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LINGUISTIC PATTERNS IN JUVENILE ALTERNATIVE DISPUTE RESOLUTION COURT PROCEEDINGS IN NAKURU, KENYA

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ABSTRACT

Language is the primary tool for mediation between the children and those offended. While Alternative Dispute Resolution is believed to be an effective way to decongest the Kenyan courts, the issue of language used is often overlooked within the proceedings. Much of the discourse analysis is focused on adult proceedings as compared with the language used by children themselves. Juvenile justice creates a completely different environment in mediation. This research goes beyond surface- level description by applying Fairclough's three dimensional model to the cases observed in Nakuru Alternative Dispute Resolution Courts. This research has examined linguistic choices during the sessions and how they affect the outcomes of the sessions. Language functions as a mediator and sometimes a barrier to justice for thr juvenile offenders. This research paints an image of the linguistic features practices in the Alternative Dispute Resolution courts in Nakuru, Kenya. The findings demonatrate liguistic negotiation where children employ specific rhetorical linguistic strategies like: blame shiftng, use of personal pronouns, code switching, flexibility of language in discourse,use of emotional indicators, history review,special sentence structures and shifts of levels of formality. This paper offers localised contributio to forensic linguistics by providing a deper understanding of how language shapes juvenile justice in Kenya.

Keywords: Language, Forensic Linguistics, Alternative Dispute Resolution, Nakuru, Critical Discourse Analysis Theory, Mediation, Juvenile, linguistic Poer Dynamics

INTRODUCTION

Language is at the very heart of the justice system. In a courtroom, words do far more than just convey information; they are the primary tools used to build evidence, establish narratives, and ultimately decide the fate of those before the court. My research focuses on the linguistic landscape of Alternative Dispute Resolution courts in Nakuru, specifically examining how language functions in cases involving children accused of criminal offenses; juvenile offenders.

This study draws on established works in forensic linguistics, such as those by Burgoon et al. (2016) and Matoesian (1993), which have long highlighted how emotive language and ideological bias shape legal outcomes. However, most existing research in this field is centered on adult defendants in formal courts. My study fills a necessary gap by centering the experience of children. As research by scholars like Corsaro (2005) and Gibbons (2003) suggests, children interpret and engage with legal authority in ways that are fundamentally different from adults, and it is this unique interaction that my work aims to un pack.

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In the local context of Nakuru Kenya, the language of the courtroom is a complex mix. It is a space where formal legal terminology clashes and blends with the street language; Sheng and deeply rooted cultural norms. By applying Fairclough (1995) model, I examine how language becomes a tactical tool: children use it to defend themselves and navigate power dynamics. The goal of this research was to map out how this language functions in practice, looking closely at how the linguistic strategies control the direction of the case.

This research focuses on naturally occuring data; conversations at the Alternative dispute resolutios courts in Nakuru county. By examining the language use in the courts and power imbalances at play, this study offers a grounded look at how Alternative Dispute Resolution systems function for young people. Ultimately, this paper demonstrates that the Alternative Dispute Resolution court is far more than a venue for resolving cases burt a space of contested meaning where every word is important or carries weight. language is udsed to contrsruct or to dismantle a child's realilt through the justcice system.

FINDINGS

LANGUAGE OF BLAME

"Language of blame" refers to communication designed to deflect from the root of a problem by triggering defensive reactions Stone et al. (2010). Brown and Levinson (1987) further define it as language that inherently threatens the listener's face. It often relies on personal pronouns to exert psychological pressure. In a criminal justice context, this becomes a defensive strategy: suspects deflect responsibility onto others using negative framing, while authority figures use it to corner the accused. The Alterative Dispute Resolution court setting exposes this friction, with children shifting blame to protect themselves and officials using it to force a confession.

EXAMPLES OF HOW CHILDREN SHIFT BLAME:

Norman: Mimi sikumlazimisha. Ni yeye alinilazimisha na mamake akakuja na watu wengine kumchukua na akaniambia lazima nifungwe na kesi ya rape unajisi. Afisa hata ukimuuliza atakwambia mimi sikumlazimisha. (Akijibu kwa ghadhabu na kukata tamaa, akionyesha kutokubali kosa na kujitetea vikali).

Traslation

Norman: I didn't force her. She forced me. Her mother brought people to take her, and she told me I'd be locked up for rape. Even the officer will tell you I didn't force her. (He sounds frustrated and desperate, flatly refusing to own the act)

Abigael:

Abigael: Aliniambia ananipenda sana na atanioa nikimaliza seko.(Akijitetea, akionekana bado anaamini ahadi hizo).

Afisa wa Watoto: Na wakati ulipata mimba ulimwambia?

Abigael: Eeh, nilimwambia.

Afisa wa Watoto: Akakwambia aje?

Abigael: Aliniambia nipeleke kwa mwenye alinipea mimba eti sio yake na hana uwezo wa kuzalisha. (Akisema kwa sauti ya maumivu na kusalitiwa, machozi yakianza kumtoka).

