

NOT FOR PUBLICATION

INSTITUTE OF CURRENT WORLD AFFAIRS

JS-2
Baraza

P.O. Box 5113
Nairobi, Kenya
26 Mar 63

Mr. Richard H. Nolte
Institute of Current World Affairs
366 Madison Avenue
New York 17, New York

Dear Mr. Nolte:

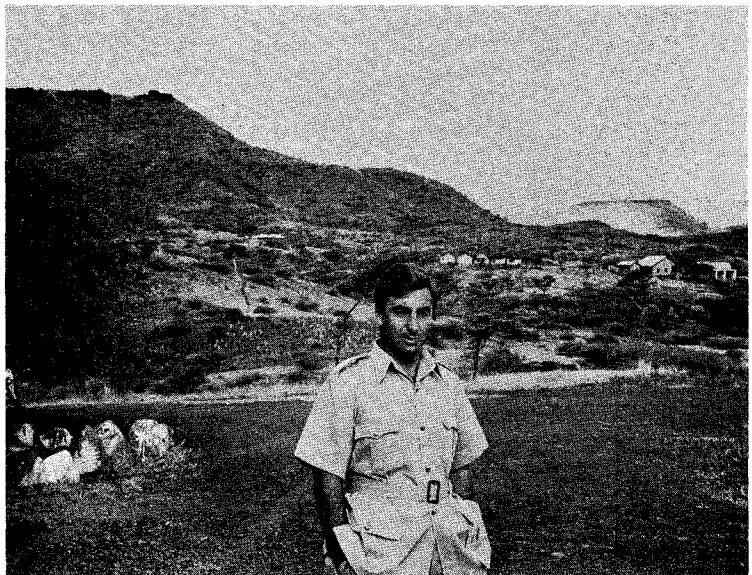
Chattering life filled the sun-drenched compound at Lodwar as David Lambert, the District Commissioner (D.C.) and I walked towards the vehicles which would take us to the baraza. Turkana tribal police in starched khaki tunics and shorts--their bright red turbans in smart contrast to the deep black of their skin-- said goodbye to their wives and tumbling, naked children while the chiefs that were to accompany us sat gravely on their stools in the scant shade. Finally, with a scrape of Land Rover tires and a lurch from our truck, we were on our way. Clinging children fell off behind us one by one like wind-swept drops of water as we skidded past the sentry at the gate onto the plain towards the Sudan border.

The baraza grew out of Britain's system of colonial rule in East Africa. Faced with the necessity of governing vast territories with only a few men, the British split the three countries into provinces. Each province was headed by a Provincial Commissioner and subdivided into several districts. In the districts, chiefs or headmen held local authority under the control of a District Commissioner. To keep in touch with his people, the D.C. held periodic meetings which soon became known as barazas from the Kiswahili word for meeting place. David Lambert and I were going to the Kenya-Sudan border for the annual baraza with the Sudanese D.C. at which chiefs of the two border tribes (the Toposa from the Sudan and the Turkana from Kenya) would discuss problems of raids, murders, stock thefts, and trespassing.

Just as we were leaving, a sweating and grimy runner stumbled up to us and breathlessly reported the news that a frontier outpost of Turkana police had routed a band of Dodoth and Karimoja cattle raiders from Uganda. David immediately decided to investigate the report. After a few hours drive from Lodwar, we swung off the main road onto an ancient track that led us through the desert of northern Turkana where countless black rocks make the landscape seem grainy and pepper-strewn.

The outpost was bristling with activity when we arrived.

On the previous day, a six man patrol had met the marauding band and had routed them. A beaming sergeant showed us two badly dented Dodoth shields and several spears as evidence of the victory. Elsewhere in the camp, a festive mood prevailed, as David's arrival meant payday, rations, and tobacco. One man, however, looked forlorn and sat apart from the others. It seemed that he had just returned from a



David Lambert

tour of duty in Lodwar where he had enjoyed considerable romantic success.irate husbands complained to the D.C.'s office and as a result, the pay sheet read: "Private Ejock. Salary Shs 100--less seduction fees of Shs 90." Bemoaning the poor man's fate, we started on the long drive to the Sudan.

The Kenya-Sudan border is shown on the map as a straight line running from Uganda in the west to Ethiopia and the top of Lake Rudolf in the east. However, there is no agreed boundary line on the actual ground and the location of the border is in continual dispute. To avoid contention, we pitched camp in a grassy glade just south of a sand river considered to be the southernmost possible line. When we arrived, Essinyon, the Turkana interpreter, bundled the six chiefs out of the truck and told them to organize their complaints for presentation to the Sudanese. Essinyon was a tall, handsome man who had served in the King's African Rifles. His military bearing and crisp manner cowed the chiefs and they meekly retired to the shade of the nearest tree. To my surprise, a crowd soon materialized out of the seemingly uninhabited bush. The men among the new arrivals sensed the importance of the occasion and shooed their wide-eyed women away. They then sat down around the chiefs, nodding their heads and spitting wisely.



