briefing

Resolving conflicts using traditional mechanisms in the Karamoja and Teso regions of Uganda

By Chris Chapman and Alexander Kagaha

This study is the result of intensive research and consultations with community representatives and local and national government officials in Karamoja and Teso regions of northeast Uganda.

The conclusions of the research can be summarised as follows:

- The formal state mechanisms for justice and conflict resolution are not adequately implanted in the two regions. They struggle to cope with the present level of conflicts.
- In some cases the state apparatus is mistrusted by local communities due to associations with past abuses.
- Traditional, community-based mechanisms for regulating conflicts and providing justice have been used in these communities for centuries, if not millennia.
- These mechanisms have struggled to keep up with the increasing intensity and violence of conflicts, environmental degradation, and displacement of communities, and have suffered in particular with the marginalisation of elders as a result of small arms influxes and conflicts between the roles of community elders and the formal representatives of the state. There are also accusations that traditional mechanisms in some cases entrench elitism and paternalism.
- Nevertheless, interviewees were virtually unanimous in their opinion that these mechanisms are an essential part of conflict and justice regulation in these communities, because they are accessible where often the state is absent, and because, being based on traditional principles of spirituality and peaceful coexistence, the outcomes are respected by community members.
- Furthermore, they focus on the rehabilitation of community members and the rebuilding of broken relationships within the community.

• These mechanisms can work alongside and complement the formal apparatus of the state; as such the state should support them and find ways of promoting this complementarity.

Survival and Interdependence

The Iteso and Karamojong of northeast Uganda have existed side by side for centuries. They are closely related communities who trace back their origins to Ethiopia, and came to inhabit the arid lands in the far northeast of Uganda. But the extremely harsh conditions of the life pushed younger members of the community to seek a better opportunities elsewhere, leaving the elderly behind. Hence the names of the tribes reflect the way the youth saw the elderly, and vice versa: Karamojong is linked to words meaning 'too old to move any more', and Iteso is related to the word for grave (the elders feared that their sons would be killed and buried because no one would protect them). The communities speak mutually intelligible languages and share many customs. They number approximately 1.6 million (Iteso) and 475,000 (Karamojong).¹

Both traditionally pastoralist communities, the two groups have strived for amicable relations and depended on each other for their survival in harsh environments, by, for example, trading and intermarrying. There have also been conflicts involving cattle rustling and disputed boundaries. Gradually some Iteso gave up pastoralism and became settled cultivators. The interdependence however continued – as did the conflicts – with the Karamojong coming to Teso to seek pasture and water during the dry season.

Before the advent of contemporary conflict resolution mechanisms, pastoralist communities developed and refined, over time, their own mechanisms for resolving local level disputes, both within their communities and with others. These were based on solid traditional institutions such as mediation through a Council of Elders. These institutions were respected by community members and hence those affected generally complied with decisions, including punishment of offenders and compensation. However, in recent decades these resolution mechanisms have struggled to cope with rising levels of conflict. Easily available cheap small arms have flooded the region due to the prevalence of conflicts in neighbouring areas and countries. A new centre of power in the community has been created as youths gain access to arms and use them to steal cattle.

Elders have found it increasingly difficult to exercise their role as worsening poverty and, in some cases, cantonment in camps for the displaced, have reduced their autonomy and status. Furthermore there is confusion about how the elders' roles relate to those of formally elected local government officials.

There is therefore a pressing urgency to strengthen resources for conflict resolution. In view of the fact that, in the northeast, the state has a relatively weak presence, traditional mechanisms for conflict resolution are ideally placed to offer an alternative which is in keeping with community values and promotes the rehabilitation of community members who fail to respect established norms. Furthermore the research revealed a strong level of consensus that these mechanisms are highly valued by the communities.