Translation

Abigael

Abigael: He told me he loved me and would marry me after I finished school. (She's clearly still clinging to those empty promises as a shield).

Child Officer: Did you tell him when you got pregnant?

Abigael: Yes, I did.

Child Officer: What did he say?

Abigael: He told me to go to whoever else got me pregnant that it wasn't his, and that he can't have kids. (She breaks down, betrayed and hurt).

Junior

Afisa wa Watoto: Wapi?

Kimetto: Matako. (Akijibu kwa haraka, akiepuka macho).

Afisa wa Watoto: Kwa nini? (Sauti yake inakuwa ya huruma, akijaribu kuelewa).

Kimetto: Kena alinifanyia tabia mbaya pia na mimi nikamfanyia Rono. (Akionekana amechanganyikiwa na kujitetea).

Translation

Child Officer: Where?

Kimetto: The buttocks. (He's looking away, trying to shut down the conversation).

Child Officer: Why? (The officer softens, searching for the truth).

Kimetto: Kena did it to me, so I did it to Rono. (He is clearly overwhelmed and trying to justify his actions through what was done to him).

Polisi

Polisi: I know the face of a criminal when I see one! Ulipeleka simu ya mama Shiro wapi? (Akiongea kwa ukali na kutoa tishio)

Translation

Police: I know the face of a criminal when I see one! Where did you put Mama Shiro's phone? (He is aggressive, using intimidation to get a result).

Afisa wa Watoto:

Afisa wa Watoto: Vizuri. Kwa nini uibe na nyumbani naona mnaishi vizuri? (Akionyesha mshangao, akijaribu kuelewa chanzo cha tatizo).

Translation

Child Officer: Really? Why steal when it looks like you live just fine at home? (He is incredulous, trying to pin down the motive).

Norman tries to frame the victim, Feyii, as the instigator who wouldn't leave, arguing he was pressured into the act rather than choosing it.In these transcripts, the language of blame often hinges on specific verbs intended to offload guilt. When Norman says things like, "she held me until I couldn't refuse" or "she brought herself," he is stripping away his own agency, framing himself as a victim of the situation.Kimetto also blames Rono for taking advantage of him and teaching him sodomy, Abigael blames the "bodaboda" for denying her pregnancy and giving her money to abort. The police also shif the blame to Javan when he uses his looks as a blame for theft before substanciating the claim.

Conversely, the police use leading questions; "Where did you take the phone?". Thus is to lock the suspect into a confession before they've even had a chance to speak. When an officer confronts Kingsley by asking, "Did you keep it or steal it?" he isn't asking a question; he's narrowing the trap. By claiming he can identify a "criminal's face," the officer essentially declares the child guilty based on bias before the process has even begun.

Ultimately, blame becomes a tactical tool in these interviews. The children build a "wall" between themselves and their actions by painting themselves as pawns of circumstance. The officials use harsh, accusatory language as a hammer to break that wall and force an admission.

This dynamic reveals a disturbing "linguistic abuse" within the system. The officer's comment about the "face of a criminal" perfectly captures the deep-seated prejudice street children face. Similarly, the cases of Norman and Abigael mirror toxic social attitudes toward gender. Norman relies on the damaging idea that a woman's interest absolves a man of consent, while Abigael's case highlights how marriage promises are weaponized to manipulate young girls.

The alternative dispute court, therefore, becomes a space of intense tension: a legal system hungry for a conviction colliding with children using language as their only survival mechanism to deflect a system they don't understand. Abigael blames her partner for the abortion, and Norman blames Feyii for his presence at the scene. It is a cycle of blame, where the truth is often buried beneath layers of survival tactics.

THE USE OF PERSONAL PRONOUNS

Mgullu (1999) defines pronouns as words that stand in for nouns, with personal pronouns referring to people across three categories: first, second, and third person. Mohamed (2001) further explains that personal pronouns are not just noun replacements, but essential tools for establishing the relationship between the actor and the action in communication. As Fairclough (1995) notes, pronouns are used to either include or exclude people from a situation. Consequently, they serve as vital instruments during interviews in the Alternative Dispute Resolution court. Discourse within these court proceedings is rich with personal pronouns functioning as strategic tools. For example, consider the use of "Mimi" (I) and "Sisi" (We):

Junior: "Mimi nilipewa chuma nibebe..." (I was given the metal to carry...)

Kamau: "Sisi tulifika kidato Monday..." (We arrived in Form One on Monday...)

Police: "Wewe unaitwa nani?" (What is your name?)

Karanj: "...lakini wao ni wakubwa... wao ni wakubwa wako na boat." (...but they are adults... they are adults and have a boat.)

