

**Learning from Indigenous Communities'  
Peace Pact in Sub-Saharan Africa:  
An Analysis of the Keiyo and Tugen (KETU) of Kenya**



# **Learning from Indigenous Communities’ Peace Pact in Sub-Saharan Africa: An Analysis of the Keiyo and Tugen (KETU) of Kenya**

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**MOI UNIVERSITY**  
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Moi University Press Moi University, Eldoret Kenya

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**Published September 2018**

ISBN 978-9966-1879-9-4



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**Abbreviations/Acronyms**

<b>CPMR</b>	Conflict Prevention, Mitigation and Response
<b>CPRS</b>	Centre for Public Sector Reform
<b>DFID</b>	Department for International Development
<b>FGD</b>	Focus Group Discussion
<b>GoK</b>	Government of Kenya
<b>KETU</b>	Keiyo and Tugen
<b>NGOs</b>	Non- Governmental Organisations
<b>UN</b>	United Nations
<b>UNESCO</b>	United Nations, Educational, Scientific and Cultural Organisation

## **Operational Definition of Terms**

The meanings of the following terms as used in this study:

- An Oath:** A solemn usually formal calling upon God or a god to witness to the truth of what one says or to witness that one sincerely intends to do what one says a solemn attestation of the truth or inviolability of one's words something (as a promise) corroborated by an oath.
- Curse:** Words uttered by elders who possess supernatural powers. The words have grievous repercussions on the wrong doer.
- Kalenjin:** An ethnic grouping of eight culturally and linguistically related communities inhabiting the North, Central and South Rift regions of Kenya.
- Keiyo:** An ethnic group that is part of the Kalenjin and inhabit Elgeyo Marakwet County
- Keiyo FGD:** Focus Group Discussion carried out among the Keiyo
- Rituals:** Provide members of a society with security, established meaning and identity and functions as mechanism of control. The sacrificial rites are expression of man's affectionate belongings. They represent the height of altruism, faithfulness, love and reverence. They represent the completion of propriety and refinement
- Peace Pact:** Peace agreement between the Keiyo and Tugen that resolves conflicts between the two communities.
- Tugen:** An ethnic group that is part of the Kalenjin and occupies Bringo county and parts of Nakuru county.
- Tugen FGD:** Focus Group Discussion carried out among the Tugen.
- KETU FGD:** Focus Group Discussion that comprised both the Keiyo and Tugen.

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## **Preface**

In Kenya's North Rift region, deadly conflicts driven generally by competition for scarce resources but particularly over access to water, pasture and livestock raids and fueled by proliferation of illicit arms, continue to cast gloom on the lives of communities inhabiting the region. Efforts by a number of groups and stakeholders—that include government, NGOs and the local churches—to resolve and prevent these conflicts as well as built sustainable peace remain largely elusive. Dating back to pre-colonial times, the conflicts, which have in recent times become more violent and complex, have also continued to attract scholarly investigations from diverse academic perspectives.

Most studies have sought to interrogate the factors contributing to the conflicts in this region with a focus on strategies for conflict prevention and peace building. More so, and as is demonstrated in the current study, the trend in recent research work on conflict resolutions and peace building has been to interrogate indigenous approaches to peacemaking either as alternative models to Western forms of peace-making or as complementary to them. The current study comes as a welcome addition to this growing body of research. It is exemplary in the way it retrieves for study a long-standing peace pact between the Keiyo and Tugen communities who, precisely because of this pact, have remained largely peaceful in a region bedeviled by violence.

This study of the Keiyo and Tugen (KETU) peace pact, which the researchers trace back to 1870s and which has since then been periodically reviewed, yields insights into the governing practices, social institutions, norms, values, processes and contexts that bolster peace between the Keiyo and Tugen. For further insights, the authors analyse the unwritten codes of conduct, which they refer to as “the ancestral charters”, that regulated individuals' conduct, inter-personal and inter-communal relations and how these were coded into the peace pact to restrain individuals from committing crimes including theft, murder, slander, rape, cursing others without elders' sanction, among others.

Insights into indigenous dispute-resolution and conflict-management techniques glimpsed from this study can be included to support existing peace-making interventions in the North Rift region of Kenya. The authors of this book hope that lessons derived from the Keiyo and Tugen peace pact can be incorporated into novel and more efficacious modes of conflict management in the region. But they are cautiously optimistic given that even among the Keiyo and Tugen communities themselves, the very cultural processes, structures and values upon which the legitimacy and efficacy of indigenous forms of conflict resolution and management are based, are under threat of erasure by agents of modernization. The researchers

are also of the view that peace agreements reached between the Keiyo and Tugen are specific to the two communities and may not necessarily apply to other communities due to their peculiar nature.

Whatever the misgivings about the incorporation into contemporary peace structures of some aspects of the indigenous KETU peace management practices, *Learning from Indigenous Communities' Peace Pact in Sub-Saharan Africa: An analysis of the Keiyo and Tugen (KETU), Kenya*, will come in handy to stakeholders working on peace projects in North Rift region and who wish to evolve a hybrid model of peace-building that integrates indigenous and Western strategies.

**PETER SIMATEI**



## **Acknowledgement**

This research entailed huge amount of work and hence required dedication among the team members. Its implementation would not have been possible without the support of many organisations and individuals. Firstly, we are grateful to The United States Institute of Peace (USIP) for funding and offering the necessary guidelines for the implementation of this study. Secondly, we are grateful to Mr. Felix K. Kulei, the main Research Assistant who was ably assisted by Mr. Emmanuel Ntoika, Mr. Peter Bargetuny, Mr. Wilfred Chacha, and Ms. Milkah Cherotich. Special thanks to Moi University Management for providing the technical support before, during and after the implementation of this study. In particular we appreciate Prof. Richard Mibey (Former Vice Chancellor), Prof. Simeon Mining (Director, Research), Prof Peter Simatei (Dean, School of Arts and Social Sciences), Dr. David Rutto (Registrar), Dr. Stanley Kipsang, Mrs. Agnes Maleyo-Chepkuto and Mr. Peter Limo for the support and contribution accorded to us.

We sincerely extend a hand of gratitude to all research assistants, interviewees, FGD participants community leaders, and the County Governments of Elgeyo Marakwet and Baringo for devoting their time and support during the implementation of this study. Last, but not least, we wish to thank the following faculty members; Dr. Raphael Kareri, Dr. Ken Oluoch, Mr. Dulo Nyaoro, and Dr. Paul Opondo for their various contributions which helped to shape the study. Others include: Mr. Daniel Simotwo, Mr. Duncan K. Yogo, Ms. Esther Arusei, Stephen M. Singo, Dominic R. Pkalya and Mr. Luka Kanda. Last but not least, we are grateful to the Moi University Press team lead by Mr. Elisha Okuto, Ms. Joyce Majanja and Michael Situma.

## **Executive Summary**

The broad objective of this study was to analyse the Keiyo and Tugen indigenous political and social systems, institutions, the underlying values and roles in establishing sustainable peace. The specific objectives were to examine the causes of conflicts between the Keiyo and the Tugen in pre-colonial and colonial periods; analyse and document indigenous Keiyo and Tugen peace management systems; assess changes that have taken place in the nature of conflict and governance systems and the extent to which these have impacted on indigenous modes of peace management, and discuss the extent to which indigenous forms of peace management can be incorporated into current methods of conflict prevention and mediation in the North and Central Rift regions of Kenya and other parts of the world. The study used a case study design and triangulated purposive sampling. Focus Group Discussions, observation, archival records and oral information together with secondary data were used to corroborate evidence.

The main findings include the following;

- Geographical factors such as the physiography of the area inhabited by the two communities, have over the years determined their economic and socio-political organization. The two interdependent communities developed an agro-pastoral economic base to cater for their material lives although the intensity of both crop cultivation and livestock keeping varied in accordance to the ecological factors.
- The ecology and economy of the two communities influenced the evolution of their socio-political institutions. The kinship system was the basis of both the manner the Keiyo and the Tugen mobilized labour for crop cultivation, livestock keeping and how they apportioned land for both purposes. The nuclear family, the age-grade and age-set systems are important institutions among the Keiyo and the Tugen, established through elaborate circumcision and other rituals. Economic responsibilities were determined by age and gender.
- The socio-political system and its institutions were all aimed at establishing equilibrium and peace in society. They were also intended to maintain law and order, restore a semblance of equilibrium and foster peaceful co-existence. They instilled important values in all members of the community.
- In as much as, the social political systems established equilibrium, it also caused conflict between the Keiyo and the Tugen mainly due to livestock raiding and fight over land at the boarder due to river Kerio changing its course. Conflicts between the two communities led to loss of lives and livelihoods leading to a conclusion of a peace pact that has sustained peace between the two communities for many years.

- The peace pact was based on very strong shared communal values, norms, traditions, religion and taboos, which were acquired by all members of the communities through socialization by the nuclear and extended family, the clan and the wider society. These values were manifested in the sharing of resources and labour, including grazing fields, salt licks, River Kerio and its tributaries as a source of water for livestock and domestic use.
- The rituals and oaths, which accompanied the peace pact, possessed very deep meaning for the two communities as they played the role of communal psychotherapy for which purpose they were periodically renewed. The peace pact renewals coincided with age-set cycles and the emergence of factors, such as ecological change and disasters like droughts, famine, livestock diseases, which causes stress and instability in society. The renewals were characterized by both change and continuity in the manner the rituals were carried out. Some changes were brought about by the consequences of Christianity while others were due to the economic, socio-political impact of colonization, the post-colonial situation and globalization.
- Although members of the two communities are aware of these changes and continuities, they differ in terms of what should actually be retained and incorporated into modern peace-management mechanisms. They further acknowledge the efforts of various stakeholders, including the national and county governments, the Non-Governmental Organizations, Community Based Organizations, and Faith-Based Organizations in the establishment of sustainable peaceful co-existence between the Keiyo and the Tugen.

The study makes specific and general cross cutting recommendations as to what interventions based on Keiyo-Tugen peace pact could be required to mitigate, manage and resolve various conflicts and build sustainable peace and cohesion among the two communities and beyond. Some of the key recommendations arising from the study include the following:

- i) Create common grazing grounds along major rivers to provide equal access to water, salt licks and grass. In addition, engage elders in the management of community resources;
- ii) Establish the KETU community peace museums and cultural heritage centres as a space for encouraging the exchange of information, material and exhibitions while organising and delivering peace education and peace conferences;
- iii) Discard some aspects of the peace pact which are inconsistent with modern way of life for example drinking a mixture of blood with milk and undressing of elders during peace rituals;
- iv) Incorporate indigenous forms of peace management into modern system of conflict management.

## Chapter One: Introduction

This chapter presents the background to the study, problem statement, study objectives and literature review. In addition, the chapter contains causes of conflict, indigenous peace processes, roles of various actors in peace making, oath taking and a conceptual framework.

### Background

Recent years have witnessed a resurgence of an interest in indigenous approaches to peace making in the world. This is because of the alleged failure of Western strategies to deliver widely enjoyed peace<sup>1</sup>. It is widely acknowledged that indigenous approaches can offer a corrective solution to the failings of Western peacemaking model. Most of the current conflicts in the world are in Africa. For example cases of recurring conflicts are witnessed in Somalia, South Sudan, Northern Nigeria, Southeastern Niger, Democratic Republic of Congo and Western Chad among others.

Majority of these conflicts can be traced to pre-colonial period. Previously, communities had developed mechanisms of peace building that were considered more effective and efficient. However, with the coming of the Europeans to Africa and shift of power centre, colonialism interfered with most indigenous structures and mechanisms of dispute resolutions in Africa to serve the interest of the colonial administration. In spite of the interference, some indigenous peace building mechanisms that survived have served adequately in resolving conflicts in a number of regions across the continent. Examples include; Somaliland which have utilized indigenous methods in resolving disputes and uniting several clans leading to the creation of a more stable government which has succeeded in maintaining a degree

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1 Mac Ginty R. (2018) Indigenous Peace-Making Versus the Liberal: Peace, Cooperation and Conflict: Journal of the Nordic International Studies Association, Vol. 43(2): 139–163, Sage Publications, Los Angeles, [www.sagepublications.com](http://www.sagepublications.com)

of relative peace and stability. Rwanda have made use of indigenous justice and reconciliation system known as *Gacaca* to try and judge some of those who were accused of having been among the perpetrators of the 1994 genocide. This system involved the community in encouraging the perpetrators to acknowledge what they did and victims involved in determining the reparations needed to be made so that perpetrators could be reintegrated into the community.

In Kenya, the Keiyo-Tugen (KETU) peace pact is among the indigenous peace agreements concluded among communities in Sub-Saharan Africa. This peace pact was concluded after prolonged conflicts between the two neighbouring communities that inhabit the North and Central regions of Kenya mainly caused by cattle raiding. The peace pact was arrived at in the 1870s and has periodically been renewed<sup>2</sup>. What is peculiar about the peace pact is that it holds to-date, and the two former rivals have ceased to be involved in violence against each other. While it is important to note that the modern state system in which the two communities exist, with its laws and law enforcement apparatus, does not condone inter-ethnic conflicts, such inter-ethnic conflicts are common recurrence, particularly among other pastoral communities in Kenya. Therefore, it is safe to argue that the state laws and security measures in place have not totally eliminated the inter-ethnic clashes. Consequently, the peculiarity and persistence of the (KETU) peace pact has ignited a desire to research on the subject with a view to understanding the factors that have enabled the pact to withstand the test of time.

### **Research Problem**

The Keiyo –Tugen peace pact has regulated the relationship between the two communities in Kenya from time immemorial. This study endeavours to analyse and document the governing practices, social institutions, norms, values, processes and contexts that bolster peace between the Keiyo and Tugen in order to assess their relevance and efficacy in resolving current conflict in the North Rift region of Kenya and other parts of Africa. The following questions immediately emerge: What are the factors that account for the exceptionalism of the Keiyo-Tugen peace pact? What lessons can be learnt from the peace pact that could be incorporated in resolving conflict among warring communities in Kenya and African continent? These questions can be satisfactorily answered if other related questions are addressed: What have been the major causes of conflict in the region and how were these conflicts resolved?

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2 Chelal, R. (1969), “ Human Problems Associated with the Kerio River, Kenya” *East African Geographical Review*, No.7, pp53-60

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Were indigenous conflict management mechanisms employed to resolve conflicts? What was the nature of indigenous peace pact and who were the key players? What factors have since militated against the efficacy of indigenous conflict management? What should be done to resuscitate and incorporate such mechanisms into modern forms of peace management? This study, therefore, articulates the problem and objectives of the KETU peace Pact. It then proceeds to undertake a fairly comprehensive literature review that covers how conflict, war and diplomacy have been theorized in Western thought in relation to the causes of conflicts and their management through diplomacy. These are then contrasted with causes of conflict in Africa and specifically among pastoralist, agro-pastoralist communities and the indigenous mechanisms of African conflict resolution. The roles of rituals/religion, elders and women in conflict management are analysed. Also reviewed are the factors which have inhibited the achievement of sustainable peace between many communities in Kenya. The desired outcome of this study was to make suggestions about what lessons can be derived from the Keiyo-Tugen peace pact and how such lessons can be incorporated into novel and more efficacious modes of conflict management in the region. Finally, the study utilised different research methods to attain the research objectives.

### **Research Objectives**

The broad objective of the study was to analyse and document the Keiyo and Tugen Peace Pact within the context of their indigenous socio-political institutions, underlying values and roles in establishing sustainable peace.

The research's specific objectives were:

- i) Examine the causes of conflicts between the Keiyo and the Tugen in pre-colonial and colonial periods;
- ii) Analyse and document indigenous Keiyo and Tugen peace management systems;
- iii) Assess changes that have taken place in the nature of conflict and governance systems and the extent to which these have impacted on indigenous modes of peace management;
- iv) Discuss the extent to which indigenous forms of peace management can be incorporated into current methods of conflict prevention and mediation in the North Rift and other parts of the world.

## **Review of Related Literature**

The study adopted a thematic approach to reviewing relevant literature. It focused on the causes of conflicts in Africa generally and pastoralist communities in particular; indigenous conflict resolution mechanisms, including those among the Keiyo and the Tugen communities.

### **Causes of Conflict among African communities**

As enunciated earlier there are several factors that can lead to conflict among individuals, communities and/or countries. Historically, African communities have enjoyed significant periods of time in peaceful co-existence. However, it should be noted that the European colonization of Africa since the late nineteenth century led to the erosion of the African cultural values that were the bedrock of peaceful co-existence in Africa<sup>3</sup>.

The peaceful co-existence that was witnessed in Africa in the period before colonization was due to the communal relationships that were founded and/or built and developed on accepted values such as trust and accepted norms. Indigenous values stipulated that any behaviour that led to conflict or were deemed offensive were dealt with by community elders through a well-defined set of laws within that community. Indigenous cultures and values hence created respect and order among these communities. These values were mainly focused on attaining a common good for the communities within a particular region.

Nevertheless, contact with the Western world led to the erosion of African cultures, values and norms, and the aftermath is bred of greed and animosity among the communities that had co-existed for decades without very serious conflicts. Prior to the coming of colonists and demarcation of boundaries, resources, especially land and water, were accessible to everyone without borders. However, after demarcation, resources became scarce and those with little or no resources felt aggrieved and attacked their neighbouring communities who had disproportionate control on the available resources<sup>4</sup>. At the same time, African democratic structures were

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3 Onipede, K. J. & Phillips, O. F. Cultural values: Index for peace branding Africa 9Department of general studies faculty of pure and applied sciences- Ladoke Akintola University of technology Ogbomosho. Oyo state Nigeria. accessed at [www.culturaldiplomacy.org/.../cultural\\_values-\\_index\\_of\\_peace\\_and\\_branding\\_afric...](http://www.culturaldiplomacy.org/.../cultural_values-_index_of_peace_and_branding_afric...)

4 Cook, T. (1997). What is past is prologue. A history of archival ideas since 1898, The journal of the association of Canadian archivist, Archivaria , 43, pp17-63.accessed at <https://pdfs.semanticscholar.org/1a6b/9d93e9f10028adb2f14ef77d9240cd98329.pdf>

eroded and African governance systems collapsed with the coming of Europeans. Community leaders who were symbols of authority no longer mattered in the eyes of the colonialists and their systems of governance were not recognised. This led to what Africans felt the undemocratic appointment of chiefs by colonial authorities. Some of the handpicked leaders were not popular among the indigenous communities as loyalty and collaboration were key in such appointments. Such leaders were resisted and the imposition of these individuals was not accepted. This often led to conflicts as colonial chiefs lacked legitimacy. Discrimination among local population usually degenerated into conflict as the victims did not have access to justice. This situation was exacerbated by human rights abuses, oppressions from the imposed governance including security forces, corruption among the people in authority and their failure to deliver services.

### **Causes of Conflict among Pastoralist Communities**

The most recent and very comprehensive work on the factors which have persistently led to conflict among pastoralist communities in the Rift Valley region of Kenya and Uganda is by Mukutu<sup>5</sup>. His main argument is that pastoralists in the area are under threat from such factors as inadequate policing; pressures on land, pasture and water supplies; and the increasing insecurity from the proliferation of small arms. He rightly states that these pastoralist groups indigenously engaged in livestock raiding, in which young men from one area raid livestock from a neighbouring group; that livestock raiding has always been central to pastoralist life serving as a means to replenish herds that have been devastated by drought or disease and a way for young men to acquire the wealth necessary to pay bride wealth and secure a wife; that raiding has changed over time due to ecological degradation, growing population and increasing economic strains; why it is today becoming increasingly commercialized and criminalized, and how small arms have contributed to the endemic insecurity of the region. Furthermore, Mukutu explains how inter-ethnic relations were altered by the colonial experience when borders were drawn that bore no relation to the indigenous range of indigenous peoples and how these borders have been maintained by the post-colonial states in Kenya, Uganda, South Sudan and Ethiopia. Between Kenya and Uganda such cross-border communities include: Sabaot, and Pokot. Other cross-border communities comprise the Karamoja cluster who include the Turkana, Toposa, Jie, and Matheniko among others

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5 Mukutu, K, A. (2008). *Guns and Governance in the Rift Valley: Pastoralist Conflict and Small Arms*. Oxford: James Currey.p 149.



Mkutu's study graphically shows the inter-territorial and inter-ethnic pathways through which small arms have proliferated in the region and why the post-independent states have largely failed to curb the trend. He attributes this failure to the incompetence and corruption of their administrative and security personnel and the impracticable policies such as disarmament, apart from the impenetrability of much of the terrain. The author states that today small arms have become a "necessity for ensuring access to resources and human security in the absence of state authority". As we argue in the subsequent sections, these changing circumstances have contributed immensely to the seeming failure of indigenous conflict management methods, including diplomacy as an instrument of conflict resolution.

### **Indigenous Conflict Resolution Mechanisms**

Ajayi and Buhari<sup>6</sup> examined the patterns or mechanisms for conflict resolution in indigenous African societies with particular reference to the Yoruba and Igbo societies in Nigeria and the Pondo tribe in South Africa. They noted that conflict resolutions in indigenous African societies provided opportunity to interact with the parties concerned; promoted consensus-building, social bridge reconstructions and enactment of order in the society. They submit further that the Western world placed more emphasis on the judicial system presided over by Councils of Elders, Kings' Courts and peoples (open place assemblies) among others for dispute settlement and justice dispensation. They conclude that indigenous conflict resolution techniques such as mediation, adjudication, reconciliation, and negotiation as well as cross examination, which were employed by Africans in the past, offer great prospects for peaceful co-existence and harmonious relationships in post-conflict periods than the modern method of litigation settlements in law courts.

The authors further point out that the essence of dispute settlement and conflict resolution in indigenous African states were intended to remove the root-causes of the conflict; reconcile the conflicting parties genuinely; preserve and ensure harmony, and make everybody involved in the resolved conflict happy and be at peace with each other again, and this required getting at truth; to set the right milieu for societal production and development; to promote good governance, law and order; to provide security of lives and property and to achieve collective well-being and happiness. These are different from what is obtained today where nobody cares about the truth. The authors indicate that if Africans have to put the falling apart together, her original values must be revisited.

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6 Ajayi. A, T. & Buhari. L. O (2014) "Methods of Conflict Resolution in African Traditional Society", *African Research Review*, Vol 8, No 2, pp. 138-157 <http://dx.doi.org/10.4314/afrev.v8i2.9>

Ajayi & Buhari further outline methods of performing conflict resolution in the indigenous African societies to include mediation, adjudication, reconciliation, arbitration and negotiation. It also includes employing extra-judicial devices and usage of legal maxims to persuade or convince the disputants about the implication or otherwise of their behaviour. These methods have been effective in indigenous African societies.

In the context of East Africa, Reid<sup>7</sup> states that “diplomacy is not even ‘non-war, but rather communication between warring parties while violence continues, with a view to resolving that violence’”. More specifically he analyses the following as constituting indigenous modes of conflict resolution: establishment of tributes for purposes of ending or suspending inter-state hostilities; marriage as the primary means of establishing kinship relations between warring groups; boundary-making by the use of rivers and other physical markers; the exchange of material gifts with symbolic significance (for instance, hoes which signified ownership of land and the fact that peace is cultivated through agricultural production rather than war, and tobacco, which symbolized friendship); the establishment of blood brotherhood through leaders’ actual exchange of blood; and, finally, spiritual or ritual sanctions against war during natural calamities such as food shortages and famines<sup>8</sup>. During famines, for instance, people travelled through neighbouring communities territories in search of food, a practice known as *Kesumet* among the Kalenjin communities, *Kisuma* among the Luo, and *Okhusuma* among the Luhya and certainly suggesting the origins of the word from the common practice.

### **Indigenous Governance Practices**

As mentioned earlier, before the coming of Europeans, African communities had their governing systems in place that dealt with minor conflicts that arose. They enjoyed peaceful co-existence but whenever there was a conflict, the local governing systems resolved these conflicts amicably. Laws existed that were accepted by the communities living in these regions and all abided by them and they were executed by local rulers who were elders, family heads and other local leaders. This was a well-structured mode of governance despite being an informal kind of arrangement. These laws were guided by the good morals that had been instilled in the community members through initiations and every member abided by the ruling of the governing members of the community.

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7 Reid, R. (2007). *War in Pre-Colonial Eastern Africa*. Athens: Ohio University Press, representation of the past. *African Historical Review*, 28(1), 5-16 .p 178

8 Reid, R. (2007), *Ibid*, Pp 178-183.

A case in point is the example of the governing structures of Ghana and Botswana who cherish and respect indigenous knowledge and governing institutions that are led by chiefs and who preside over conflict resolution in their communities<sup>9</sup>. These institutions mainly focused on conflict resolution mechanisms founded on the principles of empathy, sharing and cooperation in dealing with common problems which underline the importance of humanity<sup>10</sup>.