To obtain a better understanding of these conflicts and how they might be addressed, community interviews were carried out in border sub-counties in each of four districts: Amuria (Kapelibyong and Achowa sub-counties) and Katakwi (Magoro & Ngariam) in Teso region, and Nakapiripit (Nabilatuk and Lolachat) and Moroto (Iriir and Lokopo) in Karamoja region.²

Root causes of worsening relations between the communities

The proportion of the population of Karamoja who live in poverty is 82 per cent: the highest in Uganda. The figure for Teso is 66 per cent.³ This underdevelopment has its roots in the colonial period (1888-1962): while water and electricity supply was developed in towns such as Jinja, Fort Portal and others, Karamoja was regarded as a closed district. Economic marginalization has continued postindependence with far reaching effects; life expectancy is estimated to be 42 years, whereas nationally it is about 52 years.4 Currently, Karamoja has only 2.5 km of tarmac road.5 With a population density of approximately a third of the national average,6 the region also suffers from the principle that central government funds are allocated to regions on the basis of population. According to one local government finance commission paper, 'Most of the present grants are allocated according to criteria such as number of inhabitants, kilometres of road network, surface area etc, but are not strongly related to the differences in expenditure needs or to reasonably/adequately address the concern of poverty and cost variations.'7

There are special governmental development programmes which include Karamoja and Teso, such as the Northern Uganda Social Action Fund (NUSAF) and the Northern Uganda Rehabilitation Programme (NUREP). But community members interviewed reported that serious problems exist, including diversion of development funds to elites' pockets, poor coordination among NGOs, and phantom projects which are reported as completed when nothing or little has been done on the ground. The unstable security situation in the region apparently provides an ideal environment to hide such abuses. One interviewee spoke of the ambush of a verification team on its way to investigate reported abuses relating to a borehole project in Karamoja. Whether the allegations are true or not, that such reports exist highlights the level of distrust of the people for these programmes.

Both the colonial and post-colonial governments viewed the pastoralist way of life as chaotic, economically unproductive, and environmentally destructive. Efforts were therefore made to settle pastoralists through imposition of boundaries, gazetting of land for game and forest reserves, restriction of movement to dry season grazing areas, forced de-stocking, marginalization of customary institutions, and the intensification of sedentary farming.⁸

By establishing boundaries, these policies succeeded in compromising the pastoral livelihoods of the Karamojong. For almost half of the year, Karamoja is in drought; which was traditionally dealt with by moving to other places with greener pastures and water. Following the establishment of boundaries, social interactions with neighbouring communities have dwindled; while the Karamojong relied on the Iteso for water and pasture during the dry season, the Iteso too, relied on the Karamojong for oxen to plough their land. Boundaries have negatively affected the rules of reciprocity that previously governed relations and promoted trust between the two groups.

Increasingly, the Karamojongs' conflicts with neighbouring communities involved cattle rustling. The colonial government kept these conflicts in check by enforcing a strict system of compensation; if the Pokot killed a Karamojong, the government would round up animals to compensate the aggrieved family. This effectively created strong disincentives for raiding, stealing and killing. Post-independence governments however failed to enforce this system effectively and conflicts have escalated. The Karamojongs' have been in conflict with neighbouring communities for decades, notably the Pokot and Turkana (Kenya) and Toposa (Sudan); for example, severe outbreaks of fighting occurred in the 1950s over encroachment of land.

Small arms proliferation began in pre-colonial times, when communities bartered ivory and cattle for weapons from gunrunners operating from the sprawling gun market in Maji, southwestern Ethiopia. More recently, small arms have been easily obtained due to a proliferation of international and internal conflicts in Uganda and neighbouring countries.

A vicious circle has developed. Guns are used to rustle cattle, but equally one objective of cattle rustling is to enable the purchase of guns, as one interviewee said, 'The elders blessed their sons to go and raid in order to acquire guns ... to get a gun, one needed to pay 100-150 head of cattle ... if in a raid there were 10 people they would continue raiding in order to buy guns for the other members in the group.^{'9}

The Ugandan government has recognised that the Karamojong are justified in fearing attack by other communities if they are disarmed. Nevertheless, disarmament will continue, according to the government, while ensuring that it does not lead to abuses of the rights of the Karamojong or expose them to attack from neighbouring tribes.'10 However, the Karamojong complain bitterly of abuses committed during government initiatives to disarm them, starting with the Obote II regime (1980-5). The Karamoja Integrated Disarmament and Development Programme (KIDDP) stresses that it will, 'provide an enabling environment for safeguarding peoples' basic human rights as well as civil, political, economic and cultural rights during and after disarmament.'11 This followed on from criticisms from the donor community, including the United Nations Development Programme (UNDP), of abuses committed during previous forcible disarmament programmes.12