In the text, Kamau uses "Sisi" (we) to indicate he was not acting alone, thereby diluting individual responsibility through group solidarity. Junior uses "Mimi" (I) to distance himself from the act of breaking the law, framing himself merely as a carrier. In cases involving children, the use of pronouns instead of proper names is often a strategy to minimize legal risk; they avoid naming accomplices directly to evade identification or separate themselves from the offense. Instead of saying, "Dan stole it," Junior says,

"He is the one who went to sell it." This simplifies the conversation but creates a blur of accountability, as Junior avoids owning his role in the theft of school equipment. The pronoun "mimi" is used to frame the child as the "acted upon" or the victim, rather than the perpetrator of the main offense.

Personal pronouns are frequently employed as a defensive strategy. Abigael says, "Mimi sikujua ni nini ilitokea" (I didn't know what happened), she positions herself as ignorant of the crime, directing blame toward Ben by adding, "He told me he loves me." She uses this to distance herself from the legal case regarding the endangerment of her life. Clinton uses "Anatubadilishia" (He is changing things for us) to refer to Makori. Even though he names him, he uses group pronouns ("us") to suggest that he is just a minor part of a larger "Them" (the criminal system), hoping not to be seen as the sole traitor. He attempts to avoid the scandal of the phone theft and the manipulation of the receipts.

On a social level, power dynamics emerge when Karanja uses "Sisi" to refer to street life: "tunachill na wao mtaani" (we chill with them on the streets). This signals solidarity within a group marginalized by formal society. Javan uses "Wao" (they) to refer to the police, highlighting the distance of authority: "Wenye walimpiga wanajijua" (Those who beat him know themselves), which exposes a societal rift. Javan builds a linguistic "wall" between "Sisi" (the street youth) and "Wao" (the authorities).

Karanja uses "Wao" to refer to a group of adults as the source of his offense, creating distance between himself and the blame. This shows that the child does not view the court as his own, but rather as an alien power that is oppressing him. Social tensions are revealed through personal pronouns where children see themselves as victims of a system, refusing to take responsibility for their actions and instead blaming parents or guardians for their current state. By using "Sisi," they integrate concepts of poverty and hunger as social causes that justify their actions, thus shifting accountability from the individual to society at large. Meanwhile, the police use "Wewe" (you) to establish an authoritative distance and confront the child directly.

SHIFTS IN LEVELS OF FORMALITY

Formality in discourse is a strategy used by speakers and listeners to protect "face." In formal interactions, people generally avoid slang or informal vernacular to maintain a sense of decorum Brown and Levinson (1987). The level of formality is typically governed by the context, the subject matter, and the nature of the relationship between the speakers. Research indicates that participants in Alternative Dispute Resolution court proceedings frequently adjust their register of formality depending on their objectives. Officers and children alike shift these levels throughout the interview process.

Examples,

Establishing Rapport with Children:

Case:

Officer: "Mambo, Kimetto" (Hi/What's up, Kimetto)

Solomon: "Poa" (Cool/Fine)

Case:

Afisa wa Watoto: Halafu nini kikatokea?

Brayo: Tulistukia gari ya masase "polisi" hapo nje. Mimi nikastuka nikatoa kitambaa nilikuwa nimejifunika uso, mwenye duka akaniona... nikamyoshea mkono ya kuku "bunduki" na kumpiga risasi kisha nikatoroka.

Afisa wa Watoto: Na ulijiingiza lini kwenye 'crime' uhalifu?

Brayo: Ni kitambo... Uncle alituelezea yeye ni jambazi na alikuwa anahiitaji vijana, na kwa sababu muda huu wote tumeishi kwake itabidi tumlipe na vile sisi hatukuwa na dooh akatuambia atakuwa anatutuma mission...

Afisa wa Watoto: Mpaka sasa umewaua watu wang api?

Brayo: Kama saba hivi wenye ninakumbuka. Si unajua hii mboka "kazi" yetu kuna hatari nyingi na ikitokea tumejulikana inabidi tumemzima "kuua" ili kuficha.

Translation

Child Officer: Then what happened?

Brayo: We spotted a police vehicle nearby. I panicked, took the cloth I was using to cover my face, pointed a toy gun at the shopkeeper, shot him, and then escaped.

Child Officer: And when did you get into 'crime'?

Brayo: A while ago... My uncle explained he was a gangster and needed young recruits. Since we had been living at his place, we had to pay him back. Because we didn't have any money (dooh), he told us he would be sending us on missions...

Child Officer: How many people have you killed so far?

Case:

Afisa wa Watoto: Nieleze vile mambo yalikuwa hadi ukajipata hapa...

John: Ilikuwa jioni ya Friday. Nilikuwa ninatoka shule. Nilipitia base huko Manyani kwa rafiki zangu... Mimi nikaenda kuchill na wao before niende nyumbani kwetu. Kidogo kidogo nikasikia wakisema tuende keja eti kuna mali walikuwa wameng'ang'ania...

Translation

Child Officer: Explain to me how things went until you ended up here...

John: It was Friday evening. I was coming from school. I passed by the base (base) in Manyani to see my friends... I went to chill with them before going home. Shortly after, I heard them say we should go to the house (keja) because there was some property they were fighting over...