The role of elders in governance, therefore, dates back to pre-colonial Africa. Perhaps, what may have changed since pre-colonial Africa is the introduction of formal governance structures that have reduced the role of elders in governance. Despite this, elders still play a significant role, though in an informal way, in maintenance of peace. Kariuki<sup>11</sup> supports this when he posits that colonialism impacted negatively on African indigenous methods of peace-making but because of the resilience of the African justice system, independent African States have continued to recognize them in their laws and policies. The institutions of elders in many Africa communities have therefore been responsible for causing intra and inter community peace. This has been illustrated from case studies from Niger, Rwanda, Botswana, South Africa and Ethiopia<sup>12</sup>. The above indigenous conflict resolution mechanisms and institutions of governance shed light to this study. The role of different actors in peace building has also been examined by a number of scholars.

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9 Fosu, A.K. (2009). Country role model for development; The Ghana case wider research paper 2009/42. Helsinki, UNU-WIDER.. see also Naude, W. (2010) Development progress in Sub-Saharan Africa: Lessons from Botswana, Ghana, Mauritius and South Africa. Working paper no. 2010/07. Helsinki, Finland, United Nations University and World Institute for Development Economics Research. and Robinson, J.A. (2009). Botswana as a role model for country success, WIDER Research paper. 200/40. Helsinki UNU- WIDER..

10 Murithi, T. (2006), "African Approaches to Building Peace and Social Solidarity" African Journal on Conflict Resolution, Vol.6, No 2

11 Kariuki, F. (2015). Conflict Resolution by Elders in Africa: Success, Challenges and Opportunities. Accessed at <https://www.ciarb.org/docs/default-source/centenarydocs/.../francis-kariuki.pdf?>

12 Abebe, A. (2010). "Indigenous Mechanisms for the Prevention and Resolution of Conflict: The Experience of the Oromo in Ethiopia". Expert meeting on implementing research and innovation policy at policy and institutional levels in Africa. Addis Ababa, Ethiopia .see also Ajayi. A. T.& Buhari. L. O (2014) "Methods of Conflict Resolution in African Traditional Society", *African Research Review*, Vol 8, No 2, pp. 138-157 <http://dx.doi.org/10.4314/afrrrev.v8i2.9> and Osei-Hwedie, K. and Morena J. R. (n.d) "Indigenous Conflict Resolution in Africa: The Case of Ghana and Botswana." in Osei-Hwedie, Bertha Z., and Morena J. Rankopo. Cultural Bases of Conflict, Conflict Resolution and Peacebuilding in Africa, University of Botswana [home.hiroshima-u.ac.jp/heiwa/Pub/E29/e29-3.pdf](http://home.hiroshima-u.ac.jp/heiwa/Pub/E29/e29-3.pdf)

## Actors in peace building

The effort of peace building is not monolithic. These included a diverse group of actors who played a pivotal role in peace building among indigenous communities. These included Women and Council of elders.

### The Role of Women in Peace Building

Contributors to the UNESCO 2003, *Women and Peace in Africa: Case studies on indigenous conflict resolution practices*<sup>13</sup> discussed the different and essential roles women from Burundi, Cameroon, the Central African Republic, Namibia, Tanzania and Somalia have played and can play in preventing and resolving conflicts and promoting a culture of peace using indigenous methods of conflict resolution and peace building. In these case studies women are often seen playing multiple roles: First they are the transmitters of cultural values to their progeny and to future generations, including through the use of artistic expressions such as song, dance and folk tales. Secondly, they are intermediaries in conflict situations, undertaking reconnaissance missions to assess possibilities for peace and subsequently facilitating communication and peace negotiations. Thirdly, they are also used as ‘bridge building’ blocks between hostile or fighting communities, notably through ‘inter-communal marriage’ whereby a daughter of one community is given in marriage to a son of another community as a way of sealing an alliance for peace and reconciliation. Furthermore, women also have a vested interest in preventing violent conflicts, as these tend to have gender-specific consequences.

Ngongo-Mbende<sup>14</sup> assessed the place and role of women in mediation of conflict in the indigenous society of Cameroon. He points out that in all cultures of Cameroon, peace was equated with freshness, health, well-being, harmony, calm and tranquillity, which were seen as essentially female virtues, properties of nature embodied by women. In the event of conflict between two communities or clans, or the need to strengthen relations between two communities, a woman could be offered in marriage as a symbol of alliance between the two communities. This led to peace and prevented conflict. In each community, women married from the neighbouring community played the role of mediators as the least sign of conflict.

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13 UNESCO (2003), *Women and Peace in Africa: Case studies on traditional conflict resolution practices*, UNESCO, Paris

14 Ngongo-Mbende, V. (2003) “The traditional mediation of conflicts by women in Cameroon: Women and Peace in Africa. Case Studies on traditional conflict resolution practices.” UNESCO, Paris

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### **The Role of Elders in Peace Building and Conflict Resolution**

Elders in indigenous African society are considered vessels of peace. The society uses them to cause peace and harmony as part of culture, and in particular as part of religious beliefs that elders are a link between the society and the ancestors<sup>15</sup>

In a research in the Niger Delta Region on the influence of cultural practices in peace building, Oyitso *et al*<sup>16</sup> found that oath taking, taboo system, use of festivals and oracles played a significant influence in peace building. This finding is consistent with those of Kasomo<sup>17</sup> who found that religion, as a cultural practice is a major cause of peace.

Similarly, Osei-Hwedie and Rankopo<sup>18</sup> noted that there were similarities in cultural practices that were responsible for peace among various ethnic groups in Ghana and Botswana. Generally, elders play a central role in African indigenous cultural practices; including mediation, oath taking, festivals and taboo systems among others. Elders as mediators are considered creators of peace because of their status, recognition, integrity and experience. The elders may use pressure, persuasion, recommendations, and relevant norms and rules to arrive at a solution and thereby stop potential conflict and cause peace to prevail. They provide the example of Niger, where mediators ask for forgiveness on behalf of wrong doers and hence avoid conflict in many areas related to land, pasture, and property disputes<sup>19</sup>.

In Rwanda, elders were recognized by the international community to restore peace following the 1994 Rwandan genocide. Using the *Gacaca* indigenous courts, the headmen of various lineages or the eldest men or patriarchs of families sat on grass together to settle disputes through restoration of social harmony, seeking the truth, punishing perpetrators, and compensating victims through gifts, especially among the Hutu and Tutsi ethnic groups<sup>20</sup>

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15 Kasomo, D. (2010), The position of African indigenous religion in conflict prevention *International Journal of Sociology and Anthropology* Vol. 2(2) pp. 023-028, February, 2010 Available online <http://www.academicjournals.org/ijasa>. p 25

16 Oyitso *et al* (2013), The Influence of cultural practices in peace building process in Niger Delta Region in *Academic Research International* vol.4 no.3 pp 526-536

17 Kasomo, D. (2010), Op cit.

18 Osei-Hwedie, K. and Morena J. R. (eds) (2010), "Indigenous Conflict Resolution in Africa: The Case of Ghana and Botswana." in Osei-Hwedie, Bertha Z., and Morena J. Rankopo, *Cultural Bases of Conflict, Conflict Resolution and Peacebuilding in Africa*, University of Botswana [home.hiroshima-u.ac.jp/heiwa/Pub/E29/e29-3.pdf](http://home.hiroshima-u.ac.jp/heiwa/Pub/E29/e29-3.pdf)

19 Osei-Hwedie, K. and Morena J. R. (eds), (2010), *Ibid*, p 41.

20 Kariuki, F. (2015). Op. cit.

Similarly, the Tswana in Botswana is a customary dispute resolution institution that is recognized by the government legal system<sup>21</sup>. The shortcoming of the Tswana institution is that it emphasizes on mediation at the household and extended family level. He notes that, in South Africa, the indigenous courts that apply customs and practices of a particular ethnic group are recognised by the government. Kariuki<sup>22</sup> also cites the case of Ethiopia where elders resolve conflicts related to grazing areas and cultural disputes through religious rituals. He points out that, apart from religion, the indigenous age-set system which recognises the important role of seniority has been used by some African societies. In Uganda, for instance, among the Karamojong, the eldest age-set use a system locally known as *Ameto* to listen to disputes and discipline offenders at the village level. In inter- ethnic conflicts, the Council of Elders are responsible for resolving conflicts between the Karamojong and the Teso. In this research the elders come out strongly as an institution that facilitate and sustain peace process.

Kariuki further notes that various attempts have been made by various stakeholders to resolve conflicts and nurture peace among pastoral and semi pastoral communities in Kenya. These efforts have not yielded fruit among communities that include Pokot, Marakwet, Turkana, and Samburu in the Great Rift Valley region. The communities have continued to engage in livestock raids leading to loss of lives and livelihoods. These conflicts have also caused displacements of persons and especially women and children<sup>23</sup> . He further points out that elders in these communities attempt to resolve inter-ethnic conflicts over livestock theft/ rustling, grazing areas and water points through arbitration, mediation, dialogue, and negotiation. In some cases, the elders enter into peace pact. The Pokot and Samburu peace pact can be for peace and military alliance. Elders among the Samburu, Pokot and Turkana also slaughtered goats and examined their intestines to predict conflict early warning signs<sup>24</sup>.

Kariuki also gives the example of the successful attempts made to nurture intra-ethnic community peace among the Agiriama of Kenya where the Council of Elders used senior age-sets (*Kambi*) to restore and resolve day-today disputes. The Giriama Council of Elders (*Vaya*) acted like the governors of the community. In some cases, the elders administer oath to the warring parties after they have reached a peace pact.

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21 Kariuki, F. (2015). Ibid Pp 4-5.

22 Kariuki F. ibid

23 Kariuki, F. (2015). Conflict Resolution by Elders in Africa: Success, Challenges and Opportunities. Accessed at <https://www.ciarb.org/docs/default-source/centenarydocs/.../francis-kariuki.pdf?>

24 Kariuki, F. (2015).ibid

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The above views on the participation of different actors in peace making process in other regions of Africa boosted this research in identifying and analysing the role of actors in Keiyo and Tugen peace pact. There is need to also assess the peace making process and methods used to conclude peace pact.

### **Communal Peace making process**

Communal Peace making process acted as a very important component of resolving conflicts among communities during Pre-Colonial period. Though the majority of communities in Africa had their laws of dealing with the conflicts that arose, many of these laws were not documented or written as specific law. These laws were verbal but binding to the people living within that society. Every member of the community accepted the laws because people had been inducted to these laws through the process of social integration- through initiation ceremonies- where these values were instilled in them and every member of that community was made to understand and accept them and whoever went against those values would be punished by the elders that inculcated those values in them.

Conflict resolution in Africa was a part of well-structured social systems that were geared towards building reconciliation and improved social relationships among the disagreeing groups/parties. The process and regulations were deeply rooted in the customs and traditions of the people of Africa. The significance of this entire process lies in the fact that they strived to restore a balance and to settle conflict and eliminate disputes<sup>25</sup>. These processes were made informal in order not to intimidate those who were involved in the disputes. However, they were carried out by a well-structured governing system led by the chiefs, elders and family heads<sup>26</sup>.

Whereas the indigenous governing structures were not formally organised, they aided dispute settlement among community members, hence were recognised and popular with the people. Most of the African pastoralist communities continue to rely on indigenous systems of conflict resolution due to their independence and fastness in discharging their mandate.

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25 Choudree, R. B. G. (1999), "Traditions of conflict resolution in South Africa" African journal on conflict resolution. vol 1 no.1.pp 10-27

26 Emanuel, M. & Ndimbwa, T. (2013). Indigenous mechanism of resolving conflict over land resources: A case of Gorowa community in Northern Tanzania, International Journal of Academic Research in Business and Social Science Vol 3 no ii.pp 214-224

### **Oath Making for Peace**

Oath taking is a “religious, moral and psychological enforcement of an act over an agreed situation or a confirmation of the truth by naming something held sacred, a statement or promise confirming by an appeal to a sacred higher being to enforce the attached sanction”<sup>27</sup> The purpose of oath is to bind two groups of people together in a mutual confidence that there would not be a betrayal of confidence they repose in one another. It fosters unity among communities and enhances mutual trust, loyalty and faithfulness<sup>28</sup>

Oyitso *et al*<sup>29</sup> cite cases of how the use of oath to cement a peace pact has led to sustainable peace among various communities in Nigeria. In the case of Aguleri-Umeleri Umuohaba Anam war in Eastern Nigeria, oath taking ensured not only the resolution of conflict but also the restoration of lasting peace among the communities. The peace pact was affirmed by the communities followed by a cleansing ritual called *ikombee*<sup>30</sup>.

Similarly, in resolving Umunebo- Umuokuzu clan land disputes, both clans were required to take the oath so as to determine the rightful owners of the land. The land was finally shared among the two warring communities followed by reconciliation rites that involved prayers, drinking from the same cups, and eating from the same plates. It is reported that this brought a lasting peace to date<sup>31</sup>

In the recent past, the World Vision, Community Peace Museums, and Baringo Advocacy and Development Organization together with elders attempted to foster peace among the Tugen and Pokot communities. This involved a peace conference and exhibition in a bush at Kapturo and Katikit on 25<sup>th</sup> February, 2014<sup>32</sup>

On the same day, church elders led by Reverend Peter Chemaswet of Baptist Church with the Tugen and Pokot elders resolved to administer oath and curse livestock raiders to painfully die of snake bites or stump tree injuries if they acted contrary to the oath. Consequently, the Pokot youth were summoned to take the oath. The few who declined to participate and take the oath later died as per expectation of the elders

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27 Oyitso *et al*, 2013) op cit

28 Oyitso *et al*, 2013, *ibid* , pp 526-536

29 Oyitso *et al* (2013) , *ibid*, pp 526-536

30 Oyitso *et al* (2013) , *ibid*, pp 526-536

31 Oyitso *et al* (2013), *ibid*, pp 526-536

32 Baringo County Government, “Peace Conference and Exhibition all in the bush” Accessed at <https://www.facebook.com/BaringoCountyGovernment/posts>



and the church<sup>33</sup>. This made people to believe in the power of the oath. Curiously, literature does not indicate why only the Pokot youths were asked to take the oath, and not youth from both Tugen and Pokot. After the agreement of the Tugen- Pokot peace pact of 2015, women participated in a peace procession before converging in one place and laying down their twigs to pray and sing: *Sere nyowou tororot aketueele asete* (Thank you God for you have united us in your love today)

In reference to the difficulty of fighting or making peace with the Pokot, a Tugen elder named Kiplalon sarcastically remarked during a peace meeting: “How are we expected to fight back people who wear *shukas (sic)*?”<sup>34</sup> Despite this, the Tugen and Marakwet often revenged whenever their livestock were raided by the Pokot. Generally, the Pokot livestock raiders would drive these communities up the Tugen hills and the Keiyo- Marakwet escarpment respectively. The Tugen view the Pokot acts of aggression as part of their expansionist strategy<sup>35</sup>

Subsequently, the Pokot, Tugen, and Marakwet resolved to hold more peace meetings in the near future to spread peace to other areas. Despite such efforts, peace is a rare commodity between the Tugen and Pokot. According to Chelang’a<sup>36</sup>, the Pokot culture does not embrace peace agreements including oath taking. In spite of this, oath making is generally respected by many other ethnic communities in Kenya. Therefore, efforts have been made between the Tugen and the Pokot to use oath as part of peace pacts. Apart from communal peace process and oath making, available literature does not cover the nature and form of the communal peace pact hence the need for this study. However, available literature highlights some of the factors that tend to inhibit the use of indigenous mechanism in sustaining communal peace. Whereas the indigenous governing structures were not formally organized, they aided in settling community disputes, hence gaining recognition.

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33 Musau, N The Sunday Standard (2015), Oath that sent raiders to their painful deaths. 9.8. 2015:27. Available on line: <http://www.standardmedia.co.ke/article/2000172170/oath-that-sent-raiders-to-their-painful-deaths-in-the-rift-valley>.

34 Musau, N. Ibid.

35 The Sunday Standard, (2015), *ibid*.

36 Chelang’a, J. (2012). Approaches to conflict management among the Tugen and Pokot of Kenya. Saarbrucken: Lambert Academic Publishing.

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## **Factors inhibiting incorporation of indigenous conflict resolution mechanism into contemporary systems**

The contributors of *Indigenous Cures for Modern Conflicts*<sup>37</sup> ask the following pertinent and suggestive questions: Could it be that the existence of conflict itself is a function of ineffective governance or an absence of nationhood? Could the existence of conflict itself be a result of the colonial experience - a consequence of the ineffective government structures and absence of nationhood that were colonialism's legacy - and therefore that the postcolonial state is itself a colonial product and hence inadequately equipped to respond to conflicts? In reference to the preceding questions, Eghosa<sup>38</sup> seems to give more emphasis to “*external interferences and interventions that have historically constituted the fire behind the smoke*” in ethnic and political conflicts in Africa.

More specifically, the following factors stand out as having militated against the incorporation of indigenous mechanisms for conflict resolution. First is the impact of colonialism. Colonial administration was highly centralized, authoritarian and negated democracy. In spite of having been anchored on the theory of indirect rule, in reality British colonialism disparaged African culture, including indigenous justice systems, which the colonists regarded as inferior. Africans who attained Western education shared negative colonial sentiments regarding indigenous culture and justice systems<sup>39</sup>.

Indigenous administrative and justice systems were, therefore, either subordinated to or replaced by European colonial practices which undermined the very basis of indigenous restorative justice and conflict management practices. This led to an unworkable legal policy framework for conflict resolution<sup>40</sup>. The majority of the African colonial administrative staff, including chiefs and tribal (later administrative) police and magistrates were corrupt. There is need to re-think new and better ways of achieving sustainable peace, ways which should incorporate aspects of indigenous mechanisms of conflict management. Existing literature highlight the basic requirements needed to achieve sustainable peace.

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37 Blaustein, J.(2000) , *Traditional Cures for Modern Conflicts: African Conflict “Medicine”* Lynne Reiner, London

38 Eghosa, E. O. (2007), “The study of political transitions in Africa” *Review of African Political Economy*, Volume 22, 1995 - Issue 64, PP. 183-197 <https://doi.org/10.1080/03056249508704120>

39 Kariuki, F. (2015). Conflict Resolution by Elders in Africa: Success, Challenges and Opportunities. Accessed at <https://www.ciarb.org/docs/default-source/centenarydocs/.../francis-kariuki.pdf?>

40 McEvoy, K. Newburn, T(eds),. (2003), *Criminology, Conflict Resolution and Restorative Justice*, palgrave Macmillan UK

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## **Achieving sustainable Communal Peace**

Achieving sustainable peace requires a combined effort of addressing the core causes of conflict and the acceptance of peace by the disagreeing groups or communities. Just like we have noted earlier conflicts are caused by myriads of issues such as lack of democracy, inequitable distribution of resources, human rights violation, the culture of intolerance, marginalisation of particular groups or members of a community, skewed development or general lack of development among others. It is therefore important for communities or countries to deal with these issues in order to achieve sustainable peace in communities affected by conflicts. The basic aspects that can bring sustainable peace are explained further in the subsequent sections, however it should be noted that these aspects require actions to transform a set of values, attitudes, and behaviours of individuals, collectives and institutions that are fundamental to the culture of war and violence.

Mayor<sup>41</sup> notes that a number of issues need to be taken into account in sustainable peace: first, personal rights should not be curtailed or inhibited in whatever circumstances. Second, lack of democracy in any community or country is a prerequisite for conflict therefore, fostering of democratic participation and governance is essential for the promotion or development of a culture of peace and non-violence. Third, whenever there is a conflict, an enemy must exist and to abolish or resolve a conflict the disagreeing parties must transcend and supersede the enemy images embedded in their conscience with understanding based on tolerance and solidarity. Fourth, skewed development and exclusion of some communities from development initiatives increases the vulnerability of conflict occurring. Fifth, conflict arises due to lack of proper education among the disagreeing parties. This is because education is a core principle and a means of promoting a culture of peace. Sixth, an integral aspect of human rights is the freedom of opinion, expression and information flow. This is a fundamental and vital factor in strengthening peace and international understanding that minimises the culture of war. Seventh, by linking equality and development, peace can be realised by replacing historical inequalities that have existed between men and women which have always characterised the culture of war and violence. These views guided this study in examining the factors which foster sustainable peace between the Keiyo and Tugen.

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41 Mayor, F. (1999), *Culture of Peace, Institutional Issues Involving Ethics and Justice* vol.3, Pp 36-48

Similarly, Muigua<sup>42</sup> fronts for entrenchment of Traditional justice systems and other Traditional dispute resolution Mechanisms into formal systems. This is because where such mechanisms have been employed they have been effective in managing conflicts. This is best exemplified by the Modogashe Declaration in which members of Garissa, Mandera and Wajir counties agreed to resolve the problems of banditry, trafficking of arms, livestock movements, socioeconomic problems, identifying role of peace committees among others.

He further argues for continued utilization of the council of elders as ordinarily is the first point of call

This is evidenced among the Pokot and Marakwet where the council of elders is referred to as Kokwo and is the highest institution of conflict management and socio-political organisation. It is composed of respected, wise-old-men who are knowledgeable in the affairs and history of the community. The council of elders' institution has an overwhelming advantage as consensual outcomes were highly regarded as they created confidence as party had autonomy over the process. Thus the decision of the elders was effective, durable and long lasting. An agreement reached through consensus could be communicated to the whole community and affirmed as a social contract in a ritual way. This was done to pass the news of the satisfactory conclusion of the conflict resolution process. In terms of implementing the agreement the parties and the entire community followed up to confirm compliance<sup>43</sup>

Jessica Senehi<sup>44</sup> observes that storytelling is very important in transforming conflicts constructively as social conflicts are seen to typically include both tangible (structural) and intangible (psycho-cultural) dimensions. Notably, five areas have been identified where storytelling plays a powerful role in conflict transformation: First, in the area of Knowledge where groups sharing a certain difficult situation or set of experiences may literally establish a community base, power base, and knowledge base through sharing their stories. This knowledge, embraced and shared by group members through storytelling and a desilencing of their experience, empowers people to address

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42 Kariuki Muigua, Traditional Dispute Resolution Mechanisms. Under Article 159 of The Constitution Of Kenya 2010. pp 6-7. [www.kmco.co.ke/.../article/.../Paper%20on%20Article%20159%20Traditional%20Dis...](http://www.kmco.co.ke/.../article/.../Paper%20on%20Article%20159%20Traditional%20Dis...)

43 Kariuki Muigua, *ibid*, Pp 11-12

44 Jessica Senehi, Building peace: Storytelling to transform conflicts constructively in Dennis J. D. Sandole, et al (eds) , (2009), Handbook of Conflict Analysis and Resolution, London. Routledge. P 203

previously “latent” problems and conflicts. Such mobilisation, once begun, leads to groups’ understanding their problems in increasingly complex ways because, once people begin to articulate their story, they also begin to develop it and base action on it. Second, in socialization area stories encode and transmit everyday understandings of conflict and what to do about it. Processes of socialization may glorify and/or justify violence or recruit military volunteers, child soldiers, and martyrs. Hence cultural survival may involve a constant negotiation between capitulation and resistance in interactions with surrounding cultures. Cultures conflict, interact, evolve, and overlap, defying categorization. Third, Intergroup conflicts and violence are fueled by powerful emotions of fear, mistrust, anger, hatred, and grief, as well as self-loathing. In conflict, emotions may get in the way of addressing a problem or conflict cautiously and morally. Leaders may tap into intense emotions – for example, the love, grief, and anger associated with the violent death of a loved one – in order to foment hatred. Unacknowledged collective trauma (and all the emotions subsumed therein) is an obstacle to a traumatised group’s healing and intergroup rapprochement. Stories simultaneously engage mind and heart. Through storytelling and other cultural and social rituals, information and argument is conveyed, but gains added power through the emotional impact of the story that is sensed and felt by the participants.

Fourth, time, memory, and history are significant in intergroup conflicts because the conflict is often framed as being about past events that have been unjust or that have disrupted relationships. Memories of past conflict, violence, and injustice are passed from generation to generation. Conflicts may involve a claim to a glorious, or at least a different, past. Post-conflict peace building and reconciliation may involve coming to terms with and healing from the past. Narrative invokes the past to comment on the present in order to envision and shape the future. The past, present, and future mutually determine one another as parts of a whole. Finally; geographically many intergroup conflicts involve overlapping claims for sovereignty over a particular territory. Conflicts occur between indigenous people and settlers, and between waves of settlers to a region, all of whom over time develop powerful ties to place. Arguably, such conflict bases are especially resistant – if not wholly resistant – to anything but a zero-sum outcome. Often, different cultural worldviews may reflect vastly different ways of understanding the environment, nature, and animals, causing or exacerbating intense values conflicts on these issues. Geography (so tangible) and stories (so intangible) at first may seem unrelated. But stories are often tied to geographic places that have cultural and symbolic significance for individuals and particular communities. Particular locations featured prominently in religious, national, and historical narratives<sup>45</sup>.