The baraza; with interpreters
standing at the ready.

Shortly after dawn of the baraza day, David and the chiefs met to discuss the list of complaints. David sat in a camp chair facing the semicircle of chiefs and spoke to them in Kiswahili through Essinyon who then translated into Turkana. When replying, each chief stood in a relaxed yet respectful manner. If one of his colleagues or someone in the crowd disagreed with him, one heard a quick burst of guttural Turkana. The chiefs have a reputation for elliptical, interminable debate, but under Essinyon's prodding they prepared the agenda in what must have been record time.

A loud crashing in the bush across the sand river announced the arrival of the Sudanese. Their police came first, the mixed African and Arab nature of the Sudan showing in the color of their skins; some were black, others were mocha-colored. The contrast between the two groups of policemen was startling. Less neat, less polished, less military, the rumpled Sudanese had a ragged look of disorder. After the police came their D.C., an African, followed by his assistant and a police officer, both of whom were Arabs. The D.C. was a slightly built man of medium height who had a detached way of answering questions that suggested a lack of self-confidence. His second in command had a wide,



David waits as the Sudanese D.C.
confers with an aide

fleshy face with eyes that slid away from one's glance. The thin-featured police officer shook hands limply and sat down in an insolent cross-legged slouch. He had an air of aimless malevolence, as if he carried an ill-timed fuse inside him that might suddenly explode and drive him to some vicious, irrational action. He hid his eyes behind dark glasses and refused to speak English although he clearly understood everything that was said.

After we had exchanged a few stiff formalities, David and the Sudanese D.C. reviewed the minutes of last year's

meeting. I noticed that although the African had held his post longer and was older (David is 27, young for a D.C.) he continually deferred to his British counterpart. The Sudanese seemed conscious of his deference and I admired him for not becoming angry or arrogant. On his part, David handled their relationship dextrously, always asking the older man for his opinion and listening with attention to his replies.

When the brief review ended, we walked over to a large tree where the Turkana Police had arranged five camp chairs in front of the waiting Turkana and Toposa chiefs. The six Toposa were erect and clear-eyed men, neatly dressed in khaki bush jackets with gleaming brass buttons. Their bleary Turkana cousins, shabbily attired in dirty Army cast-offs, were a sorry comparison.

Accompanied by snorts of encouragement from the crowd, Chumarr, the senior Turkana chief, began the baraza with a basso-profundo description of Toposa treachery concerning the disappearance of a herd of Turkana cattle. After Essinyon had finished his translation of the long and sorrowful tale, the D.C.s asked Chumarr clarifying questions and then the senior Toposa man rose to give his version of the incident. Serenely, he dismissed each item of the charge as Chumarr stood glowering at him. Following the translation and more questions, the D.C.s conferred and then gave their ruling.

Here is a closer look at a typical case: In the dry season,

the Turkana lead their cattle into the boundary area to get to good grazing lands. Toposa warriors find the cattle in what they think is their country and chase the Turkana away, taking several cows. In retaliation, Turkana raiders attack a Toposa village, killing two children, maiming a man and taking 15 head of cattle. In the discussion of this case, each tribe stridently blames the other for starting the trouble and claims that it will not pay one single goat of compensation. After allowing the discussion to continue long enough to vent feelings on both sides, the D.C.s propose this solution. First, the tribes must return the cattle they had taken. The exchange is watched carefully as both tribes claim the other's fattest animals whether or not they are the ones stolen. Second, the Turkana raiders have to pay compensation. Tribal law calls for payment of seven bulls, eight cows, and 40 goats for a death and half of this amount for a maiming. As aggressors, the Turkana owe 17 bulls, 20 cows, and 100 goats. With the payment and receiving of compensation, the case is closed.

Once the talk of raids and retributions had finished, gloom settled on the chiefs. The pleasure of a vigorous wrangle over cattle and goats was at an end and such pedestrian matters as settlement of the boundary line and liason with the police in times of strife hardly interested them. Like bored but polite children, they listened to the D.C.s explain the border problem. When occasionally a head would nod and then drop, one bark from Essinyon brought the whole group back to dazed life. At last there was agreement on the remaining issues and the D.C.s ended the meeting. The chiefs came to life with a start and, much to my surprise, leaped to embrace each other without a trace of their earlier animosity. The drama was over, they had played their parts, and now things could go on as before.