Case:

Afisa wa Watoto: Ningeomba useme ni nini kilitokea jana usiku kuhusiana na duka la Mama Pima?

Kanja: Mimi nilikuwa niki chill na wenzangu watatu karibu na duka. Tukaona limefungwa, halafu tukaamua kuingia tuchukue vitu.

Afisa wa Watoto: Hawa watu mliokuwa nao unawafahamu?

Kanja: Sindio. Kwa sababu ni watu ambao tunachill na wao mtaani.

Translation

Child Officer: I would like you to tell me what happened last night regarding Mama Pima's shop.

Kanja: I was just chilling (chill) with three of my friends near the shop. We saw it was closed, then decided to go in and take some items.

Child Officer: Do you know the people you were with?

Kanja: Yes. Because they are people we chill with on the streets.

From the transcripts, officers shift from casual language back to formal language when defining criminal charges, using phrases like "You are charged with..." This deliberate shift underscores the gravity of the offense and the weight of legal authority.

The use of informal vocabularies such as mathe (mother), masase (police), mboka (work/job), dooh (money), shosho (grandmother), and chill reflects the children's lived experiences. This register is inextricably linked to their street life rather than standard language. We witness a "register mixing" where legal terminology and street slang coexist. The contrast between "Mambo" (casual) and "Umeshtakiwa" (formal) within the same conversation reveals a shifting intent: the former builds intimacy, while the latter establishes accountability. Structurally, the use of Sheng replaces standard words to simplify the child's understanding of the proceedings while keeping the communication accessible.

These shifts in formality serve as a tool for information gathering. By adopting the child's vernacular, the interviewers create a friendly environment. This often encourages the child to confess more readily than they would under the pressure of purely formal language. When a suspect responds in informal language, they are essentially producing speech that mirrors their daily reality, causing them to interpret the interview as a casual conversation rather than an interrogation.

The dynamics of the legal institution are revealed by the officials' ability to manipulate these formality levels at will. Their capacity to move from street slang to Standard Swahili the hallmark of authority demonstrates how youth centers use language to control the direction of a case. While officers make an effort to meet children on their own linguistic terms to foster understanding, this is often a strategic maneuver to induce the child to disclose information about the charges they face.

Ultimately, these findings highlight the tension between culture and the law. The friction between the system's formal language and the children's street vernacular exposes a significant societal gap. It suggests that legal systems are forced to "lower" themselves by relaxing grammatical norms to maintain a bridge of communication with children.

SPECIAL SENTENSE STRUCTURES

A sentence is a group of words, or a single word, that contains both a subject and a predicate and adheres to grammatical rules Perrot & Perrot (2007). Sentences are typically classified by structure (syntax), function (semantics and pragmatics), and verb vitality. Children's sentence structures vary significantly by age. While Perrot and Perrot (2007) argue that sentences should follow strict grammatical rules, these rules are often relaxed within the UMK court setting to uncover the truth. Here, we observe a mix of structures depending on the age of the child and the gravity of the case. We identified several types: simple, compound, elliptical (or "silent"), street vernacular, imperative/threatening, conditional, and narrative structures.

Sentence Type	Examples	Translation
Short and simple sentences	*Afisa: Uko form gani? Abigael: Niko form two. Bi. Kanzu: Uko sawa? Jose: Niko poa.*	Officer: What grade are you in? Abigael: I am in form two. Ms. Kanzu: Are you okay? Jose: I am fine.

Complex and compound sentences	*"Kuna mama wa huko kwetu aliniuzia dawa akaniambia nikule halafu mimi nikakula."*	"There is a woman from our place who sold me medicine and told me to eat it, then I ate it."
Silent/Paused sentences	*Kikwete: Nilikubali... niliambiwa ni rahisi. Abigael: Nadhani unajua ninaongea kuhusu nini..."*	Kikwete: I accepted... I was told it's easy. Abigael: I think you know what I am talking about..."
Street slang structure	*"Mimi sijui nalalaga tu huko na mum." Tukadimbue keroma. "Aoshe simu." "Lori ya rhino."*	"I don't know, I just sleep there with mum." Let's steal/rob a phone. "flash or clear data from the phone." "Rhino's truck."
Imperative and threatening sentences	*"Toa kiatu moja na belt na ukae hapo chini." "Kijana sema penye simu iko haraka ama nikufanyie ile kitu..."*	"Remove one shoe and belt and sit down there." "Young man, say where the phone is quickly or I will do 'that thing' to you..."
Conditional and agreement sentences	*"Promise hautanitaja nikikuambia ukweli."*	"Promise you won't mention me if I tell you the truth."
Words and abbreviations as sentences	*"12", "15", "3K", "Poa", "Eeh", "Hapana"*	"12", "15", "3K", "Cool/Fine", "Yes", "No"
Sequential thought connection	*"Kuna mama wa huko kwetu aliniuzia dawa akaniambia nikule halafu mimi nikakula."*	"There is a woman from our place who sold me medicine and told me to eat it, then I ate it."
Sentences with introductory questions ("Kwani")	*"Kwani unalalaga kwa auntie? Kwani wazazi hawakulipii fees?"*	"So/Why do you sleep at auntie's? Don't your parents pay your school fees?"
Street financial register	*Rwabe(200), Chweza (50), Ngiri mbili-(2000), Mbao-(20), Pondo-(50)*	(Various slang terms for money amounts: 200, 50, 2000, 20, 50)

