

2. Which are some of the areas where cultural practices have contributed to conflict in your County?

3. What have been the effects of these conflicts to the livelihoods and general well-being of the people of the affected areas?

4. How have the culturally caused conflicts been solved in your County?

5. How have the County and National Governments intervened in solving these conflicts?

6. Which other Non-governmental actors have helped in solving the culturally caused conflicts in your County?

7. How have they contributed to solving of the conflicts?

Thank you for taking part in this Focus Group Discussion

Appendix II: NACOSTI Permit

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