

Addis Ababa University
School of Graduate Studies
Department of Social Anthropology

**Indigenous Conflict Resolution Mechanisms Among the Oyda
People of Southern Ethiopia: An Exploratory Study.**

By: Yewubneh Yemanebrihan

March 2016
Addis Ababa, Ethiopia

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Ababa University**

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of Arts in Social Anthropology**

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Table of Contents

	Page
Table of Contents	i
List of Figures	iv
Acknowledgement	v
Glossary of Local Terms	vi
List of Acronyms	ix
Abstract	x
CHAPTER ONE	1
1. Introduction	1
1.1 Background of the Study	1
1.2 Statement of the Problem	3
1.3 Objectives of the Study	5
1.3.1 General Objective	5
1.3.2 Specific Objectives	5
1.4 Research Questions	5
1.5 Significance of the Study	6
CHAPTER TWO	7
2.1 Review of Related Literature	7
2.1.1. Conceptualization of terms	7
2.1.2 The Concept of Conflict	7
2.1.3 Conflict Resolution	11
2.2 Theoretical Framework	13
2.2.1 Sources of Conflict	13

2.3 Strengths and Weaknesses of Indigenous Conflict Resolution Mechanisms	16
2.4 Types of Conflict Resolution Mechanism	18
CHAPTER THREE	22
3.1 Research Method	22
3.2 Research Approach and Design	22
3.3 Method of Data Collection.....	24
3.4 Sample Procedures	26
3.5 Method of Data Analysis	26
3.6 Ethical Consideration	26
3.7 Scope and Limitation of the Study.....	27
3.8 Thesis organization	28
CHAPTER FOUR	29
4.1 Description of the Study Area	29
4.2 A Short history of the Oyda	33
4.3 Social Organization of the Oyda.....	35
4.4 Kinship and Marriage	37
CHAPTER FIVE	40
5.1 Causes of Conflict Among the Oyda	40
5.1.1 Conflict in the Ceremony of Mourning (Bale Ayth)	40
5.1.2 Family Related Conflicts (Kara Ass Adho).....	43
5.1.3 Adultery (Olale) and Abduction (Goche Eke)	46
5.1.4 Conflict Over the Violations of Agreement (Kothe)	48
5.1.5 Murder (Shemppo Wodho) and Revenge (Kushe Maahe)	50
5.1.6 Alcoholism (Mathe).....	52
5.1.7 Insult (Cashi)	54

CHAPTER SIX	56
6.1 Institutions and Mechanisms of Conflict Resolutions	56
6.2 The Conception of Wrong Among the Oyda	56
6.3 The Oyda understanding of conflict	57
6.4 Conflict Resolution Institutions and Mechanisms	57
6.5 The Oyda Indigenous Conflict Resolution Mechanism (The Bucha Woga)	58
6.6 The Kaati, Bitan and Chomach Institution of Conflict Resolution	61
6.7 The Procedures Followed by the Institution (The Bucha Woga).....	64
6.8 Selection Criteria of the Elders	68
6.9 The Mechanisms of Law Enforcement	71
6.10 The Relationship Between the Bucha Woga Institution of Conflict Resolution and the Formal Court System	72
CHAPTER SEVEN	74
7.1 Conclusion	74
References	76
Appendices	

List of Figures

Fig. 1: Location and map of Oyda Woreda.....	30
Fig. 2: Figure showing power hierarchies of the <i>Baltsa</i> , the <i>Bagara</i> and the <i>Dalcha</i> institution of conflict resolution within the <i>Bucha Woga</i> conflict resolution institution.	59
Fig. 3: Figure showing power hierarchies of the <i>Kaati</i> , the <i>Bitan</i> and the <i>Chomach</i> institution of conflict resolution within the <i>Bucha Woga</i> conflict resolution institution.	63