In the Alternative Dispute Resolution court, the way people structure their sentences becomes a direct reflection of the power imbalance between the state and the child. When officials rely on short, sharp commands or interrogative "gatekeepers" like kwani, they aren't just asking questions; they are narrowing the child's world to force a specific, compliant response.

In response, children often use a form of linguistic camouflage. Whether through the use of complex, narrative-shifting sentences, deliberate silence, or the tactical deployment of Sheng and street financial codes, they are creating a protective barrier. These linguistic choices allow them to navigate the courtroom without fully surrendering their identity or autonomy to the institution.

Through Fairclough's Critical Discourse Analysis, it becomes clear that these aren't just stylistic quirks; they are acts of resistance. The courtroom is effectively a battleground where the rigid, standardized language of the law clashes with the survivalist, coded reality of the street, proving that in this setting, how a story is told is just as meaningful as the story itself.

THE LANGUAGE OF POLITENESS

Polite language utilizes specific linguistic structures and phrasing intended to soften the delivery of a message, protect the face of both the speaker and the listener, and remove the sense of threat from communication Brown and Levinson (1987). Within the context of child within Alternative Dispute Resolution courts, polite language serves as a "diplomatic" strategy to manage tension and cultivate a friendly legal environment for children accused of offenses. Research from the UMK court shows that officers employ this politeness in the following ways:

Politeness Strategies	Examples	Translation
Reassurance	"Asante kwa kukubali kuongea na mimi.""Wewe ni mtoto mzuri."	"Thank you for agreeing to talk to me.""You are a good child."
De-escalating Legal Weight	"Hapa sio mahakamani.""Hatutaki kumhukumu."	"This is not a court of law.""We do not want to judge you."
Protective and Welfare-oriented Language	"Sema ukweli nikusaidie."	"Tell the truth so I can help you."

Source: Researcher, 2026

At the textual level, this politeness manifests through positive, self-effacing, and empathetic language. The use of phrases like "thank you," or addressing a child by their name such as Kingsley or Jose, rather than by a case number, is a linguistic technique that

restores the child's sense of humanity. Officers use explanatory and persuasive sentences rather than commands, which significantly reduces the intensity of the interview.

Polite language functions as a key to opening up the interview process. Officers recognize that children in the hands of the law often shut down out of fear of judgment or blame. Therefore, politeness serves as a "linguistic key" to build the child's trust in their interrogator.

Furthermore, shifting one's tone acts as a conversational pivot, moving the discourse from legal formality to a consultative, advisory register. This is essential for managing the emotional well-being of the child, particularly for those who have had repeated contact with the law and may be psychologically affected.

Data from the UMK court reveals a shift in both moral and legal standards in contemporary society. Polite language reflects national and international legal requirements, which emphasize that children should be heard in a friendly environment where they are given the chance to express themselves as children. This represents a social change where a child is not pre-judged before being allowed to defend themselves.

At a broader social level, this language illustrates how institutions use kindness as a tool for behavioral correction. Instead of resorting to force and intimidation, society is now embracing linguistic diplomacy as a method for moral reform rather than mere punishment. This politeness positions officers as caretakers within the community. It effectively dismantles the antiquated notion that every suspect must be met with hostility, recognizing instead that children are often victims of their environments, even when they are accused of crimes

THE USE OF SPECIALIZED CONVERSATIONAL STRUCTURE

Conversation analysis examines the organization of social interaction, focusing on turn-taking, topic control, and the distribution of power Sacks et al., (1974). In the UMK court, this structure is far from random; it is a rigid hierarchy where those questioning the children control the flow of discourse from start to finish. The respondent (the child) is left with very little space to intervene or influence the direction of the conversation. The conversational structure within the Alternative Dispute Resolution court consistently follows these stages:

Opening and Setting the Scene Child officers initiate the conversation using a gentle tone and soft language to break down barriers of fear. The officers have the legal authority to set the agenda. Introducing themselves is a strategic move to make the child feel that they are interacting with a helper rather than an adversary.

For example,

Officer to Kimetto: "Mambo, Kimetto!" (What's up, Kimetto!)

Ms. Kanzu to Jose: "My name is Ms. Kanzu, and I have come to speak with you today. Are you okay?"

Officer J: "I am a child officer. What is your name?"

Reassurance and Insistence on Truth At this stage, the interviewer uses words of assurance to encourage the child to be truthful. Authority is exercised through a combination of persuasion and warnings.