Notwithstanding such commitments, in the most recent phase, in 2007-8, interviewees said that men were tortured, and women and girls were raped, resulting in some contracting AIDS.¹³ This, in addition to economic neglect and the suppression of the pastoralist lifestyle, has resulted, understandably, in many of the Karamojong viewing the government with mistrust rather than as an ally; this contrasts with the experience in Teso, where the government is understood by many as an ally in development.

It should be noted however that the Karamoja disarmament policy contains a number of very useful and specific recommendations for improving security in Karamoja and neighbouring regions, in a manner likely to respect human rights. These include training by the Ugandan Human Rights Commission for local officials and security forces involved in disarmament, and pilot projects for community-based security systems. Elders are to be involved in the vetting of *karachunas* (warriors) for integration into the community security force, and in intelligence gathering.

Specific government initiatives to promote development in the region, such as the above-mentioned NUSAF and NUREP, the Alternative Basic Education for Karamoja programme which provides for education adapted to the community's culture and lifestyle, and even a dedicated ministry for Karamoja affairs, are also to be welcomed as a starting point for transforming the relationship with Karamoja.

Many Iteso have been forced into Internally Displaced People's (IDP) camps due to raids from the Karamojong and attacks from militant groups including the Lord's Resistance Army (LRA). The camps have eroded cultural institutions because of extreme poverty. Most of all there are severe implications for the self esteem of elders because of economic vulnerability, which drives them in a state of hopelessness and helplessness: if they cannot even feed their households, their social legitimacy as leaders is questioned.

Finally a key issue in tensions between the districts of Katakwi (in Teso) and Moroto (in Karamoja) stems from a dispute over the shared boundary. Karamojong claim that the map was tampered with by a land commissioner of Teso origin in 1960. The conflict is important for two reasons; first, allocation of funds to districts according to the Local Government Development Plan (LGDP) depends on population size. Secondly, such a dispute sharpens tensions between leaders, because a leader who fails to defend land that is claimed by the ethnic group can suffer in future elections. On the other hand, it was noted during interviews that most of the local people in the neighbouring areas in Moroto and Katakwi are less concerned with the district boundaries provided they are given an opportunity to live peacefully in their homes.¹⁴

This conflict will become increasingly difficult to resolve as time passes and the most elderly in the communities, who have historical knowledge of boundaries based on the location of trees and tax payments during colonial times, pass away.

Traditional conflict resolution mechanisms

Both communities have a system of regulation of community rules led by a council of elders; in Karamoja, the Akiriket, and among the Iteso, the Arriget. This is a community governance mechanism used in a wide variety of contexts; it is, for example, traditionally used when major changes occur in the community or important decisions need to be taken, such as when an elder dies, a new member to the group is initiated, or at times of crisis involving grazing, disease or war. It is also used to discipline and sanction those who break community laws. It can be considered a form of conflict regulation, because it aims to ensure that tensions do not arise within the community due to members failing to respect rules which, given the remoteness of the communities and the difficulty of gaining access to formal justice mechanisms, has the potential to cause serious outbreaks of violence.

Traditionally power in Karamoja is exercised in age-sets. At present, Karamoja is governed by the *Ngimoru*, the eldest age-set, and beneath them are the *Ngigetei*. In the tradition of *Ameto*, practised in all regions of Karamoja, the younger age-set bring their peers or those younger than them, who are accused of violating community laws or principles, before the council of elders. Punishments usually involve caning. This system is organised at the village level and hence cannot be used for issues regarding conflicts with other communities, such as raiding.

Both communities also practice cleansing and reintegration ceremonies. If one person kills another he/she

is considered to be cursed; cleansing rituals include being smeared with goat dung or cut with a knife. Until this is done, the person cannot interact with other members of the community as they may pass on the curse.