We rose stiffly from our camp chairs and returned to the welcome shade of our tent. Knowing that the Sudanese were Moslems and that it was the time of their month-long fast of Ramadan, David arranged chairs for his

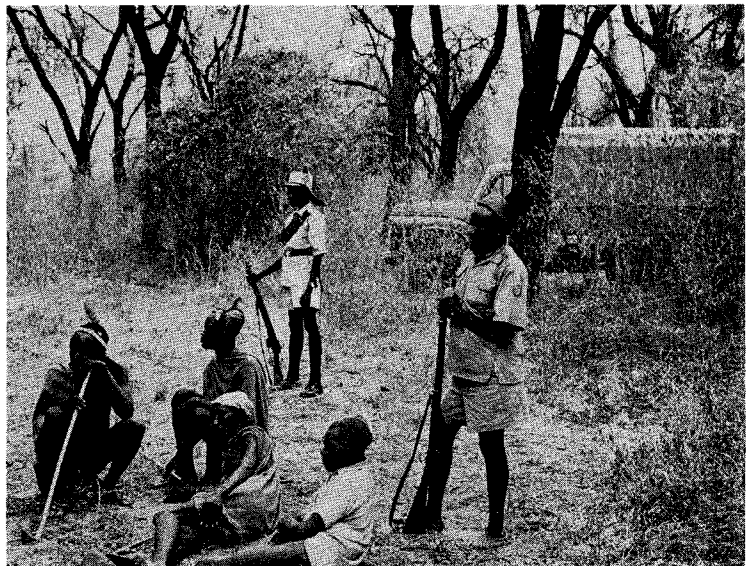
A chief states his case



guests and brought beer for the two of us. It was immediately apparent from the stricken look of the Sudanese, that, Ramadan or no, they wanted beer. To our continuing surprise, cigarettes appeared and the conversation turned to French wines. Contemplating the new Islam, we watched our meagre supply of beer vanish in a few gurgles. With the draining of the last bottle, our visitors began to fidget and look at their watches. Finally, they rose abruptly and said that they had to leave. We said goodbye gravely, with many salaams.

The camp was quiet after their departure and I had time to think over what I had learned from the baraza. It seemed to me that British colonialism has spread a large protective umbrella over Turkana. Within this sealed off district (the D.C.'s permission is still required for entry) able, concerned, and uncorruptible civil servants like David keep administrative order. The Turkana tribal police force, trained by British officers, effectively enforces law, greatly reducing the waste of lives and livestock caused by raids and counter-raids. Yet I feel that Turkana needs more than the pax Britannica. Above all, the district requires trained African leaders to enable it to cope with the demands of Independence. Unfortunately, until very recently, the colonial system in Turkana sought only to preserve the status quo. In most of the other districts of Kenya, chiefs have long served on local government bodies called African District Councils (ADCs). In this way they learned the duties and responsibilities of leadership. The Turkana have had an ADC for only two years and, according to David, barely comprehend its function. Essinyon told me that the Turkana chiefs regard government as an unnecessary, but unavoidable, interference in their tribal lives; an understandable feeling perhaps, but not one to give me confidence in their future performance. When the sheltering colonial umbrella folds, these untutored and confused men will be expected to play a major part in managing District affairs. I shall be surprised if they do their jobs well.

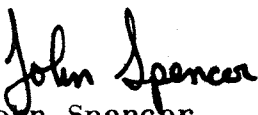
Neatness and its opposite:
Kenya and Sudan policemen



In addition to showing how unprepared the Turkana chiefs are for the future, the baraza gave me a look at the type of domestic administrator that has been in control since the Sudan became independent in 1956. Frankly, I was not impressed. There appeared to be no unity of purpose among the Sudanese officials. The Arabs obviously chafed under the direction of an African and all three men; the D.C., his assistant, and the police officer, seemed to be uninterested in their obligations as representatives of their people; they acted as if position and prestige meant more to them than the job at hand. During the meeting, they were impatient with the slightest delay and seemed acutely embarrassed by any sign of slowness or ignorance on the part of their chiefs. Several times, police constables came up to the Sudanese D.C. or to the police officer with what appeared to be important questions. Each official listened indifferently and soon dismissed the inquirer with a vague flick of the hand. When I saw this attitude, I understood the sloppiness and lack of spirit in the Sudanese troops and wondered how long their frayed discipline would last.

Are the three Sudanese typical of the post-colonial generation of East African administrators? Will similar men control a free Kenya? We shall have to see.

Sincerely,


John Spencer