For example,

Officer to Jose: "We are not here to judge you; we are here to help you."

Officer to John: "Don't lie; just tell the truth so we can help you. You know that if you lie, you will be locked up, right?"

Clarifying Objectives and Defining Scope: Interviewers explain the purpose of the meeting to keep the child focused on the specific offense being investigated. This prevents the child from wasting time on irrelevant issues.

For example,

Officer Kay to Solomon: "It's nice to know you, but the reason I am here is because there are a few questions I would like to ask, and that doesn't mean you are in trouble."

Conclusion and Resolution At the end of the interview, a resolution is offered based on the child's statement. Often, children who were initially fearful begin to show courage and humility, making promises to change. For example

Officer to Kingsley: "It is good to tell the truth. The truth will help you get help. Thank you for agreeing to talk to me. You will have to sit there while we see how to find your mother." (Speaking with a comforting voice, acknowledging the truth while indicating that further steps are necessary.)

Officer to Kanja: "I will try to see how you can be helped even if it means finding you a place to live and study, and helping you change your behavior.

Kanja: "Manze, sir, God bless you." (Speaking with happiness and gratitude, his face filled with new hope.)

Ms. Kanzu to Jose: "I am here just to help you become a good child and not repeat the mistake. I want you to understand your mistakes and help us find the phone owner. We will talk to your parents so they know what to do. Do you have a question for me?"

Jose: "No."

Ms. Kanzu: "Go sit down there and think about your mistakes and their consequences while we wait for your parents."

Outcome: Jose leaves, sitting where he was shown, crying silently, his shoulders trembling with regret and fear.

Police to children: "Okay, we will release you, but the school will decide the way forward. Teacher, we have caught the scrap metal person; you children, stop the stealing and study hard. Look now, your parent will have to pay for the chairs you stole." (Concluding with a stern, reprimanding tone.)

At the textual level, we witness a clear hierarchy where child officers maintain the reins of conversation from beginning to end. This leaves the child with very little room to contribute. Officers use linguistic strategies such as metaphors of "help" and "family" to reassure the child. Conversely, they use restrictive conjunctions like "but" (as seen in case 4 and 23) to shift their tone from friendly to official and authoritative. This mix of soft language and threats; "if you lie, you will be locked up", shows how the text is strategically organized to force a confession within a legal framework that merely masquerades as compassionate.

These interviews follow a well-defined institutional script: building the environment, offering reassurance, clarifying goals, and concluding. This process forces the child into a legal trajectory that leaves no room for genuine, free social participation. Officers present themselves as "helpers," but this is an ideological trap; in reality, they are state representatives collecting evidence of guilt. The child is persuaded to surrender to authority under the belief that they are being helped, proving that these conversations are not as friendly as they appear since they are bureaucratic and disciplinary.

At the level of social practice, these interviews reflect a sharp conflict between children's rights and institutional systems. Language is used as a tool to justify state power against children from difficult socio-economic backgrounds, such as those facing hunger and poverty. The system uses the "right to be heard" as a facade to solicit admissions of guilt. "Truth" is transformed into an instrument of compliance. The child who confesses is labeled "good," and the one who strays is reprimanded. Ultimately, this reveals that the UMK court focuses more on reforming behavior than addressing the root causes of the child's problems. Following Fairclough's critical discourse analysis, this is an ideology that makes legal control appear as an act of mercy, when in reality, it is a process of enforcing obedience and compelling children to agree to legal narratives that frame them as guilty.

HISTORY REVIEW

History review is an investigative technique aimed at examining the background, behavioral patterns, and previous environments of an individual to understand the root cause of their current conduct. Within the context of this study, this investigation involves reviewing past criminal records, legal disputes, and the social circumstances of the accused child. The primary goal is to gain a comprehensive picture of the offense in detail, alongside the environmental factors that compelled the child to become involved in crime. This information is collected during the discovery phase of a case to assist in rendering a fair decision.

Research conducted at the UMK court reveals that the histories of accused children are often built upon foundations of deficient upbringing, peer pressure, and precarious economic environments.

Offense	Investigation Objective	Historical Dialogue in Kiswahili	Translation
Defilement	Home environment	Afisa: Kimetto, mbona hulalagi kwenu? Kimetto: Mama hataki niwe pale.	Officer: Kimetto, why don't you sleep at home? Kimetto: Mother doesn't want me there.
Theft	Upbringing and loneliness	Afisa: Kingsley, nani anawapikia? Kingsley: Tunajijengea maisha wenyewe.	Officer: Kingsley, who cooks for you? Kingsley: We build our own lives.
Robbery with violence	Influence of adults	Afisa: Brayo, nani alikufunza? Brayo: Mjomba ndiye alinionyesha njia.	Officer: Brayo, who taught you? Brayo: Uncle is the one who showed me the way.
Abortion	Relationship and safety	Afisa: Abigael, mathe anarudi saa ngapi? Abigael: Anarudi usiku sana, namkosa.	Officer: Abigael, what time does your mother return? Abigael: She returns very late at night, I miss her.
Theft	Street life	Afisa: Kanja, wazazi wako wapi? Kanja: Sina, nimejifunza kuishi mtaani.	Officer: Kanja, where are your parents? Kanja: I have none, I have learned to live on the streets.
Phone theft	Incident environment	Afisa: Jose, ilikuwaje hito siku? Jose: Nilikuwa tu nimepewa, sikujua.	Officer: Jose, how did it happen that day? Jose: I was just given it, I didn't know.
Phone theft	Theft network	Afisa: Edu, ulipata wapi hiyo simu? Edu: Nililetewa na Makori, yeye ndiye anajua.	Officer: Edu, where did you get that phone? Edu: It was brought to me by Makori, he is the one who knows.