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45 Jessica Senehi, *ibid* pp 204-208

The foregoing literature shades light on the current study on the causes of conflicts, the contribution of indigenous governance practices in peace building, actors in peace building, communal peace making process and factors inhibiting incorporation of indigenous conflict mechanisms. However, the literature fails to provide sufficient details in all these aspects, which the current focus of study on KETU communities in Kenya does.

Scholars present factors that cause conflicts among African communities, and focusing mainly on pastoralists. The current study establishes the specific factors that caused conflict between the Keiyo and the Tugen during pre-colonial and post-colonial period and examines the specific mechanisms that have been used by these communities to resolve conflict

The effective role of the council of elders in indigenous conflict resolution is acknowledged by scholars. The current study examines the role of community elders in conflict resolution and their effectiveness among the Keiyo and Tugen communities. Apart from men (elders), literature indicates that women's role in peace building cannot be overstated. The current study assesses the place of women in conflict situation among the Keiyo and the Tugen communities. Literature also points out that elders of the communities (Turkana, Pokot, Samburu and Marakwet) neighbouring the Keiyo and the Tugen have not succeeded substantively in resolving conflicts affecting them. While examining the role of elders, this study focuses on the similarities of cultural institutions and practices, and how successful they have been in inter-and intra-community conflict resolution among the Keiyo and the Tugen communities.

There is scanty literature on addressing factors inhibiting incorporation of indigenous conflict resolution mechanisms into modern systems. The current study identifies factors which support and those which hamper incorporation of indigenous systems into modern systems of conflict resolution among the Keiyo and the Tugen. As stated earlier, indigenous peace processes are scarcely documented. This study endeavoured to fill this lacuna of knowledge, thus, the main objective of this research was to analyse and document the Keiyo and Tugen peace pact

## **Conceptual Framework**

This study adopts Lederach's<sup>46</sup> conceptual framework for reconciliation which argues for a comprehensive approach to the transformation of conflict that addresses structural issues, social dynamics of relationship building, and the development of a supportive infrastructure for peace. Lederach notes; *"I envision the framework as containing a set of interrelated yet distinct components. These include structure, process, relationship, resources, and coordination"*

He posits that Contemporary conflicts necessitate peace building approaches that respond to the real nature of those conflicts. While contemporary conflicts are indeed hard-core situations—the “real politics” of hatred, manipulation, and violence—and require grounded political savvy, traditional mechanisms relying solely on statist diplomacy and real politick have not demonstrated a capacity to control these conflicts, much less transform them toward constructive, peaceful outcomes. Contemporary conflict thus demands innovation, the development of ideas and practices that go beyond the negotiation of substantive interests and issues. This innovation pushes us to probe into the realm of the subjective—generationally accumulated perceptions and deep-rooted hatred and fear. In dealing with the challenge posed by contemporary conflict, an important meeting point between realism and innovation is the idea of reconciliation. A fundamental question is how to create a catalyst for reconciliation and then sustain it in divided societies.<sup>47</sup>

The study focuses on conflict between the KETU communities that necessitates peace building approaches to respond to the real nature of these conflicts. Many of the key characteristics of this contemporary conflict follow from their internal nature. KETU communities live in close geographic proximity. They have direct experience of violent trauma that they associate with their perceived enemies and which is sometimes tied to a history of grievance and enmity that has accumulated over generations. The conflicts are characterised by deep rooted, intense animosity; fear; and severe stereotyping<sup>48</sup>.

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46 Lederach, J. .P. (1997 ). Building Peace: Sustainable Reconciliation In Divided Societies, United States Institute of Peace Press, Washington, D.C.p 22

47 Lederach, J.P.(1997), *ibid*, P 25

48 Lederach, J.P.(1997), *ibid*, Pp 23

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The conceptual framework is based on three working assumptions that undergird a conceptualization of reconciliation. First, relationship is the basis of both the conflict and its long-term solution. Reconciliation is not pursued by seeking innovative ways to disengage or minimise the conflicting groups' affiliations, but instead is built on mechanisms that engage the sides of a conflict with each other as humans-in-representation. A system is viewed as a whole and to the relationships of its parts in order to understand its dynamic and structure. Therefore, relationships are the centrepiece, the beginning and the ending point for understanding the system. Reconciliation as a paradigm envisions protracted conflict as a system and focuses its attention on relationships within that system<sup>49</sup>.

Second, engagement of the conflicting groups assumes an encounter, not only of people but also of several different and highly interdependent streams of activity. This necessitates reconciliation to address the past without getting locked into a vicious cycle of mutual exclusiveness inherent in the past. People need opportunity and space to express to and with one another the trauma of loss and their grief at that loss, and the anger that accompanies the pain and the memory of injustices experienced. Acknowledgment is decisive in the reconciliation dynamic. It is one thing to know; it is yet a very different social phenomenon to acknowledge. Acknowledgment through hearing one another's stories validates experience and feelings and represents the first step toward restoration of the person and the relationship. Reconciliation, in essence, represents a place, the point of encounter where concerns about both the past and the future can meet. Reconciliation-as-encounter suggests that space for the acknowledgement of the past and envisioning of the future is the necessary ingredient for reframing the present. For this to happen, people must find ways to encounter themselves and their enemies, their hopes and their fears<sup>50</sup>.

The third and last working assumption is that reconciliation requires looking outside the mainstream traditional power politics, discourse, and operational modalities in order to find innovation. Reconciliation represents a social space. Reconciliation is a locus, a place where people and things come together. Ultimately, reconciliation, involves the creation of the social space where both truth and forgiveness are validated and joined together, rather than being forced into an encounter in which one must win out over the other or envisioned as fragmented and separated parts<sup>51</sup>.

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49 Lederach, J.P. (1997), *ibid*, Pp 23-25

50 Lederach, J.P. (1997), *ibid*, P 26

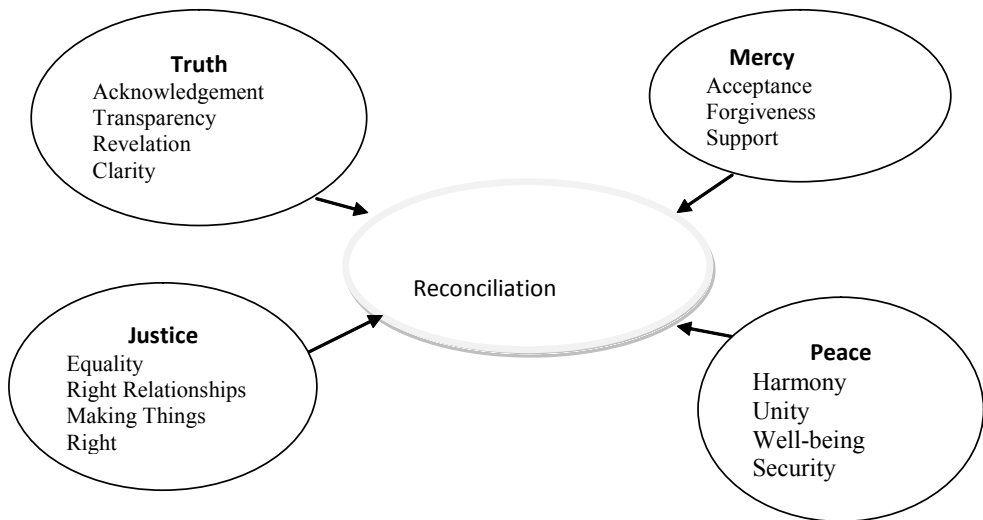
51 Lederach, J.P. (1999), *ibid*, Pp 27-29



Reconciliation can thus be understood as both a focus and a locus. As a perspective, it is built on and oriented toward the relational aspects of a conflict. As a social phenomenon, reconciliation represents a space, a place or location of encounter, where parties to a conflict meet. Reconciliation must be proactive in seeking to create an encounter where people can focus on their relationship and share their perceptions, feelings, and experiences with one another, with the goal of creating new perceptions and a new shared experience.

As such, reconciliation is built on three specific paradoxes, which link seemingly contradictory but interdependent ideas and forces. First, in an overall sense, reconciliation promotes an encounter between the open expression of the painful past, on the one hand, and the search for the articulation of a long-term, interdependent future, on the other hand. Second, reconciliation provides a place for truth and mercy to meet, where concerns for exposing what has happened and for letting go in favour of renewed relationship are validated and embraced. Third, reconciliation recognises the need to give time and place to both justice and peace, where redressing the wrong is held together with the envisioning of a common, connected future.

The basic paradigm of reconciliation, therefore, embraces paradox by suggesting that a focus on relationship will provide new ways to address the impasse on issues; or that providing space for grieving the past permits a reorientation toward the future and, inversely, that envisioning a common future creates new lenses for dealing with the past.



**Figure 1: Conceptual Framework**

*Source: Adopted from Lederach, J. P. (1997). Building Peace: Sustainable Reconciliation in Divided Societies*

In the context of this study, the conceptual framework fits well due to its focus on the relationship between the Keiyo and Tugen communities, the nature of conflicts between the two communities and the role of institutions, both internal and external in negotiating for peaceful co-existence of the KETU communities. Given the emphasis of the study being on the circumstances, structures, actors and responses which are the pillars of the framework, an illustration of the relationship of the two communities has been presented and proposals made on how lasting peace could be achieved through reconciliation.



## Chapter Two: Study Area and Research Techniques

### Introduction

This chapter presents information on the study area, target and sample population, research design, data collection instruments, data analysis methods and ethical considerations

### Research Sites

The study was carried out in two counties namely Elgeyo-Marakwet County (Keiyo) and Baringo County (Tugen). The two counties form part of Kenya's 47 counties as shown in Figure 1

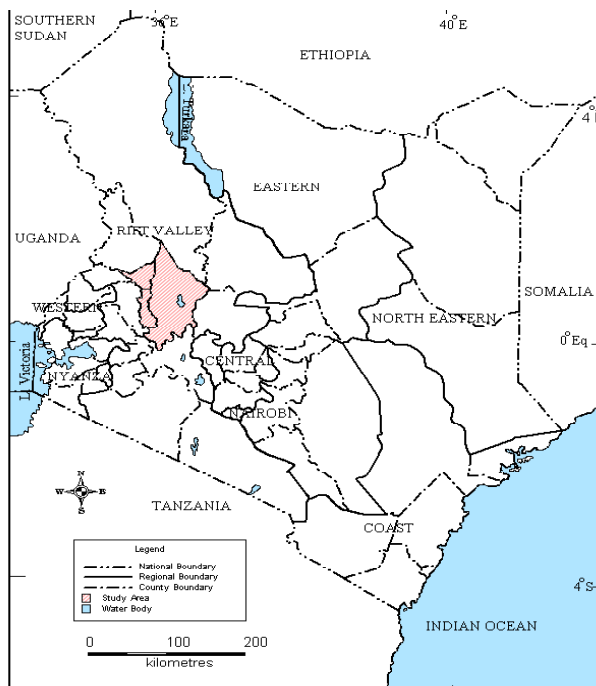


Figure 2: Location of Elgeyo Marakwet and Baringo Counties in Kenya

Source: GIS Lab, Moi University (2018)

According to Elgeyo-Marakwet County Integrated Development Plan<sup>1</sup>, Elgeyo-Marakwet County covers a total area of 3029.9 km<sup>2</sup>. It borders West Pokot County to the North, Baringo County to the East, Trans Nzoia County to the Northwest and Uasin Gishu County to the West. The county is divided into three topographic zones namely; the highlands, the escarpment and the Kerio Valley: all the zones are separated by the conspicuous Elgeyo Escarpment (see figure 4).

The Highlands constitutes 49 percent of the county's area and is densely populated due to its endowment with fertile soils and reliable rainfall. The Escarpment and the Kerio Valley make up 11 percent and 40 percent respectively. There is a marked variation in the amount of rainfall in the three zones; The Highlands receive between 1200mm and 1500mm per annum. The Escarpment receives rainfall ranging between 1000mm to 1400mm per annum. The Kerio Valley receives rainfall ranging from 250mm to 900mm annually. In terms of altitude, the Highland plateau rises from an altitude of 2700 meters above sea level on the Metkei Ridges in the South to 3350 metres above sea level on the Cherangany Hills to the North.

Administratively, the county is divided into four sub-counties, namely: Marakwet East, Marakwet West, Keiyo South and Keiyo North, each with several divisions, locations and sub-locations. Politically, the county is divided into four constituencies: Marakwet East comprising Kapyego, Sambirir, Endo, Embobot / Embulot wards; Marakwet West comprising Lela, Sengwer, Cherang'any / Chebororwa, Moiben/ Kuserwo, Kapsowar and Arror wards; Keiyo South whose wards are Kaptarakwa, Chepkorio, Soy North, Soy South, Kabiemit and Metkei; and Keiyo North which has Kamariny, Emsoo, Tambach and Kapchemutwa wards. In total, the county has twenty wards; six in both Marakwet West and Keiyo South and four in Marakwet East and Keiyo North. This study focused on the following nine locations found in Elgeyo Marakwet County (Keiyo North and South Sub Counties): Kocholwo, Chemoibon, Soy, Kibargoi, Epke, Chepsigot, Kiptoilong, Kamogich, and Keu (See Figure 2).

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<sup>1</sup> County of Elgeyo-Marakwet (2013), County Integrated Development Plan 2013-2017. *devolution-hub.or.ke/file/c8235e0d-elgeyo-marakwet-county-integrated-de.pdf*

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The levels of poverty in the county are geographically distributed. In the Escarpment and The Kerio Valley, poverty levels are as high as 67 percent of the population while in the Highlands poverty levels average 47 percent. Variations in population densities are explained by geographic factors which influence socio-economic activities. Low rainfall and prolonged droughts in Kerio valley does not favour crop production and intensive animal husbandry. This situation negatively impacts on food security and general development.

The County is mainly occupied by Keiyo, Sengwer also called Cherangany and Marakwet which are part of the larger ethnic grouping of eight culturally and linguistically related ethnic groups known as the Kalenjin. Marakwet is a sub-tribe of the Kalenjin which is made up of the sub-dialects Almoo, Endoow, Markweta (the sub-dialect giving rise to the common name), Sombirir (Borokot) and Kiptani which is also found in the Keiyo site who presently predominantly live in Marakwet Sub-county in the North Rift region. Some now live in Cherangany constituency in Trans-Nzoia county and Soy and Moiben constituencies in Uasin Gishu county. The name Keiyo or Elgeyo has been used interchangeably to describe the Keiyo people. The latter name (Elgeyo) is disputed as a corruption of the true name (Keiyo), which was coined by the Uasin-Gishu Maasai, who were the Keiyo's neighbours in the mid-19<sup>th</sup> century at the western side of Eldoret. The main focus of the research is on the Keiyo<sup>3</sup>

The main economic activity in the County is characterized by mixed farming, which consists mainly of livestock and subsistence farming. Other activities include small business, tourism and fluorspar mining (currently facing operational challenges) in Kerio Valley. Oil prospecting by Tullow Oil Company is on-going in Kerio Valley. The following are the main physical features of the County: Elgeyo Escarpment, Cherangany Hills, River Kerio, Torok waterfalls, Chebara Dam, Cheploch Gorge, Kipteber Meteorite Historical Mountain, and Kureswo Hot springs<sup>4</sup>.

The second study area is Baringo County which is located in the former Rift Valley province whose headquarter's is Kabarnet town. It occupies an area of 11,015.3 Sq. km of which 16.5 Sq. km is covered by surface water-Lakes Baringo, Bogoria and Kamnarok. Baringo County borders Turkana county and West Pokot County to the

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3 County Government of Elgeyo-Marakwet: County of Champions. Accessed at [www.elgeyomarakwet.go.ke](http://www.elgeyomarakwet.go.ke)

4 County Government of Elgeyo-Marakwet: County of Champions, *ibid*

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North, Samburu County and Laikipia County to the East, Nakuru County and Kericho County to the South, Uasin Gishu County to the South West and Elgeyo-Marakwet County to the West. Baringo County lies between Latitudes 00 degrees 13" South and 1 degree 40" North and Longitudes 35 degrees 36" and 36" degrees 30" East (See Figure 1).

Administratively, Baringo County has six constituencies: Baringo Central Constituency, Baringo South Constituency, Tiaty Constituency, Baringo North Constituency, Eldama Ravine Constituency and Mogotio Constituency. Of particular interest are three constituencies bordering Kerio River namely Baringo North Constituency, Eldama Ravine Constituency and Baringo Central Constituency<sup>5</sup>. The focus of this study was on the following locations from Baringo County: Emom, Sacho Soi, Kapropita Soi, Kiboino, Kabarnet Soi, Lelmen, Kaputiei, Lawan, and Kaboskei Kerio locations (See Figure 2).

In terms of topography, Baringo County varies in altitude between 3000 metres above the mean sea level at its highest points and nearly 700 metres above mean sea level at its low points. One of the prominent features is the Kerio Valley, which is situated on the western part of the county.

In the eastern part of the county near Lake Baringo and Bogoria is the Lobo plain covered mainly by the lathstring salt-impregnated suits and deposits. The Tugen Hills form a conspicuous topographic feature in the county. The trend of the hills is north-south and mainly consists of volcanic rocks. The hills have steep slopes with prominent gullies. On the eastern and western parts of the hills are escarpments. Rivers on the hills flow in very deep gorges.

Different ecological conditions exist in the county. Exotic forests exist in the county but the known indigenous forests are found in Kabarnet, Kabartonjo, Tenges, Lembussaimo, Sacho and Arabel and Eldama Ravine (See Figure 3).

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5 County Government of Baringo (2013). County Integrated Development Plan 2013-2017. Accessed at [baringo.go.ke/images/downloads/Budget.../BARINGO\\_COUNTY\\_CIDP.pdf](http://baringo.go.ke/images/downloads/Budget.../BARINGO_COUNTY_CIDP.pdf)



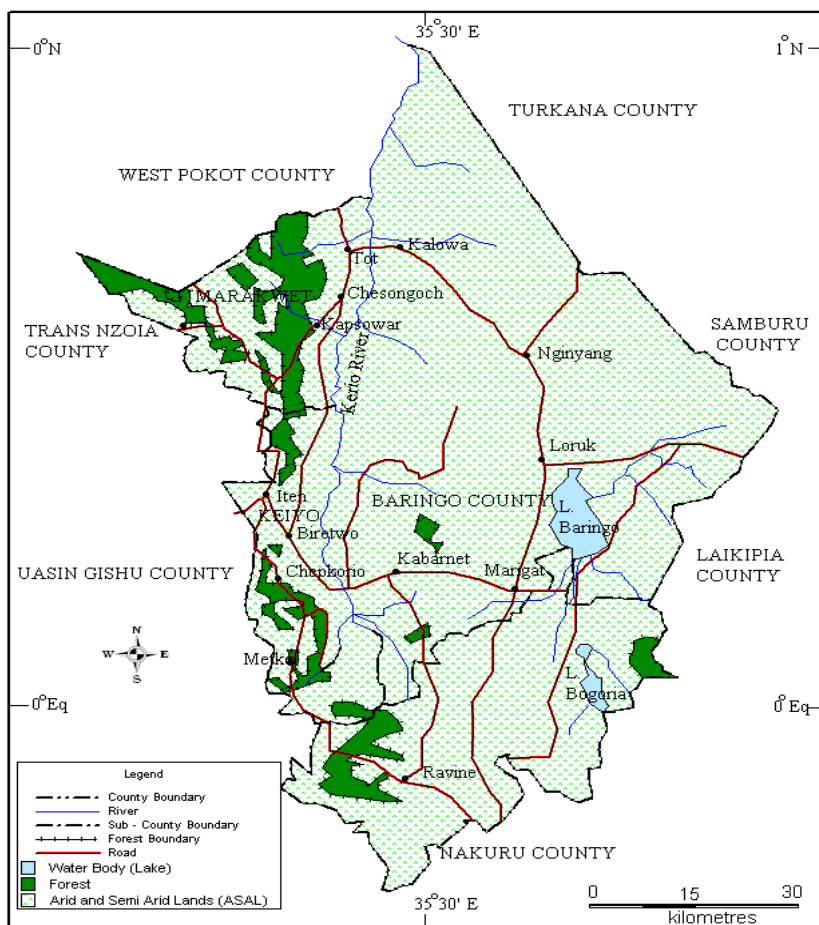


Figure 4: Vegetation of Elgeiyo Marakwet and Baringo Counties

Source: GIS Lab, Moi University (2018)

The main exotic species are *grevillea Robusta*, *cappressuslusionic* and *eucalyptus saligna-prospisjuliflora* also exist in Marigat area <sup>6</sup>. The county is classified as arid and semi-arid. Most parts of East Pokot, Baringo Central, Baringo South, Baringo North and Mogotio sub-counties are arid and semi-arid except for Koibatek sub-county which is in a highland zone.

6 County Government of Baringo (2013). County Integrated Development Plan 2013-2017., ibid

Similarly, the county has varying climatic conditions. Rainfall in the county varies from 1,000 mm to 1,500mm in the highlands to 600mm per annum in the lowlands. Due to their varied altitudes, the sub-counties receive different levels of rainfall. Koibatek sub-county receives the highest amount of rainfall. The low land sub-counties of Mogotio, East Pokot and Baringo North receive relatively low amount of rainfall<sup>7</sup>.

Temperatures range from a minimum of 10°C to a maximum of 35°C in different parts of the county. Average wind speed is 2 metres/second while humidity is low. The climate of Baringo varies from humid highlands to arid lowlands while some regions are between those extremes.

According to Kenya Population and housing Census of 2009, the population size of Baringo County was 555,561 consisting of 279,081 males and 276,480 females. The County's inter censal growth rate is 3.% of the population of the county which was further projected to be 723,411 in 2017<sup>8</sup>. With regard to religion and ethnicities, the County is mainly occupied by the Tugen, Pokot and Njemps. A sizeable population of Nubians are found in Eldama-Ravine and Kabarnet. However, there are other tribes occupying the County including Turkana, Kikuyu and Kisii. The main focus of this research is on the Tugen as an ethnic group. Christianity is the most practiced religion in the County.

The economy of the County is mainly agro-based. The main food crops grown are maize, pigeon peas, beans, irish potatoes, sweet potatoes, sorghum, cassava and finger millet while the cash crops are coffee, cotton, macadamia and pyrethrum. Livestock products include honey, beef, mutton as well as hides and skins. However, little value addition is done to these products.

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7 County Government of Baringo (2013). County Integrated Development Plan 2013-2017., ibid

8 Kenya National Bureau of Statistics (2010), Kenya Population and Housing Census: Volume 1A Population Distribution by Administrative Units, Government Printers, Nairobi.

### **The Bio-physical Aspects of the Kerio-Valley and its environs**

Kerio valley is the focal area of this study. The land surface configuration is characterized by uplands and lowlands, with an elevation range from about 900m to 2,800m above mean sea level. The lowest altitudes are to be found around Lakes Baringo and Bogoria (about 1000m. a.s.l) and in Kerio Valley (about 1,500m, a.s.l). The greatest heights are found in the northern part of the Tugen Hills and on the uplands west of Elgeyo escarpment (2,100 to 2,700m respectively). This varied altitudinal range interacts with climate to produce a very wide range of environmental conditions.

The geology of the Kerio Valley and the Lakes Baringo-Bogoria lowlands consist of Quaternary deposits and other related deposits associated with the formation of the Rift valley. Some of the oldest geological formations in the survey area are represented by metamorphosed sediment of the Pre-cambrian age. This sedimentary rock is best exposed along the Elgeyo escarpment.