Inter-ethnic conflicts can be regulated by a system of negotiation and compensation. An elder recalled that during the colonial period, thefts and murder were compensated. If two cows were stolen, four would be given in return. Between 30 and 60 cows were given per person murdered; in other cases money was paid. By imposing collective sanctions, the traditional system created a feeling of collective responsibility on part of the members in the family and clan, which resulted in discipline being exerted on members found guilty of infractions.

Interviewees stated that the traditional system of justice and conflict regulation is more effective than the formal system because the results are visible to the whole community and, after expressions of remorse, relations between the families of the offender and the aggrieved can heal in time. Importantly, for the victim the system is in principle cost-free; and as the outcome is considered to be fairer, due to compliance with community values and rules, the resolution of the conflict is likely to be more durable. The mechanisms provide a forum in which community members can offer ideas for a permanent solution to the conflict.

In the formal justice system, on the other hand, the offender is taken away and the community is not informed of what happens next. There is widespread ignorance about how the system works; people do not understand why suspects are released on bail, for example, or why cases are dropped for lack of evidence, and when this happens, they lose faith in the process. An understanding of how to access the system is also lacking.

Nevertheless the traditional mechanisms were considered to have some gaps; the system of compensation does not thoroughly punish the offender and can encourage him to re-offend, knowing he will be allowed back into the fold. In some cases the agreed payments are not made, as the widespread presence of guns makes enforcement difficult. Furthermore the rights of the poor can easily be abused by the rich because the latter have the ability to pay their way out of trouble; and because the poor do not generally participate in the council meetings, even when they are abused, they cannot call on the council to convene.¹⁵ The formal system, on the other hand, is perceived positively in that it is governed by the principle of equality of rights.

Threats to the effectiveness of traditional mechanisms

Transition of power from one age-set to another is traditionally supposed to happen at a time of total peace, with no raids or threats of raids. However this situation has not yet occurred in the region; power has not been handed over since the 1950s. As you cannot be in the same age-set as your father, the sons of men who joined the *Ngigetei* in the 1950s, who might now be themselves in their 50s, are effectively excluded from status or power within the age-set system.¹⁶ This results in an enormous temptation to take part in raids, which opens up the possibility of obtaining guns, cattle, and a bride – and hence another form of status.

But the decline in power of the traditional systems for regulating conflicts began in colonial times, when the administration created a new structure of leaders. In this way the traditional elders were sidelined; they had to report to their sons, something that is unthinkable within the system of age-sets.

According to interviewees in Moroto and Nakapiripit districts, *Ameto* today is weaker than it was in the past, for a number of reasons. Traditionally, a person punished under *Ameto* would be kept under observation by the elders and age-set members. The offender was released when she or he was considered to be rehabilitated. However today, after being caned, the offender is allowed to leave, and there is a danger that she or he will take revenge on the community. Furthermore, the elders feel it is risky to cane someone who has a gun. There are also issues of nepotism and corruption, as according to interviewees, some elders, having lost their wealth, can be bought off with gifts such as local beer, or shield their sons from traditional justice.

This helps to explain why the Council of Elders has been unable to bring the raiders who attack the Teso region under control. Yet by failing to play its role, the Karamoja Council of Elders implies that it supports the raids, and thus sets itself in further conflict with the Iteso.

Poverty has affected all sectors of the population, including the elders, who have traditionally had greater wealth than other members of the community. Interviewees in both communities said that this contributed to their loss of status in the community, and consequently, their effectiveness in intervening in conflicts. They did not see it as unfair that the elders were wealthier, saying, 'How can a beggar have authority? They don't have to be richer than everyone else but they shouldn't be digging.'¹⁷

Traditionally, the elders owned the largest number of animals, which they acquired through the payment of dowry, breeding, buying, and in some cases raiding. Now however the nature of raiding has changed; it requires walking and running over long distances, to where the animals are taken and driven home. The elders are often not physically able to do this, and as a result, their sons have taken on a more active role. In some cases, the elders are involved through offering blessings and technical guidance. This has created an opportunity for the raiding youths to accumulate wealth and guns at a rate that threatens the powers of the elders, thereby robbing them of their socio-cultural and economic power, and weakening the traditional institutions that have maintained cohesion within Karamojong communities.¹⁸ Finally, the failure to incorporate a role for women within some traditional mechanisms is being challenged, both from within the communities by women who are increasingly aware of their right to participate in decisions that affect them; and from external governmental and civil society actors.