Theft	Drug history	Afisa: Mose, ulianza lini kuvuta gundi? Mose: Tangu nilipotoroka nyumbani kwa njaa.	Officer: Mose, when did you start sniffing glue? Mose: Since I ran away from home due to hunger.
Illegal fishing	Peer influence	Afisa: Kevo, nani alikufundisha? Kevo: Tulijifunza na vijana pale mtoni.	Officer: Kevo, who taught you? Kevo: We learned with the youths by the river.
Murder	Possession of evidence	Afisa: John, hiyo bag ilifikaje kwako? John: Sijui, niliikuta tu pale imetelekezwa.	Officer: John, how did that bag get to you? John: I don't know, I just found it abandoned there.

Source: Researcher, 2026

The history review utilizes a narrative discourse constructed with phrases such as "I have nowhere to go," "Mother was incapable," and "I didn't know." Referring to other individuals such as the "Uncle" mentioned by Brayo or "Makori" linked to Edu is a linguistic strategy aimed at shifting blame and presenting themselves as victims of circumstance rather than intentional criminals.

These discourse practices show that the history review acts as a bridge between the law and social reality. While officers seek historical evidence to close a file, children like Jose and John provide "life narratives" in search of help. Consequently, this information serves to protect the child by highlighting the difficult environments that pressured them into crime.

The data demonstrates a direct correlation between crime and social structure. Histories like those of Brayo, Kanja, and Mose who began sniffing glue after fleeing home troubles like hunger confirm that child delinquency is often a byproduct of systemic domestic failures. Legal language here is forced to concede that the child's offense is an indictment of the family and society's failure to provide protection and proper guidance. Furthermore, the case of Kimetto illustrates how abuse can be normalized through language in dangerous settings, while illegal acts become routine due to a lack of moral supervision.

In this context, the history review compels the legal institution to assume the role of a "surrogate parent." When officers investigate these histories by asking questions like "Who cooks for you?" in the case of Kingsley, or "Where are your parents?" in the case of Kanja, they are attempting to fill the gaps left by absent guardians. This shifts the focus of legal language. Instead of focusing solely on punishment, it moves toward a psychological and social domain, where the primary objective becomes restoring dignity and providing shelter for children from environments that failed to provide adequate care.

THE USE OF EMOTIONAL INDICATORS

Emotional indicators are linguistic tools, symbols, or gestures used in communication to convey a speaker's internal state, emphasize specific concepts, or display psychological positioning during an interaction. Within the context of the Alternative Dispute Resolution courts, these indicators serve as "psychological windows" that reveal the internal struggles of accused children. Feelings such as shame, regret, and fear are not merely consequences of the offense committed; they are reflections of the friction between inadequate upbringing, peer pressure, and the isolation children face in their daily environments. The various emotional indicators observed during the Alternative Dispute Resolution court investigations include:

PUNCTUATION AS TONE INDICATORS

The process of transcribing court proceedings captures genuine emotion through the use of punctuation. These marks lend weight and meaning to the words spoken by the participants. These emotional indicators are derived from the researcher's transcription of the collected data:

Exclamation Mark (!): Used to denote the peak of shock, anger, or despair, depending on the conversational context.For example,

Wezi! wezi! (kesi 2): Sasa nitafanya nini?!

(kesi6): Kwa nini? (kesi, 1)

Mama Kimetto, unakuwa wapi...?

Translation

"Thieves! Thieves!" (case 2)

"Now what will I do?!" (Case 6)

"Why?" (Case 1)

"Kimetto, where have you been...?"

GESTURES, NON-VERBAL EXPRESSIONS VERBS AND ADJECTIVES OF STATE

Research indicates that words alone are insufficient to describe a child's state; mimicry and body language provide a deeper interpretation of the underlying emotions that emerge during an interview. The selection of verbs and adjectives illustrates the flow of the interview and the psychological state of the participants. Verbs like "trying to calm him down" highlight the officer's gentle strategy, while adjectives like "humble voice" describe the child's linguistic stance.

Kimetto (Kesi, 1): Sauti ya chini na machozi yakimtoka.

Brayo (Kesi, 3): Ganzi ya kihisia, majuto na woga.