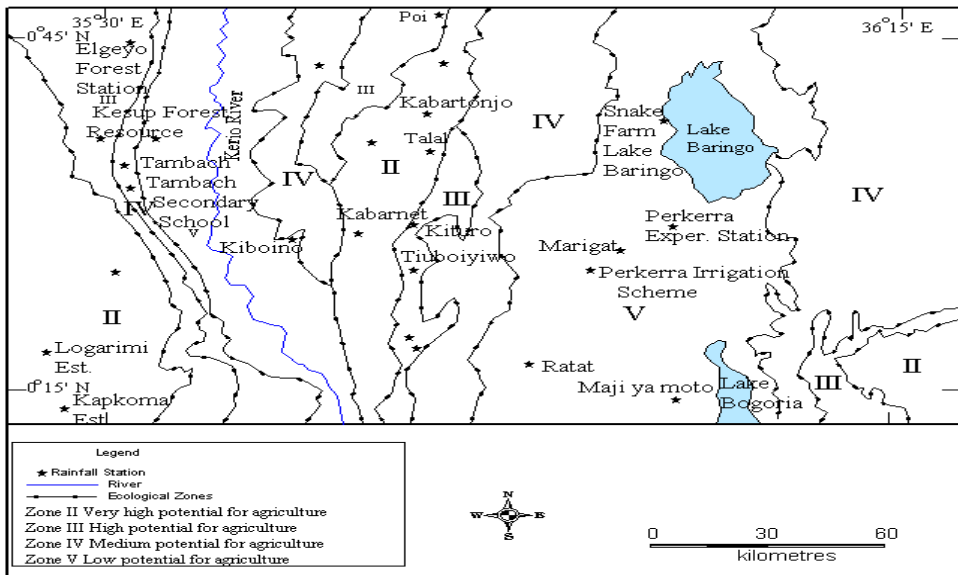
The study area comprises three major physiographic units: mountains and major scarps, uplands and terraces and plains and valleys. The first category includes the Tugen Hills and the Elgeyo escarpment. The uplands adjacent to the Elgeyo escarpment are rolling and are deeply incised by rivers and streams running westwards.

The Elgeyo escarpment forms the western edge of the Kerio Valley. The other notable uplands are to be found east of Tugen Hills and south east of Lake Baringo. The plains and valleys are to be found around the main lakes. The major valley is the Kerio valley, which is bordered by the Elgeyo escarpment to the west and the Tugen Hills to the east. The Kerio River meanders northwards along the nearly level plain of the Kerio Valley and drains into Lake Turkana.

### **Eco-climatic zones and land use suitability**

In most ecological classifications in East Africa, vegetation has been used widely as an indicator of climate and agricultural land potential. This is because in general the vegetation cover of any place reflects the sum-total of environmental conditions and is therefore regarded as a fairly reliable indicator of ecological potential.

Using taxonomic characteristics of the vegetation cover, six eco-climatic zones have been derived for the East African region. The Baringo-Elgeyo Marakwet-Kerio Valley region has been divided into ecological zones II, III, IV and V. The divisions are approximately along vegetation boundaries (See Figure 4).



**Figure 5: Ecological zones and rainfall stations in Kerio Valley and adjacent areas (modified from F.A.O. 1978)**

Source: GIS Lab, Moi University (2018)

## The Study Area

The study area has three agro-ecological zones each endowed with a variety of natural resources supporting different livelihoods. The Kerio valley – the focal point of the study is semi-arid and supports pastoralist activities. Due to scarcity of water and pasture and competition for same, frequent conflicts arise between two neighbouring communities. The second agro-ecological zone, the escarpment supports agro-pastoralist activities and serves as a settlement area for families. In addition, this zone harbours many water sources which flow downstream to River Kerio. The highland zone is characterized with high rainfall and fertile soils which is conducive for crop and animal production. Whenever drought occurs in the valley and escarpment zones, the highland zone acts as a source of food to residents in the other two zones.

## **Target Population**

The population of Baringo County is 555,561 while Elgeyo-Marakwet County has 369,998. The study focused on two sub-counties of Baringo County namely Baringo Central and Baringo North with a combined population of 256,140. In Elgeyo-Marakwet, the focus was on two sub-counties Keiyo North and Keiyo South with a combined population of 182,875

From the two sub-counties of Baringo county nine locations were purposely selected with a population of 31,204 (see table 1.1). The nine locations of the two sub-counties selected from Elgeyo-Marakwet County had a population of 48,455<sup>9</sup>.

## **Sample Size**

The study population comprised 36 selected participants (for oral interviews) drawn from 18 locations (2 from each location) and 30 participants who participated in three Focused Group Discussions. This sample size was determined by a number of factors, which included participants' location, age, age-set, knowledge about the KETU peace pact and gender. Research participants were drawn from five age-sets that is; the *Chumo*, *Sawe*, *Korongoro*, *Kipkoimet* and *Kaplelach* across the two communities. The women belonged to four age sets namely; *Chesor*, *Chemosinya*, *Chesiran* and *Chebungwak*. The participants' ages varied from 35 years to 92 years representing the five age sets. Fifty four male participants took part in the study compared to twelve female participants. The inclusion of less female participants in the study was due to their minimal role in the KETU peace pact. The number of interviewees however increased during the actual field research because of the reasons explained in section 2.6.

## **Research Design**

This study adopted a case study design. It focused on the peace pact between the Keiyo and the Tugen. The case study encompassed the following data collection strategies. First, was purposive sampling which was done through snow balling process. This aided in the identification and interviewing of indigenous Keiyo and Tugen peace ritual experts, Non-Governmental Organization workers, Church leaders

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9 Kenya Bureau of statistics,(2010), *The 2009 Kenya Population and Housing Census: "Counting Our People for the Implementation of Vision 2030"*, VOLUME IA Population Distribution by Administrative Units, Nairobi.Government Printers

and Government administrators. Secondly, Focus Group Discussions were conducted to capture the collective memories of the community and to allow individuals in the groups to get involved in different aspects of discourses related to peace rituals.

Third, peace ritual performances were observed through either researchers' minimum participation or non-participation to facilitate the analysis of the verbal utterances and songs of the ritual experts, their dance, body language, regalia and other paraphernalia. Furthermore, colonial archival data including Baringo Sub-County Annual Reports, Intelligence Reports, Land Boundaries reports and the 1932-34 Kenya Land Commission: Evidence and Memoranda which cover Keiyo and Tugen conflicts and peace efforts during the colonial period were read and analysed for purposes of comparison and corroboration with oral evidence<sup>10</sup>.

Finally, and as shown in this section, data from secondary sources pertaining to indigenous forms of conflict management in African communities generally and that of Keiyo and the Tugen, in particular, were also cleaned, coded and analysed from a wide array of published and unpublished books and journal articles.

### **Data Collection Methods and Instruments**

This study triangulated sources of data focusing on five data collection strategies namely: In-depth Semi standardized Interview, Focus Group Discussion, observation, archival methods and secondary sources. The research relied on the following instruments to collect data: interview guide, Focus Group Discussion guide and observation guide all of which are annexed in the appendices.

Before the actual data collection, a research design and methodology workshop was held followed by a field reconnaissance visit (See Plate 1 and 2)

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<sup>10</sup> Government of Kenya (1934). Kenya Land (Carter) Commission Report 1932-1934, Colonial Office, Kenya, Great Britain



**Plate1: Research Design and Methodology Workshop at Asis Hotel, Eldoret**

*Source: Researchers, 2016*

Researchers visited the study area and held meetings to brief the residents on the aim and objectives of the research. Plate 2 shows participants during a familiarisation and consultative meeting which was attended by the Keiyo South Deputy County Commissioner among other leaders.



**Plate 2: Field Reconnaissance and consultative meeting at A.I.C Cheptebo Rural Development Centre**

*Source: Researchers, 2016*

The research conducted semi-standardized interviews with 52 interviewees. This number rose from the initially planned 36 respondents because of the snowballing nature of sampling, initial interviewees made referrals to another sixteen (16) who were also interviewed. The interviews were semi-structured and involved the implementation of a number of pre-determined questions and specific topics. Each respondent was interviewed in a systematic and consistent order and were probed far beyond the answers to the structured questions. Snowballing technique was used to identify the initial 36 informed respondents from eighteen locations in the study area (See table 1). The locations included in the study were selected due to firstly, their proximity to river Kerio (main water source for livestock and also a natural physical boundary that separates the Keiyo and Tugen communities) and secondly pasture fields for livestock from the two communities.

**Table 1: Administrative Locations in the Study Area**

	<b>Locations in Tugen (Baringo County)</b>	<b>Locations in Keiyo (Elgeyo Marakwet County)</b>
1	Emom/ Chepkero	Kocholwo
2	Sacho Soi	Chemoibon
3	Kapropita Soi	Soy
4	Kiboino	Kibargoi
5	Kabarnet Soi	Epke
6	Lelmen	Chepsigot
7	Kaputiei	Kiptuilong
8	Lawan	Kamogich
9	Kaboskei/ Kerio	Kew

Source: Researchers, 2016

In regard to focus group discussions, three Focus Group Discussions (each comprising between 9-12 members) were held cutting across the two communities (one from each ethnic community and one joint FGD). The Keiyo FGD comprised 9 members, Tugen FGD comprised 9 members and joint FGD comprised 12 members making a total of 30 participants) who belonged to *Chumo*, *Sawe*, *Korongoro* and *Kaplelach* age sets who had adequate understanding of the KETU peace pact. The Focus Group Discussions comprised the following cohort: men and women cutting across different age sets.



As argued by scholars, the informal group situation and the largely unstructured nature of like questions discourage the participants' behaviour and attitudes they might not disclose during individual interview. Therefore, participants tend to feel more comfortable and secure in the company of people who share similar views and behaviour than in the company of an individual interviewer.

Furthermore, this strategy often brought out participants' spontaneous reactions and ideas and allowed a team of researchers to observe some group dynamics as well as organisational issues. The primary purpose was to understand how people feel or think about an issue or an idea. Focus Group Discussions foreground the importance not only of a context but also of expression because they capitalised on the richness and complexity of group dynamics<sup>11</sup>.

Unlike interviews and observation, Focus Group Discussions offered a team of researchers' access to the kinds of social interaction dynamics that produced particular memories, positions, ideologies, practices and desires among the two ethnic communities. Lastly, it allowed researchers to see the complex ways in which people position themselves to each other as they process questions, issues and topics in a focused way.

The third component of sources of data was based on semi-structured observations. One observation visit was made in regard to the following age sets: the Chumo, *Sawe*, *Korongoro*, *Kipkoimet* and *Kaplelach*. It involved paying attention to events as they took place, taking field notes and documenting what are considered salient issues which are being developed. These were transcribed and later analysed qualitatively. The research sought to get data through critically watching older representative members of the communities and the youth who are members of different age sets (the *Chumo*, *Sawe*, *Korongoro*, *Kipkoimet* and *Kaplelach*) across the two communities as they participated in the re-enactment of the ritual activities. This entailed observing what people did, how they were dressed, listening to what they said, and at times asking them to clarify some issues. Similarly, the observation method took note of the participants' body language and other gestural clues that gave meaning to the words being uttered<sup>12</sup>. Through improved technology these were captured by the use of video cameras.

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11 Julius O. Jwan and Charles O. Ong'ondo, (2011), *Qualitative Research: An Introduction To Principles And Techniques*, Eldoret, Moi University Press. Pp 91-92

12 Julius O. Jwan and Charles O. Ong'ondo, (2011), *ibid* Pp 77-79

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The fourth strategy was the identification, collection and analysis of archival documents. The research was primarily concerned with official government records rather than private archival records. In addition to providing large quantities of inexpensive data, archival material is virtually non-reactive to the presence of investigators. Many researchers find archival data attractive because public archives utilize more or less standard formats and filing systems, which makes locating pieces of data and creating research filing systems for analysis easier. Naturally, as in any research process, serious errors are possible when using archival data. However, if this possibility is recognised and controlled, through data triangulation, for example, errors need not seriously distort results<sup>13</sup>.

Although archival information is a rich source of primary data, albeit under-used, such data frequently contain several innate flaws as well. For example, missing elements in an official government document may represent attempts to hide the very information of interest to the investigators, or missing portions of some official document may have merely resulted from the carelessness of the last person who looked at the document and lost a page. It is sometimes difficult to determine possible effects from editorial bias and control over what gets published and what does not<sup>14</sup>. Researchers took note of the fact that such records mostly reflect the biased views of administrative officials about conflict and peace rather than the views of the indigenous communities. Unfortunately, when using archival data, it may sometimes be impossible to determine, let alone account for, what or why pieces of data are missing. This again suggests the need to incorporate multiple measures and techniques in order to reduce potential errors, but it should not prevent or discourage the use of archival data. These records must therefore be corroborated through the use of the duly critiqued oral data.

Fifth, video recording and photography were employed to collect data during interviews and re-enactment of the peace pact. Webb *et al*<sup>15</sup> may have been correct at the time when they suggested that videotaped records were disorganised and not widely accessible, but times have changed. Indeed Webb *et al*<sup>16</sup>. (1981) observes that

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13 Webb, E., Campbell, D. T., Schwartz, R. D., Sechrest, L., & Grove, J. B. (1981), *Non-reactive Measures in the Social Sciences*. Boston. Houghton Mifflin.

14 Berg, B. L. ((2001). *Qualitative research methods for the social sciences / 4 th ed*). Boston, Allyn & Bacon.pp 192-193

15 Webb *et al*. (1981), *ibid*

16 Webb *et al* (1981) *ibid*

ual and auditory media are either not so dependably archived or else archives are not readily available to those who might want to study them.” However, during the past several years, the use of videotape equipment has grown not only in official circles but also among researchers and private citizens as well.

Similarly, photography was of considerable research value. Analysis of photographs, or visual ethnography, as it is sometimes called<sup>17</sup>, offered yet another interesting avenue for unobtrusive research. The use of photographs as data required a theory of how pictures need to be used by both picture makers and viewers. To this extend, photos were used either as data in themselves<sup>18</sup> or to assist in the conduct of interviews<sup>19</sup>. In the former case, photos provided a sense of what existed (traditional paraphernalia), perhaps years in the past, as well as a viewpoint—namely, that of the photographer<sup>20</sup>.

In effect, what aroused in some cases was a kind of photo-interview as posited by Schwartz<sup>21</sup>. In this situation, interviews actually centred on or around a discussion of photographs. This happened especially when interviews were held with participants in their respective homes where the interaction was quite relaxed. While more intrusive than actual unobtrusive measures, such photo-interviews created the familiar context of friends looking at and chatting about communal photos.

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17 Schwartz, D. (1989). Visual ethnography: Using photography in qualitative research, *Qualitative Sociology*, June 1989, Volume 12, Issue 2, pp 119–154

18 See Dowdall, G.W. & Golden, J. (1989). Photographs as data: An analysis of images from a mental hospital, *Qualitative Sociology*, June 1989, Volume 12, Issue 2, pp 183–213, . <https://doi.org/10.1007/BF00988997>

19 Musello, C. (1980), *Studying the Home Mode: An Exploration of Family Photography and Visual Communication*. 6 (1), 23-42. Retrieved from <https://repository.upenn.edu/svc/vol6/iss1/6>. See also Wagner, J. (1979). *Images of information: Still photography in the social sciences*. Beverley Hills, CA: Sage.

20 Berg, B. L. ((2001). *Qualitative research methods for the social sciences / 4 th ed*). Boston, Allyn & Bacon.pp 198-199

21 Schwartz, D. (1989). Op cit pp 119–154

Similarly, audio recordings as data have a wide variety of applications. Audiotapes of natural conversations are typically used by conversational analysts as the sole source of data<sup>22</sup>.

Finally, data from secondary sources pertaining to indigenous forms of conflict management in African communities generally and the Keiyo and Tugen in particular, were also critically reviewed and analysed. These included a wide range of published and unpublished books and journal articles (see chapter three).

To facilitate in collection of data from the field, the following instruments played a pivotal role: Interview Guide (see appendix iv.), Focus Group Discussion Guide (see appendix v.) and Observation Guide (see appendix vi.).

### **Data Analysis**

Data analysis is the process of reducing large amount of collected data to make sense of them. During data analysis, data is organised, reduced through summarisation and categorisation<sup>23</sup>. This study embraced qualitative method of research and a lot of data was collected from interviews, observations, focus group discussions, secondary sources and archival sources. When carrying out interviews, focused group discussions, observation, video recording and hand written notes were used. Verbatim transcription of the responses from the interview was done by an expert to ensure speedy completion of work/that meanings were not lost. To ensure that the researcher(s) became acquainted with data for the purpose of analysis and interpretation, the original interview of the completed verbatim transcription was listened to twice. Thereafter, data was translated from Kalenjin to English.

After analysis, data were then organised into easily retrievable sections. That is, it was coded into sections identified by date and their relationships to the research questions. Codes are names or labels assigned to specific units or segments of related meaning identified within the field notes and transcripts. This process identifies thematic relationships from the various categories, according to both the inductive and deductive reasoning process. The outlined process enabled a systematic analysis

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22 Schwartz, H., & Jacobs, J. (1979). *Qualitative Sociology: A Method to the Madness*. New York: Free Press.

23 Kawulich B.B. (2004). *Qualitative Data Analysis Techniques*, Conference Paper, Conference paper, University of West Georgia, pp. 96-113 <https://www.researchgate.net/publication/258110388> p 97.

of the qualitative data and allowed the researchers to go beyond mere descriptive, comparative and explanatory ends to discover the rationale and motivation for responses. The data was then critiqued through textual, content and discourse analysis<sup>24</sup>.

Content analysis was done in a systematic step-by-step process, it nevertheless was adapted to the specific needs and requirements of this study. It was applied to the transcripts of interviews, Focus Group Discussions and video recordings. Content analysis was used to interpret meaning from the content and further categorised into main themes and their reliability checked<sup>25</sup>. Data from books, journals and documents from the archives was subjected to textual analysis to be able to understand the content and meaning of texts.

The data was also subjected to discourse analysis. This incorporated an understanding of the data by including both human behaviour and culture in the interpretation. Language used by participants was utilised to interpret the data (what participants said and how they said it). Emphasis was placed on identifying recurrent terms and phrases, metaphors and analogies used<sup>26</sup>

Exploration of relationship between the different categories of data was done and utilized in writing this report. Pre-existing knowledge was incorporated as well as appropriate excerpts from original data. This report is based on themes derived from the research questions. It contains extracts from the data embedded in the narrative and goes beyond description of the data while building up arguments in relation to the research questions.

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24 Julius, O. J. and Ong'ondo O, C(2011) ,Qualitative Research: An Introduction To Principles And Techniques. Eldoret, Moi University Press.p101

25 Mayring, P. (2000). Qualitative Content Analysis. *Sozialforschung / Forum: Qualitative Social Research*, 1(2), Art. 20, <http://nbn-resolving.de/urn:nbn:de:0114-fqs0002204>. P23.

26 Kawulich, B. B and Holland L. (2012). "Qualitative Data Analysis" in Wagner, C., Kawulich B.B. and Garner, M, *Doing Social Research*, McGraw- Hill Education, Berkshire. United Kingdom. P 245

The researchers organised several writing workshops for data analysis (see Plate 3 and 4)



**Plate 3: writing workshop at Hotel Sirikwa**

*Source: Researchers 2017*



**Plate 4: writing workshop at Hotel Comfy**

*Source: Researchers 2017*

### **Ethical Considerations**

The study took into account ethical considerations which inform the methodology of the social science in order to protect the informers. Through empathy, intuition, intelligence, and experience, researchers had to deal with dangers as Stake<sup>27</sup> puts it which emerged in the course of collecting data. In our situation, the dangers were almost never physical but mental. These were the dangers of exposure, humiliation, embarrassment, loss of respect and self-respect, loss of standing at work or in the group. The probability of hurt seemed so low hence researchers contended that the potential good of the research to society outweighed those small dangers.

Ethical conduct of interpersonal research depended not so much on letters of informed consent but on deliberated and collaborative caution by a team of researchers. As McIntosh and Morse<sup>28</sup> posit, this invoked a demand for help from critical friends.

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27 Stake, E. R. (2010). *Qualitative Research: Studying How Things Work*, The Guilford Press, New York. p 206.

28 Morse J.M etal (2008), *Qualitative researchers' Conceptualization of the risks inherent in Qualitative interviews!*, international review of qualitative research ol, no 2 pp 195-215

There were other specific issues such as taking sides in an interview, and protecting vulnerable groups. The study considered using a model of continuous (or process) consent rather than viewing consent as occurring once, at signature, prior to the interview.

Confidentiality was considered throughout the study. Participants were well identified by their peers who were also involved in the study. Photographs that appear in this study were taken with consent of the participants.

The participants predominantly decided to take part in the study as they felt they had a high level of commitment. Participants' feelings about the research were also influenced by their perception of its importance and the idea that it would make a difference in sustaining peace. Participants showed no aversion to discussing painful issues provided they felt the study was worthwhile. The study was designed to disseminate the findings of the study to the community and policy makers. The study concurs with Rosenblatt<sup>29</sup> who suggests that there is no single "trustworthy ethical formula" that can be applied to a qualitative research interview. Instead ethical guidelines are co-constructed as the interview progresses. In response to the "emergent" ethical issues confronting the qualitative interviewer, researchers took a cue of this and engaged in on-going reflectivity whilst responding sensitively to participants needs".

Detailed information was provided to participants about the nature of the research and the need to gain written consent. On contrary, Ensign<sup>30</sup> stands alone in recommending oral assent/consent in research. Indeed the research team adopted Richards & Schwartz<sup>31</sup> views who argue the case for process consent but provide little more advice other than that which is common to most qualitative research; namely informing participants at the outset of the purpose and scope of the study, the types of questions that were asked and so forth as highlighted in the consent form (see Appendix VII).

The group interviews concerned issues that were sensitive making interviews

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29 Rosenblatt, P. (1999). Ethics of qualitative interviewing in grieving families. In: Memon, A, Bull, R eds. Handbook of the psychology of interviewing. Chichester: Wiley, 1999: pp 197–209.

30 Ensign, J. (2003), 'Ethical Issues in Qualitative Health Research with Homeless Youths'. *Journal of Advanced Nursing*, 43(1): pp 43–50.

31 Richards H.M & Schwartz L.J.(2002) Ethics of Qualitative Research; Are there special for health service research?in *Family Practice* Vol 19.no .2 pp 135-139

emotionally intense with the possibility of being potentially harmful to both interviewees and interviewers. To minimise this eventuality, personal and group support, education and training and addressing practical concerns were envisaged and worked on during data collection training seminars before conducting field research. Indeed training of researchers and the close supervision of data collection played a critical role in this research. As Richards and Schwartz<sup>32</sup> argue, supervision is especially pertinent for qualitative researchers who are regarded as the “research instrument” and often work alone. Shaw<sup>33</sup> recommends that research training should be on-going and available to social researchers.

Sometimes participants (during focus group discussion) became distressed in certain instances when information emerged to the effect that a whole age set from the Tugen was eliminated during the conflict between the two communities. Whereas the Keiyo acknowledge that they eliminated the *Maina* age set of the Tugen community, the Tugen blame the Maasai community for their elimination. This gave the interviewers opportunity to use their intuition to determine whether or not to interrupt or stop an interview. Indeed researchers planned strategies in advance of data collection to deal with potential difficulties, and abandon lines of investigation when participants’ words or gestures seemed to set a boundary around a particular issue<sup>34</sup>. The study relied on Tillmann-Healy<sup>35</sup> advise who developed an “ethic” of friendship framework by attending to participants “fears and concerns, active listening and responding compassionately” to their concerns. Where necessary, tape recorders and videotaping were turned off. Acknowledgment of the role of participants were formalised in a letter of thanks and appreciation to all participants in tandem with Parkes<sup>36</sup> and Sinding & Aronson<sup>37</sup> views.

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32 Richards and Schwartz (2002), *ibid*, pp 135-139

33 Shaw, I (2003), Ethics in qualitative research and evaluation, *Journal of Social Work* 3 (2003), pp 9-29

34 Shaw, I (2003), *ibid*, pp 9-29

35 Lisa M. Tillmann-Healy, (2003). Friendship as Method, 2003:pp 729-749, *Qualitative Inquiry*, accessed at DOI: 10.1177/1077800403254894

36 Parkes C. M. (1995). Guidelines for conducting ethical bereavement research, *Death Studies*, special issue: Ethics and bereavement research, Vol 19, no. 2 pp 171–181.

37 Sinding, C. & Aronson, J (2003). *Qualitative Research*. SAGE Publications. London. Thousand Oaks, CA and New Delhi) vol. 3(1): pp 95-117





## Chapter Three: Learning from KETU Indigenous Peace Pact

### Introduction

This chapter presents the findings of research study. It focuses on discussions on the causes of conflict, the role of socio-political institutions, the sustenance and dynamism of co-existence between KETU communities and integration of modern peace building mechanism.

### Keiyo - Tugen Conflict: Causes, Types and Actors

Keiyo - Tugen conflict needs to be contextualized with the intent to properly understand the amity and enmity relationship between the two communities. Analysed data points to the fact that conflicts between the Tugen and Keiyo existed long before the colonial period when the *Kaplelach*, *Kimnyigei* and *Nyongi* age sets were in their youthful stages. The major cause of the conflicts was livestock raiding. Two reasons have been advanced for this. Firstly, graduands (young male initiates) were expected to get livestock to pay bride-wealth; and secondly to restock. According to Kabon<sup>1</sup>, the Keiyo and Tugen used to raid livestock from each other along the River Kerio especially along Cheploch gorge. The secret in some cases, was that one raider could steal one cow and would drive the animal in high speed towards the gorge. This enabled the cow to jump across the gorge while the rider hangs by holding the cow's tail. The raiders used spears, bows and poisoned arrows as weapons for raiding and defence. The arrows were poisoned with a substance locally known as *ngwone* (*ngwonet*) obtained from specific plants.