Because they have not undergone the initiation process, women are excluded from the *Akiriket/Arriget* assembly. Interviewees expressed concern that women would weep on seeing their sons being punished, and said that locking women out of the assembly was designed to ensure that the offender receives just punishment without sympathy.

Furthermore, women (and young adults) though not explicitly excluded, are often presumed to be represented by their husbands or fathers, and hence are excluded from participation in the decision-making assemblies. Some male interviewees seemed fearful of losing power and influence, in a context of conflict and poverty that has already eroded their status considerably, saying, 'Let our women just hear. They should be kept out. There are more women than men. If they all talk, some men will be kept out.'19 This cultural marginalization of women is helped by the rise of factors including the free market economy, which emphasises the individual's right to asset ownership (rather than seeing assets as belonging to the community/family), and the influx of small arms and alcohol into pastoralist societies, which leads to the erosion of young men's livelihoods and autonomy and an increase in domestic violence.20

With one or two dissenting voices, most of those interviewed (men and women,) felt that women could play an important role in peace-building, particularly through the transfer of values to their sons and fathers, and raising their awareness of the physical and emotional costs to the families and communities of participating in raids.

Promoting peacebuilding and development in Karamoja and Teso

Interviewees pointed to examples of Karamoja and Iteso living in peace together; they cited a camp in Kobulin (Moroto district), where the two communities and other ethnic groups co-exist peacefully. Although the camp is still prone to raids, the social context provides an opportunity for the different communities to learn to live together and learn about each other. Intermarrying is likely to contribute to inter-ethnic understanding and good relations. Economic infrastructures such as markets have further contributed to peaceful co-existence, while at the same time improving economic opportunities. In Amuria, the market in Kapelibyong brings the Bokora, Matheniko and Nyakwea together to trade. This market had almost disappeared due to raids from Karamoja; now, people are coming back. However some of these initiatives are very fragile due to the uncertain security situation.

Those interviewed repeatedly emphasised a core issue: without sustainable development in the communities that offers potential for alternative livelihoods, it is not possible to revive the traditional conflict resolution mechanisms and address conflicts effectively. There is clearly a need for a holistic approach to the issues of culturally appropriate development, security and rule of law in Karamoja and Teso. Where possible, development programmes should contribute to revitalising the traditional mechanisms. In a creative recommendation, Ngorok suggests that different sectors of Karamoja society should be involved directly in local government development interventions in the region, in order to reinforce their roles and encourage them to participate in building their communities; the fortunetellers (Emuron), 'Can 'predict' the advantages of a project for the community, thus attracting participation and interest in project activities ... The elders could then participate in the review, evaluation, and official hand over of finished projects to the communities'. A role should also be found for the youth, who could take part in monitoring and implementing projects.²¹

Women interviewed for the research stated that initially, their husbands were resistant to the idea of them participating in initiatives around peace and development, such as the focus groups organised to inform this study, but with time, they became accustomed to the idea. A number of women underlined how important it was for civil society organisations (CSOs) to support women's initiatives in the communities. They pointed to a number of initiatives, including cross-community projects involving women from Karamoja and Teso that have had tentative success in reducing tensions and promoting understanding between the communities, and discouraging men from taking part in raids.²²

Conclusion

The challenge for local and national government is that development of economic opportunities, revitalisation of traditional conflict resolution institutions, improved security, health and education services in the communities, and disarmament need to take place in parallel, as the absence of one element can jeopardise the success of the whole programme; without sustainable livelihood alternatives, raiding will be seen as the only way to overcome poverty and disempowerment; disarmament measures will encounter forceful resistance as long as communities feel threatened by their neighbours; and so on. The good news is that as soon as small steps towards progress are seen, confidence in the process as a whole will grow.