Translation

Kimetto (Case 1): Low voice and shedding tears.

Brayo (Case 3): Emotional numbness, regret, and fear.

At the textual level, emotional indicators such as exclamation marks and descriptive verbs set in parentheses build a narrative that transcends mere legal boundaries. The use of emotional phrases shifts the court register from a process of dry judgment to a human experience that captures regret, fear, and the complex circumstances of these children. This discourse production is evident during the interview, where child officers use persuasive language to lower the child's psychological defenses. Conversely, children use the language of emotion—such as crying and humility as a technique to "trouble" the heart of the interviewer or case handler, seeking forgiveness or understanding rather than harsh punishment.

The language of emotion in court is a mirror reflecting major social conflicts, as it exposes the deep gaps present in society. The feelings expressed by children like Kingsley and Abigael prove that child delinquency is often a result of alienation and extreme poverty. The UMK court uses emotion as a tool for behavior modification. Rather than relying solely on custodial punishment, this system values psychological shifts that manifest through the child's humility. This signals a transition in the national justice system toward more humane practices, particularly in cases involving children.

FLEXIBILITY OF LANGUAGE IN DISCOURSE

Linguistic flexibility refers to the capacity of a language to adapt, expand, and generate alternative meanings based on social context. As Matinde (2012) and Massamba (2009) note, this process involves morphological and semantic shifts, where words enter new grammatical categories through the attachment of affixes or changes in meaning. Within the UMK child court context, this flexibility serves as a cornerstone of Sheng, which draws elements from Swahili, English, and local dialects to create a communication system that meets the needs of its users within a legal environment.

Semantic flexibility manifests in the following ways within the UMK court:

Expression Word in Kiswahili	Expression Word in English (Literal/Equivalent)	Context of Use	Contextual Meaning (English)
"Kasusu", "kipupu"	"Kasusu", "kipupu"	Incidents of violence/sex	Sexual organs/acts
"Kuzima"	"Kuzima" (To switch off/extinguish)	Criminal conversations	To kill / end a life
"Machanda", Masase, rhino	"Machanda", Masase, rhino	Criminal conversations	Police in general
"Madoo", "Dooh"	"Madoo", "Dooh" (Slang for money)	Financial conversations	Money / Capital
"Poa", "Mambo"	"Poa" (Cool), "Mambo" (Hi/Things)	Conversations with officers	Friendliness/Calm
"Kubangaiza"	"Kubangaiza" (Hustling)	Life conversations	Doing odd jobs / hustling
"Baze/Chill"	"Base/Chill"	Street conversations	Meeting/resting area
"Kupandisha", "Mali"	"Kupandisha", "Mali" (Goods/Property)	Criminal conversations	Arrested by police, Child targeted for defilement

The text illustrates how flexibility reveals a wealth of codes where a single word carries multiple meanings depending on the case context. For instance, the word kuzima (literally meaning to extinguish a fire) takes on the meaning of killing someone in a criminal context. This morphological creativity shows that the discourse of these children is laden with linguistic markers that require deep interpretation to uncover the truth of events.

In speech, this flexibility facilitates the intersection of street language and legal terminology. Court officers strategically adopt Sheng to lower a child's psychological defenses, shifting the tone of the interview from a series of legal commands to a consultative dialogue aimed at behavioral correction.

This flexibility serves as a marker of identity and resistance for groups marginalized from mainstream society. The ability of Sheng to bend the meaning of common words and infuse them with criminal weight as seen with kuzima which demonstrates how these children's communities construct their own linguistic culture to withstand the pressures of both daily life and the legal system.

CONCLUSION AND RECOMMENDATION

The language used in Nakuru's Alternative Dispute Resolution courts is far more than just a tool for communication; it is a tactical battleground where the rigid, authoritative structures of the law collide with the survivalist, coded realities of the children involved. Through the constant negotiation of blame, the strategic switching between formal Swahili and street level Sheng, and the calculated use of politeness, both officials and children engage in a complex contest of meaning that dictates the outcome of each case. While these courts are designed to provide a more compassionate alternative to the formal justice system, this research reveals that they function as spaces of high stakes power dynamics, where the ability to control and construct a narrative often outweighs the facts themselves. Ultimately, the way a narrative is told within these rooms is just as meaningful as the offense under investigation, highlighting how deeply language shapes and often limits the pursuit of justice for young people in our society.

RECOMMENDATION

It is worth examining how the presence of third-party interpreters or guardians impacts the power balance. When a child is more comfortable in their mother tongue or deeply coded slang, how does the mediation process affect the authenticity and integrity of their narrative? Also, expanding this research beyond Nakuru would provide a clearer picture of how regional differences such as variations in Sheng or distinct cultural attitudes toward authority influence how juvenile cases are handled in different parts of the country. Lastly, future studies could shift the focus to include the victims of juvenile offenses. Understanding how a victim's language interacts with the suspect's defense would offer a much more comprehensive view of how "restorative" justice actually functions in practice.

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