Similarly, natural calamities such as famine, drought and epidemics (rinderpest and black waters) partly explain why conflicts existed between the Tugen and Keiyo communities. This is because when any of the two communities experienced a calamity, they raided their neighbours in order to get food for sustenance . On the same note, revenge raids were cited as causes of conflict between the communities.

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1 Kabon, Oral interview, 18<sup>th</sup> August, 2016 , Kibargoi location

The presence of collaborators in each of the two communities fuelled conflicts as allies assisted the enemy to raid their own community<sup>2</sup>. In many instances when a raid is successful, perpetrators killed men and took livestock but spared women. However, girls who found themselves in the cross fire of the raid were captured and later married off within the raiding community.

Focused Group Discussions<sup>3</sup> revealed that livestock raiding used to take place in the grazing fields when livestock herders were ambushed and livestock stolen. This caused anxiety among the targeted community, provoking a plan for retaliation. According to interviewees, the aftermath of raids was, most often, loss of lives and livelihoods in both sides of the communities (See Plate 5, 6, and 7).



**Plate 5: Tugen FGD (Photo was taken immediately after the FGD discussions) at A.I.C Cheptebo Rural Development Centre.**

*Source: Researchers, 2016*

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2 Kiptoo Oral interview conducted on 18<sup>th</sup> August, 2016, Kibargoi location

3 Tugen Focus Group Discussions , A.I.C Cheptebo Rural Development Centre, 15<sup>th</sup> September, 2016

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Plate 6 captures one participant explaining a point during the Keiyo FGD. The moderator follows the discussions while taking notes.



**Plate 6: Keiyo FGD at A.I.C Cheptebo Rural Development Centre**

*Source: Researchers, 2016*

After the Tugen and Keiyo FGD, a joint FGD was arranged where the participants were presented with issues which were not clarified by the separate FGDs. Plate 7 captures participants listening keenly to a member.



**Plate 7: Joint Keiyo and Tugen FGD at A.I.C Cheptebo Rural Development Centre**

*Source: Researchers, 2017*

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In addition to livestock raid which was the major cause of conflict between the Keiyo and Tugen, there were other causes/instigators to conflicts. For example, the inter and intra community conflict during pre-colonial and colonial period was occasional disagreements over choice and competition for girls during traditional dances. Such disputes and raids often exacerbated to fatalities<sup>4</sup>. However, the interviewees argued that the Keiyo – Tugen conflicts were caused by the perception that the two communities were different linguistically. Lastly, there were boundary disputes due to River Kerio changing its course on the lower northern sections<sup>5</sup>. For instance, the Tugen of Emom and the Keiyo of Metkei locations for many years fought over common boundary due to Kerio River changing its course. This led to conflicts which ended through a peace pact where the inhabitants agreed to co-exist peacefully. Thereafter the residents across the communities enhanced their relations through intermarriages, farming activities and trade. This led to the coinage of the saying “*mokuye Kapkosom ak Emom (Tugen); Magiguitos Kapkosom ak Emom (Keiyo)*” translated to mean there is no difference among the people living in Kapkosom (Keiyo) and Emom (Tugen) because of their peaceful co-existence.

The frequency of conflicts was influenced by a number of factors. Key among them was the availability of warriors, both in number and ability, to raid successfully with minimum casualties. The second determinant was the appearance of the full moon which was used to guide the warriors at night during the raids. The Rokocho community of Keiyo indicated that it could take almost two years for warriors to carry out a raid; there was an advance party (*Segeik*) to scout the availability of livestock on the Tugen side<sup>6</sup>. The Tugen community also had spies that gathered intelligence information<sup>7</sup>. Quite often, after male circumcision, the community assessed the number of initiates (warriors) and their ability to succeed in the raids. The role of the *Orgoik* in predicting the chances of success in war was important<sup>8</sup>.

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4 This detailed information was obtained from oral interviews conducted on varied dates. In particular, Chumba, interviewed on 7<sup>th</sup> July, 2016; Arusit, on 21<sup>st</sup> July, 2016; Kapkiai; on 12<sup>th</sup> July, 2016, Chepkuto, on 13<sup>th</sup> July, 2016; Kiso, on 26/07/2016; Temo, on 27<sup>th</sup> July, 2016; Kiptoon, on 1<sup>st</sup> August, 2016; Kiptui, on 3<sup>rd</sup> August, 2016; and Kipro, on 4<sup>th</sup> August, 2016).

5 Kimitei, Oral interview, 16<sup>th</sup> August, 2016.

6 Boss, Oral interview, 18<sup>th</sup> August, 2016

7 Kiptoon, Oral interview, 1<sup>st</sup> August, 2016. see also Kipro, Oral interview, 4<sup>th</sup> August, 2016.

8 Boss, op cit Oral interview, 18<sup>th</sup> August, 2016

Tugen FGD<sup>9</sup> agreed that the conflict was seasonal because the raids were organised during bountiful seasons when the livestock were healthy and strong enough to withstand the terrain and long distance travel. The Keiyo and Tugen raided livestock from each other usually after droughts, when there was plenty of rain, pasture and food. The raids, though unpredictable, occasionally led to loss of human lives and livestock. It was reported that during one incident, around 1870s an entire Tugen age set called *Maina* was wiped out. This is why the *Maina* age set does not exist in the Tugen community today. Other interviewees associated the wiping out of the Tugen *Maina* age set to the Maasai – Tugen conflicts. However, Kiptoon and Kiprop<sup>10</sup> noted that some of the conflicts were retaliatory in nature.

KETU joint FGD<sup>11</sup> pointed out that intermarriage created kinship relationships between the two communities which discouraged conflict. This relationship was augmented by their reverence of God (*Asis*).

All the respondents from both Keiyo and Tugen stated that spears (*Ngotwo / Ngotwek*), bows (*Kiang / Kwanget*), arrows (*Kotiik / Kotiek*), Somali sword (*Rotwet tab chok*), gourds, pots, stones, walking stick, club, sitting stools, flywhisk, machetes, cowry shells and the shields (*Long'e / long'et*) were the most common weapons used by both communities.

The study revealed that there were diverse actors involved in conflict although their level of involvement differed. While roles of men were clear, there is no consensus on roles women played. Interviewees were divided on the role of women in conflict. While one group described indirect roles played by women, others gave description of how women were a source of peace. According to Chepkuto<sup>12</sup>, women did not play any role during the conflict period, because they were not involved in planning and execution of the livestock raids. Instead, elders, warriors and the local foreseers (*orkoik*) were involved in the conflict.

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9 Tugen FGD, A.I.C Cheptebo Rural Development Centre, 15<sup>th</sup> September, 2016

10 Kiptoon, Op.cit Oral interview, 1<sup>st</sup> August, 2016, Kiprop, Oral interview, 4<sup>th</sup> August, 2016, Kiprop, Oral interview, 4<sup>th</sup> August, 2016.

11 KETU Joint FGD, Iten, 22<sup>nd</sup> September, 2017

12 Chepkuto, Oral interview, 13<sup>th</sup> July, 2016

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Although some interviewees thought that women played the role of peace makers rather than being perpetrators of conflict, they seemingly did play a subtle role in inter-communal conflict. For instance, they cooked for the warriors, welcomed and celebrated the success of the livestock raiders. Majority of the participants from the Tugen community were in agreement that women did not cause conflicts but made war cries and screams when there was conflict, hence accelerating it. Further, when there was a war cry, women took weapons, food and milk to the male warriors. They assembled them along the foot path so that the warriors could access them easily. They also stated that during conflict, women tied their leather belt (*legetiet / Legetio*) around their waists to protect the warriors from any harm. Prior to the raids, special traditional herbs were prepared by women to be used by the warriors to treat wounds from the battle field<sup>13</sup>. Notably, in the Keiyo community women played the role of singing in praise of brave warriors while ridiculing those who did not participate actively in raids<sup>14</sup>. Women also prayed for the warriors before they went for war<sup>15</sup>.

Furthermore, women acted as community spies and emissaries for the warriors<sup>16</sup>. Evidence is adduced to a girl from the family of Kapsot who was married to a family in Tugen who warned the Keiyo in Metkei of impending raids. The first raid did not take place, the second time; the Keiyo did not heed her advice and were raided. This became the source of the proverb (*osage nebo Kipsot / amo sage nebo Kipsot*) (don't take advice for granted)<sup>17</sup>. The Keiyo participants stated that women fed warriors with porridge, millet and *morik* and gave them information which guided them during raids or war. They also sang in praise of successful raids<sup>18</sup>.

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13 Chumba, Oral interview, 7<sup>th</sup> July, 2016; Arusit, Oral interview, 21<sup>st</sup> July, 2016 and Chepkuto, Oral interview, 13<sup>th</sup> July, 2016

14 Kimoi Oral interview, 16<sup>th</sup> August, 2016.

15 Chumba, Oral interview, 7<sup>th</sup> July, 2016; Kiptoon, Oral interview, 1<sup>st</sup> August, 2016 and Kiptui, Oral interview, 3<sup>rd</sup> August, 2016.

16 Saniego, Oral interview, 19<sup>th</sup> August, 2016 and Kangogo, Oral interview, 25<sup>th</sup> August, 2016

17 Chepkuyeng, Oral interview, 15<sup>th</sup> August, 2016

18 Keiyo FGD, A.I.C Cheptebo Rural Development Centre, 15<sup>th</sup> September, 2016.

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Participation of women in conflict is corroborated by Kiptui<sup>19</sup>, who posited that women caused conflict when they were nurturing newly born babies since this forced men to raid in order to provide for them. Another respondent stated that women used to protect their children and their husbands from any imminent attack. Particularly, they reported any strange person within the vicinity<sup>20</sup>. Similarly, women provided support services namely; (i) preparation and subsequent supply of food to the warriors, (ii) use of belts (*legetiet*) to end conflict, and made *sambut* (traditional cloth worn by men), and (iii) provided ingredients for curing injuries caused by poisoned arrows.

Kiptemoi<sup>21</sup>, agreed with this when he said that women were supposed to remain at home to take care of the livestock. Although Arusit<sup>22</sup> concurs with this position, he however reported that elderly women of the same age set participated in the peace process. Kiprop<sup>23</sup> noted that women were equally a symbol of peace and that no man from either side would force a woman into an affair without her consent. He further added that, it was believed that “the consequence would be an enlargement of the testicles which would demand input from the elders to heal”.

According to respondents from the Tugen community, women among the Keiyo and Tugen were powerful peace makers. The two communities believed that when a woman removes her “birth belt” (*legetio*) and places it between two people or groups who were about to fight, and utters the words “*legetio lakochu, legetio lakochu*” which means stop the fighting my children. The warring groups would heed and cease the hostilities instantly<sup>24</sup>. Chumba<sup>25</sup> emphasised that the women leather belt (*legetio*) is still respected by both the Tugen and Keiyo to date.

The staff (elders’ walking stick called *Nokirwo*) that elders used were similar to *Legetio* used by women. Elders would raise the *Nokirwo* in situations of conflict that they wanted to stop and utter the words *nokirwo murenchu, nokirwo murenchu* meaning “warriors stop! Warriors stop! This is a stern warning directing the warring parties to stop fighting or face dire consequences. Women can instil peace by uttering the words “*Ngobet kiyoe sikuam ngogistonyen chito ne kiyoe tengekoe / ingobet kiyoto sikuam ngokisto kiptengekyot*” meaning leave the perpetrators alone so that the consequences of sin can befall them<sup>26</sup>. It was also reported that women and men met at Kapkayo

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19 Kiptui, Oral interview, 3<sup>rd</sup> August, 2016

20 Tomno, Oral interview, 2<sup>nd</sup> August, 2016

21 Kiptemoi, Oral interview, 6<sup>th</sup> July, 2016

22 Arusit, Oral interview, 21<sup>st</sup> July, 2016

23 Kiprop, Oral interview, 4<sup>th</sup> August, 2016

24 Chemjor, Oral interview, 4<sup>th</sup> July, 2016

25 Chumba, Oral interview, 7<sup>th</sup> July, 2016

26 Chemjor, op cit Oral interview, 4<sup>th</sup> July, 2016



market centre every Thursday to engage in barter trade. A goat was exchanged for two bags of maize (180 Kilograms). A can of four litres of honey was exchanged for livestock or arrows. According to them, barter trade was more convenient than money. In contemporary time, women participate in table banking (Merry Go Round), religious meetings (indigenous prayers and Christian rites) and trade which promote peace<sup>27</sup>. Before the introduction of money as a medium of exchange, barter trade was practiced which involved the exchange of goods for goods and or exchange of goods for animals or animal products. Contemporary trade is the exchange of goods for money or money for goods and is a factor responsible for the peaceful co-existence among the Keiyo and Tugen.

Apparently, one of the participants noted that women initially had no role in the peace making process as men dominated everything, unlike nowadays when women are heard and can report anything concerning peace and conflict. According to Kabon<sup>28</sup>, women would conduct peace prayers locally known as “*Kimwocho*”. Women prayed to God (*Kimwocho*) to bring peace<sup>29</sup>. Lochumba<sup>30</sup> reported that women played an indirect role when there is fierce fight by fastening their belts, famously known as “*Legetiet*” to stop the fighting. Similarly, women were asked to provide some items used such as milk and *Legetiet* among others during peace pact ceremonies.

Conflicts between Keiyo and Tugen had mixed outcomes. Pre-colonial and colonial conflicts impacted negatively as well as positively on the two communities. Most participants across the interview period quoted; death of people, loss of livestock, fear, and lack of development as the main consequences of the conflict. Further, people avoided to settle in the Kerio Valley but rather migrated to the Keiyo or Tugen escarpment respectively. The boundary between the Keiyo and Tugen was river Endo/ Kerio. The local foreseeers (*Orgoiik*) were there and their role was to help locate lost items and advising warriors before going for raids.

According to Chumba<sup>31</sup>, during conflict, communities disrespected values and taboos (*Kigirei*). Despite this, members of both communities continued to intermarry (*katunisiet*) because women were not part of the conflict. The conflict discouraged many members from both communities from rearing livestock and others shifted to

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27 Chemjor, *ibid*, Oral interview, 4<sup>th</sup> July, 2016

28 Kabon, Oral interview, 14<sup>th</sup> July, 2016

29 Kapkiyai, Oral interview, 12<sup>th</sup> July, 2016

30 Lochumba, Oral interview, 18<sup>th</sup> July, 2016

31 Chumba, *op cit*, Oral interview, 7<sup>th</sup> July, 2016

crop cultivation. Subsequently, the peace pact brought total unity between the Keiyo and the Tugen and violators of the oath were punished. The communities now engage in trade at the trading centres near their territorial boundaries such as Kapkayo, Kabulwo and Kipcheptem (Keiyo) and Mokorwo and Kiboino (Tugen). During such commercial encounters, the Keiyo and the Tugen also exchanged ideas and provided an opportunity for courtship, making intermarriage another contributory factor to peaceful relations.

As mentioned earlier, one of the major consequences of conflicts between the Tugen and the Keiyo was loss of lives among the two communities. The most fatal of the losses was the loss of a whole generation of *Maina* age set of the Tugen who died during the livestock raids. The battlefield (in Baringo County) was later named *Borio Maina* (a place where the *Maina* age set group were eliminated). Property in both communities was destroyed, for instance, houses and granaries were burnt during the Rokocho (Keiyo) raids. In addition, livelihoods were destroyed and these included livestock, crop production and beekeeping.

The post conflict consequences include enhanced inter-marriages and cross-border barter trade between the two communities. Other benefits are construction of shared infrastructural facilities for example Kabulwo Bridge, Kabulwo Secondary School, establishment of joint peace committees, sports, cultural dance exhibitions, alternative rites of passage (*Tumdo ne leel*) ceremonies, and capacity building programmes on livelihoods by Government and NGOs<sup>32</sup>.

### **The Keiyo-Tugen Socio-Political Institutions**

The Keiyo and Tugen communities have a number of social institutions which played varied roles in the maintenance of law and order. Among the prominent social institutions is the institution of marriage which has made members of the two communities to bond and hence avoid conflicts. Inter-marriages conditioned members of the community not to fight or even curse each other as they considered themselves relatives. Interviews revealed that members don't even point a finger at each other<sup>33</sup>. Plate 8 and 9 shows the researchers interviewing respondents

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32 Kigen, Oral interview, 18<sup>th</sup> August, 2016 and Sangut, Oral interview, 22<sup>nd</sup> August, 2016.

33 Chepsergon, Oral interview, 5<sup>th</sup> July, 2016.



**Plate 8: Interview conducted with a participant from Keiyo community**

*Source: Researchers (2016)*



**Plate 9: Interview conducted with a participant from Tugen community**

*Source: Researchers (2016)*

The primary role of this institution was to socialize community members into the various values in the society and emphasise the importance of honesty, hard work and collective responsibility. In the two communities, leadership positions were given to individuals who had married, signifying the importance of marriage institution.

The family was regarded as the primary socializing agent, which was responsible for bringing up children who were taught virtues such as honesty, truthfulness, hard work and respect among others. The family also bestowed the responsibility of the 'brother's keeper' in which anyone who erred in the family would be corrected by one of the family members. The head of the family played a key role in mentorship of the children and the administration of rewards and punishments<sup>34</sup>

The household head made decisions which guided the family and were taken to be final. Occasionally, the head of the family consulted the entire family on certain issues, particularly the husband and wife (*ngorwoch mui*). Others consulted included brothers and parents<sup>35</sup>. The extended family largely played mentorship role and provision of counselling services especially to younger family members on various life issues including family welfare, good neighbourliness, social relations and economic development. In addition, the extended family members provided family labour in areas such as livestock herding and crop production during planting and harvest seasons<sup>36</sup>

The Keiyo as well as Tugen families taught their children not to steal property including livestock of each other's community. Participants believed that the family as an institution played a key role in instilling community values. In the family, the mother and the grand parents taught their children right values while the father disciplined the children<sup>37</sup>.

According to Lochumba<sup>38</sup>, the family institution played an important role in maintaining law and order as children are taught values that promote peace. For instance, they were taught not to steal or kill a person of the community or another community. Furthermore, mothers in the family sometimes removed their "birth belt" (*legetio/ legetiet*) as a way of stopping conflict. Lochumba<sup>39</sup>, further reported that

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34 Ismael Kite, Oral interview, 22<sup>nd</sup> August, 2016

35 Kiptoo, Oral interview, 23<sup>rd</sup> August, 2016

36 Kigen, Oral interview, 18<sup>th</sup> August, 2016.

37 Kiptui, Oral interview, 3<sup>rd</sup> August, 2016 and Kipro, Oral interview, 4<sup>th</sup> August, 2016

38 Lochumba, Oral interview, 18<sup>th</sup> July, 2016

39 Lochumba, Ibid

members of every Tugen clan met occasionally to instil values to the young ones. The clan elders also engage in peace negotiations between their clan and others and are in charge of disciplining peace violators. As an institution, the clan is therefore the primary institution for maintenance of law and order besides the family.

Similarly, the Age set (*Ependo*) played an important role in maintaining law and order. The age set would address cases of misconduct by any of their members. They provided peer counselling and would not allow one of their own to go astray. The age set met during livestock herding and ceremonies such as music festivals (*Tien*), circumcision, engagement, weddings and would correct each other. Among the Keiyo there are eight age sets namely; *Kaplelach, Kimnyigei, Nyongi, Maina, Chumo, Sawe, Korongoro, and Kipkoimet*. The Tugen community has similar age sets except the *Maina* which has since ceased to exist because of alleged conflict between either Keiyo and the Tugen or Tugen and the Maasai. Women also have their own age sets, but are not much pronounced. Chepseba<sup>40</sup> is in agreement that women had age sets namely; *Chemosinya, Chesor, Kosanja, Chelemei, Chebargamai, Chebongwak, Selengwech* and *Chesiran*. These Age sets therefore played roles that complemented those of the males.

Likewise, the clan (*Oret*) played an important role too. Keiyo and Tugen clans are many and each is represented by certain totems, with specific meanings. Each of these clans had land for animal and crop production to meet domestic needs of her members. Such pieces of land transcend three ecological zones, that is, the highland, escarpment and the Kerio valley. Livestock would be grazed on clan land, beehives suspended on trees and crops cultivated to feed the clan families. The clan socialized her members into their culture, norms, traditions and belief systems. Examples of clans include *Sogom, Kobil, Saniak, Sot, Shokwei, Tala (talai) and Targok* among others. The clan was particularly instrumental in marriage negotiations as well as resolving disputes emerging from boundary disagreements with other clans or communities over grazing fields, salt lick and crop cultivation areas<sup>41</sup>. The clan elders allocated land to clan members and regulated access to and use of the land.

Equally important was the indigenous religion and people's belief in the existence of a Supreme Being who instilled the fear of the unknown and brought peaceful co-existence amongst the people. For instance, both the Keiyo and the Tugen recognised

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40 Chepseba, Focus Group Discussion, A.I.C Cheptebo Rural Development Centre, 15<sup>th</sup> September, 2016

41 Kigen, Oral interview, 18<sup>th</sup> August, 2016

the presence of a supreme being who was responsible for all the happenings in the society. They believed that God would be happy when people did the right things and would be annoyed when people did wrong, in which case calamities such as drought and diseases would befall the people. They made their prayers to the Supreme Being through, *Asis* (the Sun) and believed that such prayers would be answered. Prayers were made both by men and women either for purposes of thanksgiving after bumper harvests, when livestock increased and after successful initiation ceremonies. Prayers were also made to ask for forgiveness and blessings whenever evils befell the community<sup>42</sup>.

Furthermore, circumcision as a rite of passage makes initiates to be comrades in arms throughout their lives. The Keiyo and Tugen circumcision rites are similar although each community organised their own rites separately. Traditional circumcision ceremonies provided an opportunity where the two communities reinforced the indigenous teachings of their ancestors including the rituals and agreements involved in the Keiyo- Tugen oath. Apparently, the initiates learnt the consequences of acting contrary to the oath. It was believed, for instance, that one of the consequences of the oath was that if a person from one community steals from another community, he/she would nose bleed until he/she confesses and a member of the community whose property was raided “spits” on the culprit as a sign of forgiveness<sup>43</sup>. Similar teachings were taught by the family and also by elders of the clan.

The Keiyo and Tugen communities have a number of rites of passage right from childbirth to death. Every rite of passage had some significance to community members which entailed certain teachings given to those who participated. The teachings centred on community values and relations, and the essence of peaceful co-existence with neighbours. For male initiates, teachings covered contents of the oath taken by the Tugen and the Keiyo including repercussions for those who did not comply with the provisions of the oath. Individuals who were circumcised together would refer to each other as *Bakulei* and related as a strong group just like brothers, assisting each other in times of need. The level of respect between them is quite high<sup>44</sup>.

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42 Boss, Oral interview, 18<sup>th</sup> August, 2016)

43 Details obtained from Kiptemoi, Oral interview, 6<sup>th</sup> July, 2016, Kiptoo, Oral interview, 23<sup>rd</sup> August, 2016 and Keiyo Focus Group Discussion, A.I.C Cheptebo Rural Development Centre, 15<sup>th</sup> September, 2016

44 Changwony, Oral interview, 17<sup>th</sup> August ,2016

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The overall role of the two communities was to socialize their respective members into societal roles and individual obligations. The community also played the role of inculcating virtues such as hard work and honesty to its members. All community members were expected to uphold societal values, elderly community members would occasionally correct the wrong actions of children wherever they encountered them. In Keiyo, this was done by meting out punishment popularly referred to as *Kimarsit* (corporal punishment). However, this has changed in the modern society where punishment is only meted by family members<sup>45</sup>.

Like other communities worldwide, the KETU communities are governed by political institutions whose primary roles are resource allocation and safeguarding the interests of their communities. These political institutions included Council of Elders and foreseers (*Orgoiik*).

The Council of Elders was (and still is) composed of respected community elders tasked with the responsibility of ensuring that the maintenance of law and order was upheld, making them the chief custodians of their culture. Further, the Council of Elders allocated community resources especially water (watering points) and pasture, ensuring there is equity to minimise chances of emergence of inter-clan conflicts. The elders would convene regular meetings to review community relations and always encourage clans to have regular dialogue whenever there were signs of conflicts to forestall them from exploding. The elders were allowed to use the walking stick (*Nokirwet*) which symbolised power and authority. It was used when carrying out community functions<sup>46</sup>.

Two interviewees<sup>47</sup> Kabon and Lochumba, posited that members who violated community values would be disciplined by the community elders in accordance with the offences they committed. For minor violations, the elders would sit, call the culprits and judge them. Those found guilty would be whipped and released. For major offences like murder, the culprit would be tortured by whipping with a hot iron rod after which a cow from the family of the offender was slaughtered as a sacrifice. In some cases, the culprit would be cursed and sent to exile by the elders. Some of the offences were dealt with differently by elders especially on incidences that happened within their communities. Those affecting both communities were dealt with jointly by elders from both divide.