Recommendations

- The Ugandan government and civil society should provide greater support for women's peacebuilding and development initiatives at the local level. This will have an important subsidiary objective of strengthening the role they play in addressing conflicts within the community.
- Civil society organizations that intervene in peacebuilding in Karamoja and Teso should recruit more women staff, in order to better mainstream women's participation in their initiatives; the Ugandan government and international donors should provide training in peacebuilding, human rights and organisational management for promising women school leavers and graduates from the Iteso and Karamojong communities.
- In parallel with disarmament initiatives, the Ugandan government should expand the community-based security pilot projects in Karamoja, outlined in the KIDDP, and consider extending them to the Teso region. There needs to be involvement of a broad range of community members, including women and young people, in the design and implementation of security and disarmament measures, to enable community members to have a sense of ownership of, and fully understand, the measures affecting them.
- The Ugandan government, civil society organizations and international donors should support coexistence initiatives such as the Kapelibyong market and Kobulin camp, while working with local and national government to establish security.
- The Ugandan government should work closely with community representatives, including elders and women, to develop community-based security programmes and alternative livelihoods in order to allow the remaining IDP camp populations to return to their communities.
- The Ugandan government should involve Iteso and Karamojong elders in the development of all policy around security, peacebuilding and development.
- The Ugandan government should engage with community elders, civil society organisations and international donors with experience of working on strengthening traditional conflict resolution mechanisms, such as the World Bank/NUSAF funded Community Reconciliation and Conflict Management programme,²³ to address:

- how to bring traditional mechanisms more into line with human rights principles, for example by finding alternatives to corporal punishment elements
- how to adapt customs of compensation for crimes, including murder and theft, to modern times
- how to promote the role of women within these mechanisms, including as chiefs or elders
- how to address the issues of perceived inequality of treatment and corruption in the traditional mechanisms, for example by the establishment of a community-based oversight board or a form of appeal
- drawing up a set of guidelines to help decide which situations should be dealt with by the traditional mechanisms and which ones by the formal justice system
- the documentation of traditional systems
- training for the young generation on traditional systems.
- Community representatives from Karamoja and Teso, including elders, women and young people, should engage in a dialogue as to how to address historical grievances. Possibilities could include:
 - a truth commission or other historical memory process. The Ugandan government should consider supporting such a process, but in order to ensure that it is perceived to be impartial, it would ideally be facilitated by independent commissioners appointed through a transparent process with the involvement of community members
 - the use of conflict resolution mechanisms from elsewhere in Uganda or further afield, such as *gomo tong* (the 'bending of the spear' – a solemn declaration involving invocation of the ancestors, to put an end to a conflict between two communities)²⁴
 - a dialogue between elders with historical knowledge of the whereabouts of community borders
 - an investigation of documents from the colonial era concerning borders.

Notes

- Uganda Overview, Minority Rights Group International's World Directory of Minorities and Indigenous Peoples, http://www.minorityrights.org/5037/uganda/uganda-overview.html
- The study includes a detailed review of the existing literature, 2 interactive discussions and key informant interviews. Data was obtained from an array of key traditional leaders, opinion leaders. technical and political leaders from Amuria and Katakwi districts in Teso region and Nakapiripirit and Moroto districts in Karamoja region. Women and men of all ages participated in group discussions. These groups, each comprising 9-13 members of similar socio-cultural, economic, and demographic characteristics, were brought together in each of the sub-counties drawn from the four districts. These discussions were conducted in the native languages of the participants, facilitated by a team of trained and competent research assistants, who were selected from each of the two regions. Notes were taken during group discussions and key informant interviews. At the end of every day's work, the researcher had a brief meeting with the research assistants during which findings were compared, field experiences shared and lessons drawn for the next day's work. The researchers respected ethical values of social science research. The participants and respondents in the survey were informed of the purpose of the study and the guidelines for their selection in the study. This informed the basis for their voluntary decision-making to participate in the study.
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- 12. Ibid. p.13
- 13. Interview with Karamojong community members, Mbale, April 2009
- 14. Interview with community members, January 2009
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- The Northern Uganda Social Action Fund: Community Reconciliation and Conflict Management empower communities in a post-conflict setting, Findings Issue 269, December 2006 (www.worldbank.org/afr/findings/english/find269.pdf)
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