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45 Toroitich, Oral interview, 17<sup>th</sup> August, 2016

46 Boss, Oral interview, 18<sup>th</sup> August, 2016

47 This information was obtained from the following oral interviews: Kabon, Oral interview, 14<sup>th</sup> July, 2016 and Lochumba, Oral interview, 18<sup>th</sup> July, 2016)

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Mr. Chumba<sup>48</sup> held the view that in the unfortunate incident where anyone from either communities raided livestock, the raider would usually bring back the stolen livestock for fear of the consequences of going against the peace pact. One participant<sup>49</sup>, added that:

“The Council of Elders plays a key role in the maintenance of law and order among the Keiyo and Tugen. In addition, the chief and security agents’ complemented in solving complicated cases by arresting and prosecuting perpetrators. Besides, children of the two communities attend the same schools and this has brought unity among learners from the two neighbouring communities. The schools located in the Tugen side, of Kerio Valley currently perform better and hence attract children from the Keiyo side.”

There existed a special category of elders referred to as “*boisiek chekiba bore*” who underwent additional ritual ceremonies other than male initiation in their lifetime where community “Do’s and Don’ts” were taught<sup>50</sup>. The names of such persons were preceded by the words *Bar* for example *Barmasai, Barngetuny, Barsolai, Bartenge, Barchok and Bargoria* among others. Such elders were respected in the community and their opinion would always be sought before making important decisions. The elders were easily identifiable because of their character – they were upright in the community (*Libwob*). They were the only ones permitted to administer curses whenever the need arose and they would bear the negative consequences of the curse on behalf of the community<sup>51</sup>.

Occasionally, elders convened meetings to discuss problems affecting the two communities. During such forums, people brought lost livestock to the meeting so that the owners could identify their lost livestock. If the livestock were not identified, the people possessing them were required to return the lost livestock until subsequent meetings. If the owners were still not identified during the fourth meeting, then the elders would bless the possessor of the livestock and declare them to be the new owners<sup>52</sup>.

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48 Chumba , Oral interview, 7<sup>th</sup> July, 2016

49 Kapkiai, Oral interview, 12<sup>th</sup> July,2016

50 Boss, Oral interview, 18<sup>th</sup> August,2016

51 Cheboswony, Oral interview, 17<sup>th</sup> August, 2016

52 Chemjor, Oral Inrerview, 4<sup>th</sup> July 2016

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According to Chemjor<sup>53</sup> of Sacho Soi location, the Keiyo and Tugen elders convened meetings of the two communities in designated venues where they discussed matters of mutual interest. In contemporary time, the Keiyo of Soi South and Tugen of Sacho Soi locations meet and interact regularly at Kapkayo market centre (Keiyo South) and other centres and/or schools. In 2014, for example, the two communities met at Kapkono centre (Keiyo North) in a *baraza* to investigate lost livestock. During this meeting, young men from both communities were warned and threatened with a curse if they were the ones who raided livestock. Elders of the communities who had been appointed as clan elders would be in charge of instilling the values to culprits who are beyond family capacity to handle<sup>54</sup>.

On their part, foreseers (*Orgoiik*) are individuals who were often consulted before the communities went to raid/ war and they made predictions to foretell the chances of success. They used cowry shells (*barbarek*), and also sheep/goat intestines (*kebirmoet*) to make such predictions<sup>55</sup>. Their predictions were taken seriously by the two communities and none of them could go for raids if there were indications of failure. However, if such predictions were in the positive, either community would proceed with the raids. Those who defied the predictions faced dire consequences.

### **The Keiyo-Tugen Peace Pact: The Perpetual Bond**

This section discusses critical aspects of the peace pact: the places where the renewals of the pact were carried out, the nature and role of participants, the frequency of the renewals, the materials used, the words uttered by the elders who administered oaths and the obligations the oaths imposed on all members of the two communities.

The frequency of conflicts between the Keiyo and the Tugen, in the past, contrasts sharply with the co-existing peaceful relations between the two communities today. How did the peace pact turn around the debilitating situation? The answer must be sought in the manner the peace pact was conducted in the past and today and, quite significantly, their symbolism and contribution to peace.

The peace pact and the oaths, which accompanied them, were at any given time, carried out between sections of the Keiyo and Tugen whose relations were threatened with conflict rather than involving the entire members of the two communities. But they were conducted in carefully designated places. The choice of the sites was

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53 Chemjor, *ibid*

54 Kiptui, Oral interview, 3<sup>rd</sup> August, 2016 and Kiprop, Oral interview, 4<sup>th</sup> August, 2016

55 Sawe, Oral interview, 23<sup>rd</sup> August, 2016

based on their ritual importance either as places remembered for their contribution to the historical constitution of the two communities or as places where previous circumcision ceremonies were conducted. This was quite significant as it allowed the communities to relive their past historical experiences as they charted the path for the future. One site, among many others, is still remembered in this regard: Chemurkoi in Metkei<sup>56</sup>. The sites represented holy ground and underlined the importance of the peace pact in the livelihood of the two communities. The peace pact ceremonies and renewals were held alternately in areas inhabited by the two communities. Alternately the peace pact renewals were either done in Keiyo or Tugen. This created a sense of mutual respect and equality between the two communities.

The Peace pact rituals formed an important aspect of the KETU relationships. The rituals were held in homes of individuals who were identified on the basis of unblemished social status and known for exemplary conduct in society. Once identified, these individuals hosted both communities. Some of the homesteads where such peace ceremonies have been held include that of Kaptoromo in Rokocho (Keiyo) and Kapchepsaigut in Emkogo (Keiyo) and Kapkulunya in (Tugen). Respondents indicated that the peace pact renewals were made in 1915, 1955, 1970, 1974 and 1998. The communities involved in peace pact renewal of 1974 were the Keiyo of Soy division and the Tugen of Kabarnet Soi division. Similarly, the communities involved in the 1998 peace pact renewal were the Keiyo of the current Keu location and the Tugen of Kerio- Kaboskei Location. This renewal was held at a place called Kapyano in Kabulwo in Keiyo<sup>57</sup>

Whenever the ceremonies were held, two senior ritual experts from each community presided over the ceremony and administered oath. In contrast to the peace ritual, during communal cursing ceremonies, the culprits or criminals were stripped naked, “cursed by the elders and beaten with red hot iron”<sup>58</sup>. During the cursing ceremony, in attendance were elders and warriors. However, women who were past child-bearing age and sanctioned by elders played important roles in the ceremonies.

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56 This information was gathered from oral interviews. See Chebet, Oral interview, 15<sup>th</sup> August, 2016; Chepkuiyeng, Oral interview, 15<sup>th</sup> August, 2016; Boss, Oral interview, 18<sup>th</sup> August, 2016 and Sawe, Oral interview, 23<sup>rd</sup> August, 2016)

57 KETU Joint FGD, Iten, 22<sup>nd</sup> September, 2017

58 Interviews with Cheboswony, Oral interview, 17<sup>th</sup> August, 2016, Chemjor, Oral interview, 4<sup>th</sup> July, 2016, Kiptemoi, Oral interview, 6<sup>th</sup> July, 2016 and Chepsergon, Oral interview, 5<sup>th</sup> July, 2017).

Materials used during the peace rituals were as carefully chosen as the sites and the elders<sup>59</sup>. They included unblemished livestock: cows, goats and particularly, sheep of one colour, usually black. These were intended to represent a perfect society with harmonious relations. For instance, sheep was used in the entire ceremony, for “it is docile and non-violent in nature”, which was in line with the theme of peace making between the two communities. Well prepared blood, milk, honey and alcohol were brought to the site by carefully chosen individuals from both communities. Food and beverages were and are still highly treasured in both communities as unrivalled givers of life and happiness. They are therefore shared to symbolize the yearning for harmony, tranquillity and prosperity. The livestock were slaughtered, cooked and shared out in accordance with age and gender, the two determinants of roles and responsibilities in both communities.

In addition soil, a sharpening stone (*Litei /Liteito*), a special arrow used for obtaining blood from a cow (*Longno/ Longnet*) and fire were brought to the site and either exchanged or used for different purposes. The soil represented the land and source of life. The sharpening stone was meant to prepare communities for mutual defence against their common enemies. Fire signified the power of the sun God (*Asis*): the power of creation and reproduction of members of the community and the power of destruction of individuals who caused conflict. Fire was also commonly used to destroy weeds and other vermin which were deleterious to agro-pastoralism.

Equally important were the propitiatory words and exhortations uttered during the peace pact, often in the form of prayer<sup>60</sup>. At the end of the ceremony, the ritual elders made statements such as the following: “*Oba ne mie ak koribok momechu, kotoretok chebo Koilegen ak Asis*” (May you go well and may this oath help you and may the god of Mt. Koilegen and the Sun God help you). “*Ripech momechu kakeam achek tugul biikab Tugen ak Keiyo ako chi ne wechei mumechu koporei mumechu*” (may this oath which we have taken protect us all, the Tugen and Keiyo and anybody who violates it shall certainly die).

In equal measure, members of the two communities were assured of life and prosperity if they respected and upheld the peace; they were condemned to death if they violated the obligations associated with the peace pact. Everyone was implored to completely desist from activities like livestock rustling and other forms of theft, rape of women

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59 Kiprop, Oral interview, 4<sup>th</sup> August, 2016; Kabon, Oral interview, 14<sup>th</sup> July, 2016; Chepsergon, Oral interview, 5<sup>th</sup> July, 2016, and Lochumba, Oral interview, 18<sup>th</sup> July, 2016.

60 Kabon, Oral interview, 14<sup>th</sup> July, 2016 and Lochumba oral interview, 18<sup>th</sup> July, 2016

and killing of wild animals including snakes during the period. They were, further, called upon to report all cases of infractions of the law. It was believed that those who failed to comply with the terms of the pact were condemned to death; those who failed to report crime and criminals, lost either their eyesight or hearing abilities.

### **Dynamics of Keiyo–Tugen Peaceful Co-existence**

Historically, the Keiyo and Tugen communities fought and raided livestock from each other until they took an oath during the age sets of *Kaplelach*, *Kipnyigei* and *Nyongi* when the *Maina* age group were warriors<sup>61</sup>. Thus, “*before the peace pact, there was lots of instability and insecurity which was occasioned by raiding of livestock*”. The consequence led to loss of human lives and livestock<sup>62</sup>. The instability caused a lot of worries and suspicions among the two communities who later agreed to come together into reconciliation which led to the peace pact.

Keiyo FGD<sup>63</sup> agreed that the oath renewals were administered in specific adjacent regions (zones) within the Keiyo- Tugen border that were faced with unique issues of conflict. The consequences of the oath therefore only affected those zones which agreed to the oath. This made other people living in adjacent zones fear attacking each other opting to attack far from their neighbours. This was a strategy for strengthening the original peace pact. However, such renewals were not binding to other zones which were not party to the conflict. It is important to note that the original oath was binding to all KETU communities in all the regions.

A number of factors promoted the harmonious relations between the two communities. First, intermarriages which occurred when two persons (male and female from different communities) agreed to get married and form a family by putting away their communal differences and establishing a very close relationship between the relatives who turn to be in-laws. This was one factor that was mentioned by the interview participants as important in the promotion of the peaceful co-existence between the two communities. Intermarriages brought respect for each other among the relatives and hence contributing as a major factor for peaceful co-existence.

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61 Chumba, Oral interview, 7<sup>th</sup> July, 2016

62 Chemjor, Oral interview, 4<sup>th</sup> July, 2016

63 Keiyo Focus Group Discussion, , A.I.C Cheptebo Rural Development Centre, 15<sup>th</sup> September, 2016.

Equally important were taboos. These are a set of values applied to control the behaviour and habitual aspects of people in a community and hence acting as codes of regulating human conduct<sup>64</sup>. As a factor responsible for the peaceful co-existence of the Keiyo and Tugen, taboos were clearly described by the *Kigirei* concept which cuts across the belief system of the two communities and was highly valued as a regulator of human behaviour. The peace pact defined taboos (*Kigirei*) which regulated the behaviour of members of the two communities<sup>65</sup>. For instance, the taboos controlled the illegal harvesting of honey, an important food and economic resource of both communities<sup>66</sup>.

Immediately after the peace pact was reached, shared resources became the order of the day among the Keiyo and Tugen communities. One of the most significant resources was River Kerio which is a source of fish, water for both human and animals. Grazing fields are still evident up to date where goats from the Tugen cross over in the morning to Keiyo land, graze and then go back to Tugen land in the evening as illustrated in Plate 10



**Plate 10: Goats heading towards Cheploch bridge**

Source: Researchers, 2016

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64 Chebet, S. & Ton, D. (2000), *Climbing the Cliff: A history of the Keiyo*, Eldoret, Moi University Press.

65 Kisoi, oral interview conducted on 26th July, 2016

66 Temo, oral interview conducted on 27<sup>th</sup> Jul, 2016 and Kiptoon, oral interview conducted on 1<sup>st</sup> August, 2016).

Neither the Tugen nor Keiyo would hold on, kill or steal the goats from each other. Joint sporting activities for example football games in Kuikui have also been organised where both communities play together peacefully. Some also engage in diving in Cheploch gorge as a form of eking out a living while promoting tourism as highlighted in Plate 13, 14, and 15.

Embedded belief system in the peace pact also helped to reinforce the co-existence. The fear of the dire consequences of the peace rituals that led to the peace pact established a strong belief system that still binds the Keiyo and Tugen communities and hence contributing to the peaceful co-existence of the two communities to date. Beliefs are a set of norms and values that determines what is wrong or right in a community.

Interviewees from Keiyo community reported that before the Keiyo – Tugen peace pact, it was only in Keiyo region where there was only one Maasai woman circumciser. Circumcision of Keiyo and Tugen girls was done at Emkogo village in Anin sub location. Girls from Tugen would travel all the way to Emkogo village to be circumcised alongside Keiyo girls. This partly contributed to peaceful co-existence between the two communities<sup>67</sup>. The name Emkogo was acquired due to the large number of women who participated in the traditional rite of circumcision. In our view, this was another ceremony that brought the two communities together and strengthened their relationship because most of the Tugen initiates got married to Keiyo men.

In the contemporary society, the Tugen and Keiyo have been implementing joint annual alternative rites of passage for young girls locally known as *tumdo ne leel* at Chepsirei near Fluorspar mining company as a counter against the retrogressive female genital mutilation. This has also contributed to promoting the peaceful co-existence among the Keiyo and Tugen communities.

Joint male circumcision ceremonies among the Keiyo and Tugen communities were not common but in the contemporary society, churches like the AIC, the Catholic and organisations like Emoo have implemented joint annual circumcision for all the Kalenjin communities. It is important to note that this is an emerging trend which was not common among the two communities but the impact of religion and entry of other stakeholders including NGOs and CBOs have changed the way of life among the two communities.

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67 Sawe, Oral interview, 23<sup>rd</sup> August, 2016

According to Chemjor<sup>68</sup>, the Keiyo and Tugen have been holding joint indigenous circumcision ceremonies periodically. These ceremonies are held in Keiyo or Tugen areas every two to three years alternately. In the recent past, Christian rites have been incorporated in the circumcision ceremonies.

The climatic conditions in most of the Tugen territory are arid and semi-arid making the land less productive. Currently, Tugen community members have bought land in Keiyo and have lived peacefully together in the neighbourhood.

Interviewees from the Tugen community presented similar views when describing Keiyo- Tugen relations. For instance, Chemjor<sup>69</sup>, a 69 year old participant from Sacho Soi location said that the Keiyo and Tugen co-existed because they respected each other as a community. This culminated in non-stealing of livestock from each other. According to Arusit, the peace agreement between Keiyo and Tugen communities was as a result of a long period of sustained rivalry between the two communities<sup>70</sup>.

#### **Nature of KETU Peace Pact(s)**

Kiptoon<sup>71</sup> explains that the peace rituals involved the indigenous decoration of a black Ewe Lamb (which would then be released after the rituals) and the slaughter of a bull which was used to feed those who attended the ceremony. In one of the rituals the Tugen slaughtered a bull and its blood was mixed with milk brought from Keiyo. The same sentiments were echoed by Kiprop<sup>72</sup> who added that, “the bull to be slaughtered was painted from the head to the tail with blood and milk on alternate basis”. These rituals were symbolic as they signified that no more blood would be poured. That means it automatically became a taboo (*Kigirei*) to steal livestock from either members of the community

According to Sawe<sup>73</sup> the two communities drank the mixture of blood and milk to seal the peace pact.. Sawe concluded that after the rituals there was drinking of indigenous brew made from honey (*Kipketinik*). The traditional brew was used to celebrate the conclusion of the pact. Informants were unanimous in describing the Keiyo - Tugen relations as harmonious. This was evidenced by the sharing of natural resources that include livestock grazing farmlands and land designated for crops

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68 Chemjor, Oral interview, 4<sup>th</sup> July,2016

69 Chemjor, *ibid*,

70 Arusit, Oral interview, 21<sup>st</sup> July,2016

71 Kiptoon ,Oral interview, 1<sup>st</sup> August, 2016

72 Kiprop, Oral interview , 4<sup>th</sup> August, 2016

73 Sawe, Oral interview, 23<sup>rd</sup> August,2016

This peaceful relation is reinforced by intermarriages<sup>74</sup>. This peaceful co-existence between the Keiyo- Tugen was anchored on oath taking by the two communities. A female respondent, Kapkiai<sup>75</sup> noted that Christianity has added value to the existing harmony between the two communities.

Interviewees from Keiyo community reported that animal parts played a significant role in enhancing the peace pact. For instance, the liver was shared conditionally between the Keiyo and Tugen in that if the Keiyo ate the animal liver raw then the Tugen would eat it cooked and vice versa. If the condition was not adhered to, then dire consequences would befall those violating, including nose bleeding. Cheboswony<sup>76</sup> from Rokocho sub-location in Kibargoi location pointed out that *Nokirwet* (elders' walking stick) was significant in stopping conflict between two factions. Therefore, only community elders were allowed to use it. These sentiments were corroborated by Chebet<sup>77</sup> from Metkei.

Women also played critical roles in the management of conflict among the Keiyo people. Bartilol<sup>78</sup> from Singore sub-location in Kibargoi location indicated that *Leketiet* (women special leather belt decorated with beads) was used to stop conflict between two groups or two individuals. Equally *Leketiet* was worn by women to withstand pain during war as well as by women after child birth.

### **Safeguarding the Keiyo- Tugen peace Pact**

From the foregoing discussion it is evident that a number of approaches and strategies were ingrained in the peace pact to guard against violation of the same. There are specific consequences for going against the peace pact which were cited by participants from both the Tugen and Keiyo. These included nose bleeding (which was stated as 'very common' symptom), temporal insanity (especially for those who stole honey from other people's beehives), death, and lastly, collateral curse could affect the violators of the peace pact<sup>79</sup>

According to Keiyo interviewees there were warning signs for those who violated the oath notably -bleeding through the nose, ears and subsequently death, if one did not confess<sup>80</sup>. The consequences were notable among the Tugen and Keiyo and a

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74 Kiptemol Oral interview ,6<sup>th</sup> July,2016

75 Kapkiai, Oral interview, 12<sup>th</sup> July, 2016

76 Cheboswony, Oral interview, 17<sup>th</sup> August 2016

77 Chebet, Oral interview, 15<sup>th</sup> August,2016

78 Bartilol, Oral interview, 18<sup>th</sup> August,2016

79 Chepkuyeng, Oral interview, 15<sup>th</sup> August, 2016

80 Chepkuyeng, *ibid*



special cleansing ceremony would be performed to normalise the situation. Such a ceremony would involve the use of milk and blood from chosen animals from the two communities, and performed by community elders from the two communities<sup>81</sup>.

Participants from Tugen community emphasised that it was a taboo to steal livestock from either community. They further said that those who went against the peace pact would die. Kiptui<sup>82</sup> posited that members of the community who did not participate in the oath rituals were equally bound by agreements reached. Chumba<sup>83</sup> stated that when anyone went against the peace pact was questioned by the elders. Those found guilty were made to pay a fine in form of livestock as damages to the aggrieved person.

The Council of Elders was the sole institution charged with instilling these values within the community set up. As mentioned earlier, it was believed that “those who went against these values would fall sick, and at times, blood would ooze from their noses”<sup>84</sup>. According to Kisoï<sup>85</sup>, if a person did not adhere to the pact, death would ensue. In some cases, this was preceded by swelling of the stomach and blood oozing possibly from every opening of the body especially the nose.

Other respondents corroborated that the condition did not have any cure and hence led to automatic death. Kiptui<sup>86</sup> however, alluded that there were times when people from Keiyo side would burn the victim using dry grass. Kiproop<sup>87</sup> however, noted that *“if you confess the offence and ask for forgiveness, then blood was obtained from a cow and sprayed on the individual who would later drink the blood and pay a fine of either goats or cows depending on the magnitude of the offence.”*

### **Sustainability of the Keiyo-Tugen Co-existence**

From the foregoing, it is clear that every process of the peace pact and the accompanying rituals and oath played an important role in determining peaceful co-existence between the Keiyo and the Tugen. Though the pact was necessary, it was not by itself sufficient in the sustenance of peace.

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81 Chepkiyeng, *ibid*

82 Kiptui, Oral interview , 3<sup>rd</sup> August,2016

83 Chumba, Oral interview, on 7<sup>th</sup> July,2016

84 Arusit, Oral interview, 21<sup>st</sup> July,2016

85 Kisoï, Oral interview, 26<sup>th</sup> ly,2016

86 Kiptui , Oral interview, 3<sup>rd</sup> August,2016

87 Kiproop, Oral interview, 4<sup>th</sup> August,2016

One of the important factors was the communities' shared values. These included norms, traditions, religion and taboos, which were acquired by all members of the communities through socialization by the nuclear and extended family, the clan and the wider society. These values constituted *Kigirei* meaning unacceptable behaviour and practices<sup>88</sup>. *Kigirei* was the unwritten code of conduct, the ancestral charters, which regulated individuals' conduct, inter-personal and inter-communal relations. It restrained individuals from committing crimes including theft, murder, slander, rape, cursing others without elders' sanction, among others. Its custodians were the elders who were held in high esteem, hence the pivotal role they played in the peace pact and the adjudication of justice in society. *Kigirei* was, therefore, responsible for the universally held belief that those who violated the peace oath faced dire consequences. This belief acted as a powerful restraint. The frequency of the peace pact through renewals was another contributory factor to the long lasting bond between the Keiyo and the Tugen.

Closely related to *Kigirei* was the practice of communal egalitarianism. This was manifested in the sharing of resources, including grazing fields, salt licks, River Kerio and its tributaries for watering livestock. In recent years, the sharing of these resources has been undermined by individualization of land ownership and other capitalist ethos.

Further, there also existed symbols of peace and violence or war. Spear blade covered with a pouch symbolized peace. A warrior carrying such a spear was left to go about his errands peacefully. However, warriors carrying spears with uncovered blade were considered hostile and ready for actual engagement in war. This meant that every warrior was careful in the manner they handled their weapons.

Finally, the relatively different ecologies of the two communities as outlined earlier, has created economic interdependence between the two communities and reinforced the necessity of peaceful co-existence. Different ecologies with their specific temperatures, soils and rainfall patterns called for specialisation in food production which led to economic interdependence. The agro-pastoral goods produced were exchanged in markets along the border.

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88 Chebet, S. & Ton, D. (2000) *Climbing the Cliff: A history of the Keiyo*, Eldoret, Moi University Press. For collaboration of this information see also Kiso, Oral interview, 26<sup>th</sup> July, 2016.

### **Significance of Keiyo–Tugen Peace Pact**

There is need to examine why the Keiyo and the Tugen, like many other communities which find themselves in conflict situations, re-enacted their peace rituals periodically and what these renewals really meant or signified. Behrend<sup>89</sup> has rightly stated, in specific reference to the Tugen, that Kalenjin communities write all facets of their history in ritual and that they view history “as a cycle of events which repeats itself, a history in which nothing is lost, and in which new events cannot develop”. This cyclical rather than linear concept of history manifests itself in the community’s age-grades and cyclical age-sets into which individuals are initiated through very elaborate rituals. What is significant is that Kalenjin communities do not celebrate all events in history even as they want to forget some of them. All events, good and bad, are memorialised through rituals by means of which, according to the living, “intend to play a trick on destiny” so that negative events such as conflicts are minimised to avert their disastrous consequences<sup>90</sup>. This, according to Gumbrecht<sup>91</sup> is “decent use of history”.

In a fundamental sense, Keiyo and Tugen peace rituals, like others elsewhere, are historical<sup>92</sup>. These rituals are inextricably linked up with the people’s historical experiences. Their purpose is to structure society to ensure its equilibrium and continuity on the basis of consensus. Secondly, peace rituals are ways by which people’s historical events and experiences are re-enacted through performances. As explained by Taylor<sup>93</sup>:

(Rituals as) performed embodied practices which make the “past” available as a political resource in the present by simultaneously enabling several complicated, multi-layered processes, i.e. a performance may be about something that helps us understand the past, and it may reactivate issues or scenarios from the past, by staging them in the present. ... The physical mechanics of staging can also keep alive an organizational infrastructure, a practice or know-how, an episteme and a politics that goes beyond the explicit topic.

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89 Behrend, H. (1985), ‘The Crooked Paths of Time: The Concept of History Among The Tugen Of Kenya’ pp-188-196, [https://www.anthro.ox.ac.uk/sites/default/files/anthro/.../jaso16\\_3\\_1985\\_188\\_196.pdf](https://www.anthro.ox.ac.uk/sites/default/files/anthro/.../jaso16_3_1985_188_196.pdf)

90 Behrend, H. (1985), Ibid. Pp 188-196

91 Gumbrecht, Hans Ulrich, (2001), ‘Review: On the Decent Uses of History’, *History and Theory*, Vol. 40, No. 1 (Feb., 2001), pp. 117-127.

92 Kelly, J. D. and Kaplan M (1990). ‘History, Structure, and Ritual’, *Annual Review of Anthropology*, Vol. 19 (1990), pp 119-150.

93 Taylor, D. (2006). ‘Performance and/as History’, *TDR* (1988), Vol. 50, No. 1 (Spring, 2006), 67-86, p 68

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She adds that “the again-ness of performance offers a different modality of thinking of the again-ness of history, which is also made present and alive in the here-and-now”<sup>94</sup>. Peace rituals as performances establish the necessary links between the past, the present and the future of the Keiyo and the Tugen, aimed at the sustenance of peace between the two communities and between them and their biotic and physical environment.

While contributing to discussions on rituals, Forgelin<sup>95</sup> adds that as historical events, rituals are religious events as well. The significance of all rituals is manifested in the following features: *formalism* due to their unique codes of speech and action; *indigenism* because of their employment of archaic elements; *invariance* due to their strictness and repetitive patterns; *rule-governance*, as they are governed by rules that determine appropriate behaviour; *social symbolism* based on their sacredness; and finally *performance*, since rituals involve public display of prescribed action<sup>96</sup>. How, and to what extent were these features inherent in Keiyo - Tugen peace rituals?

Among the Keiyo and Tugen, rituals provided members of the community with security, established meaning and identity and functioned as mechanism of control. The sacrificial rites were an expression of man’s affectionate belongings. They represented the height of altruism, faithfulness, love and reverence. They represented the completion of propriety and refinement<sup>97</sup>. The underlying factor that influenced the adherence and continued performance of these rituals and ceremonies was deeply rooted in the beliefs and values of society, which were consciously held about almost everything that has come into existence without demonstrable explanation.

Taboos were applied to control the behaviour and habitual aspects of people, hence acting as codes of conduct<sup>98</sup>. On the other hand, curses were words uttered by elders who were believed to possess supernatural powers. The belief among the Keiyo was so strong that victims who were cursed were affected by the curse. Similarly, oaths were uttered in defence of an allegation of an act believed to have been committed by a person. The oath after being administered by an elderly person was believed to

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94 Taylor, D. (2006), *ibid* , p83

95 Fogelin, L. (2007). ‘The Archaeology of Religious Ritual’, *Annual Review of Anthropology*, Vol. 36 (2007), pp 55-71

96 Fogelin, L. (2007). ‘The Archaeology of Religious Ritual’, *Annual Review of Anthropology*, Vol. 36 (2007), 55-71, p 58

97 Chebet, S. & Ton, D. (2000) *Climbing the Cliff: A history of the Keiyo*, Eldoret, Moi University Press.p 43

98 Chebet & Ton Dietz, (2000), *Ibid*, p 49

be binding and its effects could either be experienced immediately or later during the generations that followed. Social sanctions were meted against public derelicts like penal sanctions were invoked on offenders who committed social crimes as a result of not observing the acceptable social norms<sup>99</sup>. The swearing by oath was deemed binding so that anybody taking it while guilty was believed to suffer the consequences thereafter.

Previously the legal proceedings were, to Western minds, less logical, but possibly they caused very few, if any, miscarriages of justice. The proceedings depended as much on oaths on evidence. The natives went through all their ceremonies with the seriousness due to such important occasions. If the accused in any case did not admit their guilt, and if there was only slight or conflicting evidence against them, the case was settled by resort to oaths, or ordeals. This, or the threat of it, was always effective in making a guilty person confess<sup>100</sup>.

Naturally, this procedure by oaths depended entirely on the mental attitude of the native, who firmly believed that an oath falsely taken by them before the elders would bring on them the penalties themselves named. The usual affirmation was "If I speak falsely, may I die." When this was considered inadequate, others were substituted, varying according to the nature of the case<sup>101</sup>.

In a theft case, where evidence was unsatisfactory and the elders could not bring in a verdict, the oath as reported by Massam<sup>102</sup> performed as follows:

Four spears were driven into the ground, forming a line. Facing these were four other spears, standing in line parallel to the first. At the entrance to the avenue thus formed was placed a hawk's feather. The accused (or rather the defendant, as all their law was more or less civil) was stripped naked and ordered to pass between the two rows of spears, exclaiming as he did so, "If I have not spoken the truth, I will never again see the green grass spring up. A spear will kill me before the rain starts." The other party to the suit might be required to go through the same ordeal. The spears were a warning to each of the parties that perjury would result in death – probably by his own spear – and the feather that he would be eaten by carrion.

If the oath was falsely taken the man soon sickened, and was then obliged to call his

99 Chebet & Ton Dietz, (2000), Ibid, p 51

100 Massam J. A. (1968). *Cliff Dwellers of Kenya*, London, Frank Cass and Company Ltd. P75

101 Massam J. A. (1968). Ibid , P76

102 Massam J. A. (1968). Ibid , p76

neighbours together to confess his wrong, and pay the penalty laid down by custom. The neighbours would probably then consent to spit on him in order to remove the curse, thus enabling him to recover his health<sup>103</sup>.

By 1919 the van Brenda brothers, the Afrikaners who settled in Uasin-Gishu in the aftermath of the Anglo-Boer War in South Africa during the first decade of the Twentieth Century, had been forced to abandon their holdings owing to thefts and hostility from the Keiyo. The colonial administration demanded that all the Keiyo leaders and elders gather at Bombo near Kaptagat (*Chesebet*) where a peace treaty was to be imposed. First of all, the Keiyo had to swear never to challenge colonial authority or the settlers. The swearing is reported to have gone as follows:

“*Kwek, Kwek Chesebet ak Bombo*” (Never, never at Chesebet and Bombo). The congregation had to repeat in chorus. In addition, the Keiyo had to surrender their weapons, bows, arrows, spears and shields to colonial administration. They were further required to forfeit all stock that had been confiscated. They were informed that the whole community would be punished if any of their members raided livestock from European farmers or any of its neighbours again<sup>104</sup>.

### **The Role of Stakeholders in the Sustenance of Peace**

A number of stakeholders, including the National and County governments, Non-Governmental Organizations (NGOs) and Faith Based Organizations (FBOs) have contributed to peaceful relations between the Keiyo and the Tugen as attested by respondents<sup>105</sup>. The National and County governments have established health centres, for example, Mokorwo, schools such as Kabulwo and market centres such as Kiboino which serves both communities. The stakeholders have also upheld law and order through the provision of security and settling disputes. Government institutions such as the Police, the Kenya Wildlife Service (KWS) and the local administration also organise and participate in forums which deliberate on and advocate peace. Although politicians usually involve the local communities in a number of activities, however they are not altogether trusted as honest peace brokers as they have sometimes abetted inter-community conflict to serve their own interests<sup>106</sup>.

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103 Massam J. A. (1968). *Ibid*, p 77

104 Chang’ach, J. K. (2011). *Agro-Pastoralism in Kenya*. Verlag:LAP LAMBERT Academic Publishing GmbH & Co. KG, Deutschland. p 69-70

105 Arusit, Oral interview, 21<sup>st</sup> July, 2018; Kisoi, Oral interview, 26<sup>th</sup> July, 2016; Temo, Oral interview, 27<sup>th</sup> July, 2016 and Kiptoon, Oral interview, 1<sup>st</sup> August, 2016

106 Kiptui, Oral interview, 3<sup>rd</sup> August, 2016

The peace pact re-enactment was witnessed by government officials from the National and County Governments and the researchers. Apparently, the security agencies of the government attending in large numbers (see Plate 11 and Plate 12)



**Plate 11: Administrative and security officers observing the peace ritual at Kabulwo**  
*Source: Researchers, 2017*



**Plate 12: Team of researchers who attended the peace re-enactment ritual as observers at Kabulwo**  
*Source: Researchers, 2017*

Non-Governmental Organizations (NGOs) including World Vision, Action Aid, Children’s Fund and the Catholic Justice and Peace Commission (CJPC) have all engaged the two communities on the value of peaceful co-existence. In addition, other Christian religious groups have been preaching peace as a vehicle for spiritual and socio-economic development. Further, both the NGOs and Faith-based organisations have funded provision of piped water, building of schools, bridges, markets, and dispensaries. All these efforts are aimed at economically empowering local inhabitants and thereby minimising their relative deprivation which is known to be one of the causes of violence in many parts of Kenya’s North Rift.

Presently, the youth engage in sports and games for recreation and eco-tourism. These include soccer and athletics, in places such as Kuikui and diving in the Cheploch gorge, River Kerio. Plate 13, 14, and 15 show the youth diving activities. These sports and games attract large numbers of participants and spectators and facilitate the establishment and sustenance of peaceful relations between the two communities



**Plate 13 and 14: Youth diving in Cheploch gorge**

*Source: Researchers, 2016*





**Plate 15: Youth swimming after diving in Cheploch gorge**

*Source: Researchers, 2016*

### **Peace Pact Renewals: Continuity and Change**

Peace pacts have been renewed in different Keiyo-Tugen border areas along the Kerio River as and when need arose. Participants indicated that these renewals coincided with the onset of age-set cycles when the rituals and oaths associated with them called for peaceful co-existence<sup>107</sup>. During circumcision ceremonies, the initiates were instilled with values that enhanced harmony between the two communities.

The peace renewals were largely responsible for the cordial relations since colonial period as reported by the Sub-County Commissioner (DC) Baringo in 1921 when he stated:

This year seemed likely to prove that the old feuds between the Elgeyo and Kamasia had died out entirely, but during the last two months of this year the Kamasia of Kapropita have been restless, anticipating a raid from the Sego Elgeyo. It is quite certain that no provocation will come from the Kamasia and it is to be hoped the Elgeyo will abandon any research that they may have been forming<sup>108</sup>.

It is noteworthy that the first major peace pact between the Keiyo and the Tugen was

107 Sawe, Oral interview, 23<sup>rd</sup> August, 2016, Chemjor, Oral interview, 4<sup>th</sup> October, 2016, Chumba, Oral interview, 7<sup>th</sup> July, 2016, Chepsergon, Oral interview, 5<sup>th</sup> July, 2016 and Temo, Oral interview, 27<sup>th</sup> July, 2016

108 Baringo Sub-County Annual Reports, 1914-1923, Annual Report for the Year ending 31/3/1921, KNA: DC/BAR/1/1)

held in 1870's<sup>109</sup> and was largely responsible for the cessation of conflict. Renewals were also occasioned by changed ecological situations, which threatened peaceful co-existence between sections of the two communities. Frequent occurrences of natural calamities such as drought and locust invasions, which destroyed the natural vegetation and crops and Rinderpest, which killed livestock led to famine and conflicts around areas previously considered to be natural boundaries. In such prevailing circumstances, boundaries were occasionally made untenable. These calamities contributed to occurrences of conflicts as the affected community endeavoured to search for food and restock livestock. Moreover, rivers like Kerio, Mokerua, Kipsas, Kibagain, Endo and their tributaries which were used as boundaries were often unreliable because some of them were seasonal and changed their course during floods. This usually led to disputes over land for cultivation and grazing, and outright theft or false claims of beehives.

Prior to the Carter Land Commission Inquiry in the early 1930s, such disputes caused a lot of problems to colonial administrators prompting the Sub-County Commissioner, Baringo to inform his counterparts in Tambach and Kabarnet about his inability to resolve them due to the unreliability of rivers as markers of lands belonging to the Keiyo and the Tugen, respectively<sup>110</sup>. Equally, colonial cartographic maps with their beacons failed to offer solutions to boundary disputes between the two communities. During the month of September 1932 the DCs summoned the local elders (Kiborer Arap Kaptalai, Toroitich Arap Tinir, Cheptorus Arap Tonji and Kipsoge Arap Chemitei (Keiyo) and Kiblabat Arap Chepkeres, Chepkwein Arap Murus and Chelal Arap Cheptoo (Tugen) to a meeting which culminated in the following agreement:

We the undersigned Elders of Metkei, Tumeiyo and Marichor Locations of Elgeyo, and Sacho Chepkero and Emom Locations of Kamasia agree to share in dry weather the grazing on both banks of the Mokerua River (as far as the Kimagain on the Elgeyo side). It is understood that no huts or *Bomas* are to be built by the Kamasia on the West of the River, or by the Elgeyo on the East<sup>111</sup>.

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109 Chelal, R. (1969) "Human Problems Associated with the Kerio River, Kenya" *East African Geographical Review*, No.7, pp53-60

110 Letter from DC Baringo to DC Tambach, 26th August 1932, Land Boundaries 1932; Baringo Sub-County, KNA: DC/BAR/5/1

111 Letter from DC, Baringo to DC Tambach, 21<sup>st</sup> November 1932, Land Boundaries 1932; Baringo Sub-County, KNA: DC/BAR/5/1

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In this manner, Keiyo and Tugen elders were made to accept the Kamasia-Elgeyo boundary, which was described as:

Commencing at beacon (Sagarar) on the Eastern boundary of L.O 503 thence in a generally easterly direction by a series of beacons to the summit of Mt. Kipkanyilet. Thence from its source northerly down the Kureswa-Kibrigongel-Kisonei-Mokorua River to its junction with the Ndo River Thence down the Ndo River<sup>112</sup>.

After this boundary agreement was signed, the DC Baringo assured DC Tambach as follows:

These agreements work well, and I hope a similar agreement here would meet with equal success. Feeling between the two tribes in the Mokerua region appears to be none too friendly, and a rigid water-tight boundary completely segregating them would in my opinion tend to perpetuate this bitterness, whereas if they mingle freely I hope in time they will become friends. They have a common tongue and common customs which should help<sup>113</sup>.

In our view, such agreements, though influenced by the interventions of colonial administrators only became meaningful and were accepted by the local inhabitants, if thereafter, they were solemnized by the renewal of indigenous boundary peace pact.

The FGD participants remember renewals that took place in later years particularly in 1970, and 1998. The one, which took place in 1998 was held at Emkogo in the home of Kapchepsaigut in Kamogich sub-location after Kerio River changed its course and altered the boundary between the Keiyo and the Tugen.

In addition to the renewals, the researchers requested for simulation of the peace pact ritual in form of re-enactment for the purposes of this study. This was conducted at Kabulwo in Keu location in Keiyo North on 7<sup>th</sup> December 2017 (Plate16, 17 and 18 and a documentary).

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112 Letter from DC, Eldama Ravine to DC Tambach, 13<sup>th</sup> September 1932, Land Boundaries 1932; Baringo Sub-County, KNA: DC/BAR/5/1

113 DC Tambach, Kamasia –Elgeyo Boundary on the Mokerua River, Political Record Book, Baringo Sub-County, 1910-1928, KNA DC/BAR/3/4.

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**Plate 16: Two traditional elders performing rituals at Kabulwo**

*Source: Researchers, 2017*

The two ritual experts sit as they conduct the peace pact ritual. Behind each of them is a young participants who is acting as a security officer



**Plate 17: Men observing a ritual expert drawing blood from a sheep at Kabulwo**

*Source: Researchers, 2017*

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Plate 18 captures the main ritual experts releasing bees (collected from the Tugen and Keiyo regions) from a traditional container. The bees are considered as peace messengers and are deemed to return to their regions.



**Plate 18: Ritual Experts releasing bees used during the ritual at Kabulwo**  
*Source: Researchers, 2017*



**Plate 19: Women celebrating after the peace pact Re-enactment at Kabulwo**  
*Source: Researchers, 2017*

After the conclusion of the peace re-enactment ritual, women participated in the celebrations and luncheon. Plate 19 shows women from Kiptani in Keiyo dancing. Plate 20 shows one of elders and the Deputy Governor and Deputy County Commissioner of Keiyo North Sub-County dancing after the peace pact re-enactment



Plate 20: Deputy Governor of Elgeyo Marakwet County dancing after the Peace Re-enactment at Kabulwo  
Source: Researchers, 2017

### **Integrating KETU Peace Pact into Modern Peace Building Mechanisms**

Over time, peace pact renewals did not fully replicate all aspects of the preceding processes. However, some of the old practices, which were considered indispensable, continued to be practised. These included the vital role of elders, the use of specific types of livestock for rituals, the incantations and oaths.

Although informants were not able to list all changes which had taken place, they were quick to point out that practices, such as the drinking of mixed raw blood and milk were unhygienic hence need to be abandoned. They were in agreement that whatever changes that took place were due to social, economic and political changes brought about by the impact of Christianity and Western education and the policies of the colonial and post-colonial states. They also listed particular practices, which should be incorporated into modern peace-building. These include the inculcation of norms

such as *Kigirei* and *Etan* to the youth; the use of tools like *Nokirwet* and *Leketiet* by elders and women, respectively; appeasement (*keayep /kianyiny*) and the cursing of perpetrators of crime (*kerosta / kechup*). Equally important is giving offenders a chance to repent; freedom in the choice of peace management strategies, including the encouragement of inter-community dialogue. These are indications that although a lot of things have changed since the colonial era, they should be reconsidered with a view to making them serve their important indigenous roles once again.

The main challenges of integrating KETU findings into modern peace building efforts in the north rift region, Kenya and sub-Saharan Africa are associated with acceptability of the efficacy of the peace agreements between communities. Secondly, governments are likely to find it difficult to incorporate community elders into existing government structures and assign them roles. Lastly, peace agreements reached between the Keiyo and Tugen are specific to the two communities and therefore may not necessarily apply to other communities due to their peculiar nature.

This study notes that in order to integrate the KETU peace pact into modern governing structures there is need to create awareness among government agencies working in the peace sector to appreciate the role of alternative peace agreements by communities. Regionally, there are abound cases where indigenous peace building mechanism have been successfully integrated into modern structures to resolve community conflicts for example, water resource conflicts in Ethiopia, Sudan, Ghana and South Africa<sup>114</sup>. Similarly, the traditional justice system (*Gacaca*) has been successfully integrated into legal justice system in Rwanda<sup>115</sup>.

In Kenya, the Lokirama Peace Accord<sup>116</sup> signed on Dec. 19th, 1973, remains the most successful accord in the Karamoja cluster. It was signed between the Matheniko of Uganda and the Turkana of Kenya. It came into fruition after a long-drawn inter-

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114 Abebe, A. (2010). "Indigenous Mechanisms for the Prevention and Resolution of Conflict: The Experience of the Oromo in Ethiopia". Expert meeting on implementing research and innovation policy at policy and institutional levels in Africa. Addis Ababa, Ethiopia

115 Ajayi. A. T.& Buhari. L. O (2014) "Methods of Conflict Resolution in African Traditional Society", *African Research Review*, Vol 8, No 2, pp. 138-157 <http://dx.doi.org/10.4314/afrrrev.v8i2.9>

116 UNDP, (2013), Cross border Peace dialogues promote peace among the East African Pastoral Communities, accessed at <http://www.ug.undp.org/content/uganda/en/home/presscenter/articles/2013/09/19/cross-border-peace-dialogues-promote-peace-among-the-east-african-pastoral-communities.html>

tribal conflict that led to loss of hundreds of lives and livestock. During the peace dialogue, leaders from the two communities agreed to end hostilities and promote peace between the Karamojong and Turkana communities. Like the KETU peace ritual, the sealing of the pact, was marked by rituals using an assortment of broken arrows, guns, spears, bows and ammunitions which were buried in deep pit. This accord has since been commemorated every year during the International Day of Peace.

Among the Pokot community, the Council of Elders (*Kokwo*), remains the highest institution of conflict management and socio-political stratum<sup>117</sup>. The *Kokwo*, made up of respected and knowledgeable elders in community affairs, forms a dominant component of the customary mechanisms of conflict management. The elders continue to play the role of maintaining harmony and good neighbourliness within and outside of the community.

Elsewhere in Wajir County, warring communities from the Somali communities formed the Wajir Peace and Development Committee in 1990<sup>118</sup>, following the highly destructive cycle of violent conflict in 1990 that raged in the district of Wajir region between different clans, leading to loss of lives and livelihoods over a period of 4 years. The violent conflict had its roots in the centuries' old custom of livestock raiding by pastoralist groups.

The success of the Wajir Peace and Development Committee in bringing peace to the district soon led to the spread of the model to other districts. International and local NGOs became involved in facilitating and supporting the establishment of local peace committees. In 2001 the government of Kenya established the National Steering Committee on Peace building and Conflict Management (Ibid) whose objective is to formulate a national policy on conflict management and to provide coordination to various peace building initiatives, including the local peace committees.

These examples serve to explain and underpin the role of local communities and their traditional institutions in managing conflicts. They clearly demonstrate the place of citizens in developing a culture of peace which needs political leadership at both the state and government level

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117 Ruto, P, Mohamud .A, & Isabella .M (eds. Betty Rabar & Martin Karimi) *Indigenous Democracy: Traditional Conflict Resolution Mechanisms. The Case of Pokot, Turkana, Samburu and Marakwet communities*, (ITDG, Nairobi, 2004)

118 For details see Jenner, J.and Dekha I.A (2000). *Voices of Local Peace Initiatives- Kenya Peace and Development Network*, Wajir Peace and Development Committee, National Council of churches of Kenya and amani people's theatre. [www. cdacollaborative.org/](http://www.cdacollaborative.org/)





## **Chapter Four: Summary, Conclusions and Recommendations**

### **Summary and Conclusions**

The broad objective of this study was to analyse and document the Keiyo and Tugen indigenous, political, social, institutional conflict management systems, their underlying values and roles in establishing sustainable peace. The specific objectives were to: analyse the causes of conflicts between the Keiyo and the Tugen communities in pre-colonial and colonial periods; analyse and document the indigenous Keiyo and Tugen peace management systems; assess the changes that have taken place in the nature of conflict and governance systems and the extent to which these have impacted on indigenous modes of peace and conflict management; and finally discuss the extent to which indigenous forms of peace management can be incorporated into current methods of conflict prevention and mediation in North Rift Kenya and other parts of the world.

To achieve these objectives, the study used a case study design and a variety of data collecting methods, including, focus group discussions, and observation re-enactment of the peace rituals. Archival information was also collected and analysed besides oral interviews and review of a number of documentary sources. The methodologies were found to be appropriate to the study as they advance multi-pronged approaches to the complex study at hand.

The reviews revealed that available published literature only address some of the aspects of the study's objectives, and even so in very general terms. Besides, there is scanty work on the Keiyo and Tugen, which address the relations between the two communities, more specifically, their indigenous peace management methods, their effectiveness and whether they can be incorporated into modern peace management methods in the North Rift, the rest of Kenya and possibly in other parts of the world. This lacuna provided a strong justification for this study.

The study found geographical factors such as the physiography of the area the two communities inhabit has variously characterized by low, steep and high grounds which is traversed by the Kerio River and its seasonal tributaries. The area is characterised by high temperatures, low rainfall, mostly arid soil types and flora and fauna have over the years determined the economic life and socio-political systems of the Keiyo and the

Tugen. The two communities have developed an agro-pastoral economic base to cater for their material lives although the intensity of both crop cultivation and livestock keeping varied in accordance with the ecological factors of the area. This necessitated dependence and interdependence, conflict and cooperation over exploitation, distribution and use of the common but scarce resources. It can be concluded that an analysis of Keiyo-Tugen relationships and peace-management mechanisms should take into account the influence of ecological factors, more specifically how and the extent to which the two communities established harmony between themselves and their environment for peace and to what extent do considerations of environmental issues are taken into account by the various stakeholders for establishing sustainable peace.

The ecology and economy of the two communities also influenced the evolution of their socio-political institutions. The kinship system was the basis of both the manner in which the Keiyo and the Tugen mobilised labour for both crop cultivation and livestock keeping and the way they distributed land for both purposes. The nuclear family was established through exogamous marriage system. Related families formed clans whose members' relations were further strengthened by the age-grade and age-set systems. These were established through elaborate circumcision and other rituals, which socialized individuals into their customs and societal roles. Being patriarchal, political leadership, which was based on ritual experience, was the preserve of elders (*boisiek*). Warriors were in charge of herding livestock and defending their communities. Women, who were acquired through elaborate marriage systems carried out domestic chores, cultivated the farms, milked the livestock, carried out trade and were an important factor in reproduction. Hence the high premium placed on women and children.

The socio-political systems and its institutions, including the family, marriage, age-grades and age-sets, circumcision and other rituals were all aimed at establishing equilibrium and maintain peace among the two communities. Paradoxically, these systems also caused conflict between the two communities; particularly by youth who were expected to carry out livestock raids to pay dowry for wives and to restock. Circumcised men exhibited their valour through similar acts. Women cheered if their warriors had successful raids and jeered them if they lost. Thus if men were actively involved in causing conflict, then women's role was subtle.

The social and political institutions were primarily intended to maintain law and order, restore a semblance of equilibrium and foster peaceful co-existence. The institutions and elders in their charge instilled important values in all members of the community. They were also responsible for establishing and renewing peace pact. This study has established that a lot of care and detail was observed in establishing

the peace pact. In particular, the places where the pact was carried out; the nature and role of participants, who were predominantly men although knowledgeable women past child-bearing also took part; the frequency of the pact, which was determined by the exigencies of prevailing situation; the materials used, all of which had symbolic significance; the propitiatory words uttered by the elders who administered oaths; and finally, the obligations the oaths imposed on all members of the two communities were very much binding as they were deeply believed in by all members of the two communities,

The study further revealed that the peace pact was based on very strong shared communal values commonly referred to as *Kigirei*, or acceptable beliefs and behaviour. These were the norms, traditions, religions and taboos, which were acquired by all members of the communities through socialization by the nuclear and extended family, the clan and the wider society. These communal values were manifested in the sharing of resources, including grazing fields, salt licks, River Kerio and its tributaries for watering livestock.

Moreover, the rituals and oaths, which accompanied the peace pact, possessed very deep meaning for the communities. The peace pact served the important function of re-writing the people's history for purposes of reminiscing the bad happening in society and called upon people not to go back to the same situation. Therefore, they played the role of communal psychotherapy hence accounting for periodic renewal of the peace pact.

Further, the study noted that the KETU peace pact renewals coincided with age-set cycles and the emergence of some factors, such as ecological change and disasters like droughts, famine, livestock disease, which caused stress and instability in society. To mitigate possible eruption of conflict due to these factors, the Keiyo and the Tugen have been renewing their peace pact since the first oath of 1870's<sup>1</sup>. The renewals were characterized by both change and continuity in the manner in which the rituals were carried out. Some changes were brought about by the consequences of Christianity while others were due to the economic, social and political impact of the colonial, the post-colonial situation and globalization

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1 Chelal, R. (1969) "Human Problems Associated with the Kerio River, Kenya" *East African Geographical Review*, No.7, pp53-60

In conclusion, the study observed that whereas the community members are aware of these changes and continuities, however, they differ in regards to what should be retained and incorporated into modern peace-keeping mechanisms. In reference to these differences in opinion meticulous choices need to be made in so far as incorporation is concerned. Nonetheless, there is widely acknowledged efforts from various stakeholders, including the national and county governments of Kenya, the Non-Governmental organisations and Faith-Based Organisations in the establishment of sustainable peaceful co-existence between the Keiyo and the Tugen.

## **Recommendations**

The study makes specific and general cross cutting recommendations as to what interventions based on Keiyo-Tugen Peace Pact could be required to mitigate, manage and resolve various conflicts and build sustainable peace and cohesion between different communities.

Indeed, this study notes that while the prevention of conflict and crimes against humanity is primarily the responsibility of States, it is a collective endeavour involving different societal actors. Among them are traditional elders who have a fundamental role to play, in applying indigenous conflict management mechanisms to resolve conflicts as they command influence over their communities and the broader society.

Similarly, Debelo<sup>2</sup> corroborates this position, arguing that indigenous mechanisms for the prevention and resolution of conflicts are less complex, save time, and give a chance to parties in conflict to actively participate to solve their own problems, and to handle their affairs in a relatively more acceptable way. This set of recommendations is presented in line with the study objectives:

### **Causes of conflicts among the KETU communities**

1. Engage elders in the management of community resources; create common grazing grounds along major rivers to provide equal access to water, salt licks and grass

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2 Debelo, A.R, (2016), Competing orders and conflicts at the margins of the State: Inter-group conflicts along the Ethiopia-Kenya border , African Journal on conflict Resolution Vol 16, No. 2,2016.PP 7-115

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2. States, learning institutions and NGOs should carry out research on time tested and effective indigenous peace building case studies like KETU Peace Pact, to be used to prevent, mitigate, manage, and resolve conflicts elsewhere in Kenya as a strategy of making the state more stable and peaceful
3. Bring on board women as members of the community in intelligence gathering through community policing strategy which recognises the involvement of every member of a community/neighbourhood
4. Continue to identify the KETU communities' resilience factors that determine their ability to mitigate the prevalence of conflict re-occurrence while managing new and emerging issue-based conflicts.
5. Strengthen the capacity of indigenous institutions by creating an all-inclusive age sets community based resources management committees to mitigate and manage conflicts.
6. Encourage communities to diversify their economic activities on demarcated and registered lands

#### **Documenting indigenous Keiyo and Tugen peace management systems**

1. Establish the KETU community peace museums and cultural heritage centres as a space for encouraging the exchange of information, material and exhibitions while organising and delivering peace education and peace conferences.
2. Disseminate the KETU Peace research findings to educate youth in Africa and Kenya in particular on the value of embracing indigenous peace building knowledge and practice.
3. Set a criteria to identify, document and give official recognition to persons involved in indigenous peace building and management efforts in the society
4. Encourage joint male youth circumcision based on developed curriculum which emphasises the principles of human rights for the initiates.

#### **Cultural practices in relation to peace and conflict**

1. Discard some aspects of the peace pact which are inconsistent with modern way of life such as drinking a mixture of blood with milk and undressing of elders during the peace rituals.

2. Support and organise KETU peace pact renewals in accordance with the community age-set calendar and when need arises.
3. Organise joint inter-communal cultural festivals and sports annually
4. Designate influential and committed elders to disseminate counter and alternative messages in situations where tensions are high;
5. Ethnic communities need to support traditional elders and other actors in preventing hate speech, discrimination, hostility and violence, no matter the ethnic group they represent;
6. Embed indigenous Keiyo-Tugen peace structures into contemporary neighbourhood security strategy of community policing (*Nyumba Kumi*) in Kenya.

#### **Integrating KETU peace management system into contemporary peace structures**

1. Incorporate indigenous forms of peace management into modern system of conflict management.
2. Incorporate ecological/environmental conservation concerns into peace building strategies.
3. Traditional elders need to vouch for the respect and honour of crafted peace agreements signed by leaders of warring communities.
4. Ethical and human rights principles need to be adhered to by traditional elders in the course of discharging their peace making and cohesion mandates.
5. In accordance with the peace pact oaths, traditional elders need to promote and disseminate best practices of good neighbourliness and peaceful coexistence
6. Traditional elders need to lobby both County and National governments to set aside intercommunity Cohesion Days.

#### **General Recommendations**

1. States need to facilitate traditional elders by providing political and financial support as key ingredients necessary to implement the peace plan of action throughout the country;
2. In particular, traditional elders need to enhance their collaboration with local FM radio stations and TV need to disseminate messages of peace

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## Appendix 1: Interview Guide

### Introduction

#### **A The Keiyo and Tugen indigenous political and social systems/ institutions, their underlying values and roles in establishing sustainable peace.**

- i) Do you know anything about what makes Keiyo-Tugen to co-exist? *Ingen kiiy ni yoei bikab tugen ak Keiyo kotebi eng kalyet?*
- ii) What roles do indigenous social and political institutions play in the maintenance of law and order? *Kitoretoitoi ano atepab keng kotepi biik eng kalyet ak chamyet?*
- iii) What were/are the appropriate values among the Tugen and Keiyo that facilitated sustainable peace? *Nee atepwek che kikoron eng Tugen ak Keiyo chekitoreret kalyet.?*
- iv) Which institutions were responsible for instilling these values and what were the consequences for those who never observed these values? *Ne ngatutik ak atebosiek che miachen che kiitoret kalyet eng Keiyo ak Tugen ken yak raani?*
- v) Did women play a role in sustainable peace? *Tos kiitoret Chebiosok kenyoru kalyet eng Keiyo ak Tugen?*

**The interviewer should probe by focusing on the following institutions:** The family, the clan and clan elders, clan councils, the *Orgoiik*, initiation rites such as Circumcision, initiation from warrior-hood to elderhood, the Age grades Age sets, Ritual and Religion

#### **B The causes of conflicts between the Keiyo and the Tugen in pre-colonial and colonial periods.**

- i) Were there conflicts between the Keiyo and Tugen in the past? *Tos kimi sosiet eng Tugen ak Keiyo keny?*
- ii) What were the causes of these conflicts? *Nee ni kiibuuboryoni/suryooni/sosioni?*
- iii) How frequent were those conflicts? *Tos kimii boriet betusiek tugul?*
- iv) What were the roles of women in causing conflict? *Tos kiibu boriot Chebiosok?*

**The interviewer should probe by focusing on the following issues: (places, participants and weapons**

What were the consequences of the conflicts? *Asara nee ni kiibu borioni?*

**The interviewer should probe by focusing on the following issues:** Taboos (*Kikirei*), Intermarriages (*ibetabkei*), trade (*Mungaret*), sharing of resources (*Yemtaetab/ Emteaetab maliik*), consequences of oathing (*Ibuu ne ametab mumek*), fear of the known (*kaiyweetab tuguk che makingen*).

**C. Analyzing and documenting traditional Keiyo and Tugen peace management systems**

- 1) What do you know about Keiyo-Tugen Peace Pacts? *Tos ingen nee akobo momek chikiam Tugen ak Keiyo sikonyokalyet ?*
2. **The interviewer should probe by focusing on the following issues:** the exact features that constitute Keiyo-Tugen Peace Pacts, the most critical aspects of the peace pact, the beliefs, norms and values that inform Keiyo-Tugen Peace Pacts.
3. Do you know of major peace pacts which were established between the Keiyo and Tugen and other neighbouring communities? *Tos ingen nee akbo mumek chekoibu chomnyot eng Tugen ak Keiyo ak bororiosiek alak ?*

**The interviewer should probe by focusing on the following issues:** precise timing of peace pacts, place where the peace pacts were conducted, kinds of persons involved in making peace pacts, items used during peace ceremonies and their importance, who prepared the words and/or prayers that were uttered during the ceremonies, chanting of the songs, if any, that were sung during peace ceremonies and their meanings, messages conveyed regarding peace by the songs)

- 4) What were the implications of the peace rituals either for those who never attended or those who violated them? *Tos nee ne yooksei eng biik che kiyen ak che maiyan korup momekab chomnyet?*
  - 5) Were the peace pacts documented or oral in nature? *Tos kosirotin momechu anan kikimwoei kou otintiyot ?*
  - 6) Are there any recent renewals of the KETU peace pact? *Tos mii koleelitietab momechu ne kikeyai konegit?*
  - 7) Of what relevance is the KETU peace pact today? *Tos tukutinyei keljin mumekabKeiyo ak Tugen betusiechu??*
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**The interviewer should probe by focusing on the following issues: what occasions the subsequent renewals, Institutions that oversee the maintenance of these peace pacts, what obligates Keiyos and Tugens to observe these peace Pacts, How often is the peace pact renewed, to what extent are the peace pacts and their renewals been effective in sustaining peace)**

**D. Changes that have taken place in the nature of conflict and governance systems and the extent to which these have impacted on traditional modes of peace management.**

- 1) What changes have taken place in the nature of conflict and peace systems between Keiyo and Tugen? *Nee ni kakuwalak eng chomiet ne tinyei biikab Keiyo ak Tugen?*

**The interviewer should probe by focusing on the following issues:** extent to which these changes have impacted on traditional modes of conflict management, the teachings of the Christianity and Western Education affected the peace pacts, money economy and its influence on Keiyo-Tugen peace pacts, Are there changes in the type of weapons used in conflict? How are they acquired? Who owns them? The extent these changes have in the usage of weapons aggravated conflict and compromised peace in the North Rift)

- 2) Apart from Keiyo and Tugens what are the roles of other stakeholders in peace management? *(Kutabala Keiyo ak Tugen, ko ng'o biik alak che toreti eng ngalekab chomnyet ak kalyet)*

**The interviewer should probe by focusing on the following issues:** roles of the government in sustaining peace today, the role of Churches in peace management, the role of NGOs in peace management, the role of political parties and political leaders in peace management, National /County administration in peace management, Do the roles of the Government officials and political leaders conflict with that of traditional leaders)

**E. The Incorporation of traditional forms of peace management into current/modern methods of peace management?**

1. How and to what extent can indigenous Keiyo and Tugen peace management values, institutions be incorporated into modern peace building mechanisms? *(Tos imukagsei keboisen momekab chomietab Keiyo ak Tugen ketoreten kalyet en betusiechu/ kasari?)*



2. What aspects of traditional peace management practices should be retained? (*Tos nee atebwokikab keny che kimuchei keboisien eng betusiechu?*)
3. Which ones should be discarded? (*Tos ng'ircho atebwokik ak yautiakab keny che nyolu kemeto?*)
4. Why and to what extent have the modern peace management methods succeeded or failed? (*Amu nee atebwokik ak yautikab betusiechu si moibu kalyet ak chomnyet*)

**Interviewers should ask probing questions by referring specifically to the following modern forms of peace/conflict management:** Criminal justice system, Disarmament, Policing, restorative justice, restitution (alternative dispute resolution systems), Conflict early warning systems, Land boards, Security operations, Community awareness, Government propaganda, Interventions by NGOs and Church Based Organizations.

## Appendix 2: Observation Guide

### Introduction

The moderator to explain the reason for any recording device and its purpose, if one is present at the site of renewal of peace pacts. If the session is being recorded by a hidden camera, this too should be indicated to the group as well as why the camera is not at the site. Sometimes it will be possible to use audio or video taping - for instance, to record a consultation between elders. For example, you might tell the group that the camera is hidden to avoid making them feel self-conscious.

The following is a checklist of the kinds of things which will be recorded and analyzed for their symbolic meaning in the whole process of renewal of peace pacts:

#### 1. Space: the physical place or places:

- a) *Place where rites are held (unique features) including:*
- b) *Shrines,*
- c) *Rivers,*
- d) *Forests,*
- e) *Mountains,*
- f) *Hills,*
- g) *Valleys*

#### 2. Actor: the participants involved:

- a) *Participant's age*
- b) *Participants' age sets*
- c) *Gender of the participant*

#### 3. Activity: a set of related acts participants do:

- a) *Participants Clothing and Regalia*
- b) *Participants and their roles*
- c) *Participants actions*

**4. Object: the physical things which are present:**

- a) *Items used including spears*
- b) *Arrows*
- c) *Gourds*
- d) *Traditional pots*
- e) *Stones*
- f) *Walking stick*
- g) *Clubs*
- h) *traditional stools,*
- i) *Flywhisk*
- j) *Machetes*
- k) *Cowry shells*

**5. Act: single actions that participants do:**

- a) *Sitting arrangements*
- b) *standing arrangements*

**6. Event: a set of related activities that participants carry out:**

- a) *Use of milk*
- b) *Sprinkling of blood*
- c) *Usage of water*
- d) *Use of traditional herbal medicinal concoction*
- e) *Use of honey*
- f) *Use of alcohol*
- g) *Slaughtered animal and choice of the colour*
- h) *Use of songs*
- i) *Performance of rituals*
- j) *Libations*
- k) *Oathing*

**7. Time: the sequencing that takes place over time:**

- a) *Any time*
- b) *Morning*
- c) *Mid-day*
- d) *Afternoon*
- e) *Evening*
- f) *Day time*
- g) *Night*
- h) *Annually*

**8. Goal: the things participants are trying to accomplish:**

- a) *Peace making*
- b) *Renewal of peace pact*

**9. Feelings: the emotions felt and expressed:**

- a) *Body language including symbols*
- b) *Signs*
- c) *Utterances*

### **Appendix 3: Participants Consent Form (Individual/ Group)**

I/ We hereby affirm that I will not communicate or in any manner disclose publicly information discussed during the course of this Interview / Focus group interview. I agree not to talk about material relating to this study or interview with anyone outside of my fellow focus group members / interviewee.

Name:-----

Signature of Participant:-----

Signature of Researcher:-----

## Appendix-4: FGD Participants

### Appendix 4(a) Keiyo FGD Participants (17/03/2016)

S/No.	Name	Gender	Age	Age-set	Location
1	Ernest Kontocho	M	72	Korongoro	Chemoibon
2	William Komen	M	60	Korongoro	Kibargoi
3	Kiprop Chepkurui	M	80	Sawe	Epke
4	Bartilol Kesse	M	60	Korongoro	Chepsigot
5	Ambrose Kibor	M	47	Kipkoimet	Chepsigot
6	Francis Kimuge	M	68	Korongoro	Kiptuilong
7	Fredrick Sang	M	64	Kipkoimet	Rokocho
8	Julius Chelagat	M	73	Korongoro	Keu
9	Cherutich Sawe	M	76	Korongoro	Kew

### Appendix 4 (b) Tugen FGD Participants

S/No.	Name	Gender	Age	Age-set	Location
1	Kobilo Changwony	F	65	Chemosinya	Emom/ Chepkero
2	Edward Chesire	M	60	Kipkoimet	Sacho Soi
3	Leah Malel	F	55	Chesur	Kapropita Soi
4	Cherop Kipkurui	M	73	Korongoro	Kiboiono
5	Richard Chemchor	M	79	Sawe	Lelmen
6	Johana Cheptoo	M	75	Korongoro	Lelmen
7	Charles Bowen	M	77	Korongoro	Kaputiei
8	Wilson Chepkoit	M	82	Korongoro	Lawan
9	Samson Komen	M	45	Kaplelach	Kaboskei Kerio

**Appendix 4(c) Keiyo and Tugen (Joint FGD) Participants (22/09/2017)**

(Iten, 22nd September, 2017)

<b>S / No.</b>	<b>Name</b>	<b>Ethnic Group</b>	<b>Gender</b>	<b>Age</b>	<b>Age-set</b>	<b>Location</b>
1	Ernest Kutoncho	Keiyo	M	72	Korongoro	Chemoibon
2	Fredrick Sang	Keiyo	M	64	Kipkoimet	Rokocho
3	Ambrose Kibor	Keiyo	M	47	Kipkoimet	Chepsigot
4	Cherutich Sawe	Keiyo	M	76	Korongoro	Kew
5	Bartilol Kesse	Keiyo	M	80	Sawe	Epke
6	Joseph Yano	Keiyo	M	65	Korongoro	Rokocho
7	Cherop Kipkurui	Tugen	M	73	Korongoro	Kiboino
8	Charles Bowen	Tugen	M	77	Korongoro	Kabutiei
9	Wilson Chepkoit	Tugen	M	82	Korongoro	Lawan
10	Samson Komen	Tugen	M	35	Kaplelach	Kaboskei Kerio
11	William Cherambus	Tugen	M	63	Korongoro	Lelmen
12	Ben Chemjor	Tugen	M	55	Kipkoimet	Kiboino

## Appendix 5: Individual Interviewees

### Appendix 5(a) Individual Interviewees from Keiyo

S/No	Name	Gender	Age	Age Set	Location	Date of Interview
1	Francis Kiptoo Chebet	M	78	Sawe	Soy	15/08/2016
2	Julius Chepsoi Chepkuyeng	M	76	Sawe	Chemoibon	15/08/2016
3	Wilson Chesonok	M	81	Sawe	Chemoibon	15/08/2016
4	Kimoi Kop Kigen	F	80	Chesiran	Chemoibon	16/08/2016
5	Rebecca Kandie	F	59	Chesur	Chemoibon	16/08/2016
6	Cheboi Nicholas Kimitei	M	77	Sawe	Kibargoi	16/08/2016
7	Kimoning Cheboswony	M	90	Sawe	Kibargoi	17/08/2016
8	Mohamed Toroitich	M	86	Sawe	Kibargoi	17/08/2016
9	Changwony Arap Lalang	M	86	Sawe	Kibargoi	17/08/2016
10	Kiptoo Arap Kigen	M	80	Sawe	Kibargoi	18/08/2016
11	Musa Arap Boss	M	91	Chumo	Kibargoi	18/08/2016
12	Kabon Bartilol Patricia	F	92	Chebungwak	Kibargoi	18/08/2016
13	Saniego K. Chemosusu	F	87	Chesiran	Kibargoi	19/08/2016
14	Michael Komen	M	60	Korongoro	Kibargoi	19/08/2016
15	Ambrose Kibor	M	43	Kaplelach	Kibargoi	19/08/2016
16	Chepseba Kendagor	M	85	Sawe	Kibargoi	22/08/2016
17	Kigen Sangut	M	92	Chumo	Kibargoi	22/08/2016
18	Ismael Kite	M	72	Korongoro	Kiptuilong	22/08/2016
19	Kiptoo arap Lagat	M	67	Korongoro	Kiptuilong	23/08/2016
20	Benjamin arap Sawe	M	77	Sawe	Kamogich	23/08/2016
21	Joseph Kipkorir Rono	M	60	Korongoro	Kamogich	23/08/2016
22	Philip Cheron	M	61	Korongoro	Kamogich	24/08/2016
23	Michael Rotich	M	42	Kaplelach	Kamogich	24/08/2016
24	William Chepkuyeng	M	53	Kipkoimet	Kamogich	24/08/2016
25	Ernest Cheboi	M	83	Sawe	Keu	25/08/2016
26	John Komen	M	78	Sawe	Keu	25/08/2016
27	Josephina Kangogo	F	55	Chesur	Keu	25/08/2016
28	Joseph Rono	M	64	Korongoro	Keu	26/08/2016
29	Michael Barnghan	M	68	Korongoro	Keu	26/08/2016
30	Joseph Cheruiyot	M	67	Korongoro	Keu	26/08/2016
31	William Mutwol	M	43	Kaplelach	Keu	26/08/2016



## **Appendix 5(b) Individual Interviewees from Tugen**

<b>S/No</b>	<b>Name</b>	<b>Gender</b>	<b>Age</b>	<b>Age Set</b>	<b>Location</b>	<b>Date of Interview</b>
1	Mr. Stephen Chemjor	M	69	Korongoro	Sacho Soi	04.07.2016
2	Mr. Erick Rerimoi Chepsergon	M	72	Korongoro	Sacho Soi	05.07.2016
3	Mr. Reuben Kiptemoi	M	68	Korongoro	Kapropita Soi	06.07.2016
4	Mr. Wilson Chumba	M	64	Kipkoimet	Sacho Soi	07.07.2016
5	Mrs. Magdaline Kapkiai	F	66	Chemosinya	Sacho Soi	12.07.2016
6	Mr. Chemitei arap Chepkuto	M	71	Korongoro	Kapropita Soi	13.7.2016
7	Mrs. Rosaline Gabon Kiprotich	F	55	Chesor	Sacho Soi	14.07.2016
8	Mrs. Teriki Lochumba	F	78	Chesiran	Kapropita Soi	18.07.2016
9	Luka Lokorio	M	73	Korongoro	Kaboskei Kerio	19. 07.2016
10	Kokob Jeruto	F	69	Chemosinya	Kaboskei Kerio	20. 07.2016
11	Chief Arusit	M	56	Kipkoimet	Kaboskei Kerio	21.07.2016
12	Solomon Cheron	M	70	Korongoro	Kabutiei	25. 07.2016
13	Reuben Kisoi	M	50	Kipkoimet	Kaboskei Kerio	26. 07.2016
14	Jeremiah Temo	M	35	Kaplelach	Kaboskei Kerio	27. 07.2016
15	Samuel Chebon	M	65	kipkoimet	Kabutiei	28. 07.2016
16	Joseph kiptoon	M	60	Korongoro	Kabutiei	01.08.2016
17	Cheserem Tomno	M	80	Sowe	Kiboino	02.08.2016
18	Abraham Kiptui	M	75	Sowe	Kabutiei	03.08.2016
19	Chebukel Kiprop	M	72	Korongoro	Kiboino	04.08.2016
20	Kobilo Chirchir	F	78	Sowe	kiboino	08.08.2016
21	Kibet Chepkirwok	M	72	Koronkoro	kiboino	09.08.2016