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Glossary of Local Terms

<i>Aagar</i>	high clan within the tsoma group
<i>Acca</i>	compensation
<i>Adde</i>	father
<i>Adho</i>	conflict
<i>Afo</i>	aunt
<i>Alle</i>	highland
<i>Areqe</i>	liquor
<i>Awzo</i>	mother's brother
<i>Ayle</i>	slave
<i>Ba'a</i>	a perception that a young boy from the family has the right to inherit fathers' property among the Oyda.
<i>Balabat</i>	local official during the imperial era
<i>Beete gele</i>	a marriage without boys consent
<i>Bitan</i>	title of local chiefs below the office of Kaati in Oyda
<i>Bolle</i>	in-laws
<i>Bucha</i>	the place where customary law is delivered
<i>Buda</i>	evil eye
<i>Caaqo</i>	oath
<i>Carra</i>	highly valued money made from bronze
<i>Cashi</i>	insult
<i>Chiqa Shum</i>	village headman during the imperial time
<i>Chomach</i>	title of a local chief below the office of Bitan in Oyda
<i>Daana</i>	locally made beer
<i>Danna</i>	title of local chiefs for village headman in Oyda
<i>Dago</i>	communal work
<i>Dawle</i>	lowland
<i>Deebina</i>	one of the ruling clan in Oyda
<i>Dosse (Kadhe) Eke</i>	marriage based on mutual consent
<i>Elcha</i>	necklace made from bead

<i>Ende</i>	mother's sister
<i>Enset</i>	false banana
<i>Eshe</i>	brother
<i>Geze-dawle</i>	midland
<i>Goche eke</i>	abduction
<i>Gome</i>	curse
<i>Kaati</i>	king
<i>Kach</i>	quarrel
<i>Kaatidom</i>	equivalent to kingdom
<i>Kara ass</i>	family
<i>Kebele</i>	the smallest unit of political administration in Ethiopia
<i>Kefesho</i>	legendary women in Oyda
<i>Kere</i>	rope
<i>Komo</i>	race
<i>Kotsi manni</i>	smiths
<i>Kushe maahe</i>	revenge
<i>Mahe</i>	a marriage when a younger brother marries his older brother's wife or a younger sisters marries her older sister's husband during death.
<i>Mathe</i>	alcoholism
<i>Malli</i>	higher social class in Oyda
<i>Manni</i>	potter or smith
<i>Mayzo</i>	uncle
<i>Migido</i>	ring made from bronze
<i>Mingi</i>	man whose teeth erupted in the upper jaw before the lower jaw.
<i>Mura</i>	messenger
<i>Na'unsu</i>	children
<i>Ogadde</i>	the lowest traditional administrative structure in Oyda
<i>Olale</i>	adultery
<i>Oli</i>	war
<i>Oma</i>	clan
<i>Osh</i>	fight

<i>Otta manni</i>	potter
<i>Oyde</i>	seat
<i>Oydina</i>	the ruling clan among the Oyda
<i>Qaxaro yefo</i>	mourning based on appointment
<i>Shara</i>	one of a clan in Oyda
<i>Shemppo wodho</i>	murder
<i>Tej</i>	local beer
<i>Torqqa</i>	one who comes unusually in birth
<i>Tsalahe</i>	earthly spirit (devil)
<i>Tsoma</i>	higher social class next to malli
<i>Tsozi</i>	god
<i>Walle</i>	locally made weapon
<i>Woreda</i>	district
<i>Yijo michida</i>	ritual of purification for blood feud

List of Acronyms

A.S.L Above Sea Level

FGD Focus Group Discussion

GIS Geographic Information System

ICRM Indigenous Conflict Resolution Mechanism

PA Peasant Association

SNNPRG Southern Nation's Nationalities and Peoples Regional Government

Abstract

The different ethnic groups in Ethiopia have developed their own indigenous mechanism to deal with conflicts. The Oyda of southern Ethiopia are among those ethnic groups with their own conflict resolution mechanism. The main purpose of this study is to explore the role of indigenous institutions of conflict resolution among the Oyda people of southern Ethiopia. This study has employed a qualitative exploratory research to meet the stated objectives of the study. To achieve the above objectives, the study collected primary data from different informants in Oyda Woreda by employing such qualitative data collection techniques as an interview, focus group discussions and observation. A total number of 34 informants were participated in the study. The secondary data sources were obtained from published and unpublished government documents; such as books, journals and different researches. The finding of this research reveals that the indigenous conflict resolution institution is one of the ways of resolving conflict in the study area. The study also came up with the major causes of conflict in the study area and the indigenous means to resolve them through the Bucha Woga conflict resolution institution. The major causes that drive people of the study area in to conflict are family related conflicts, competition in the ceremony of mourning, abduction, adultery, theft, excessive alcohol usage, conflict over the violations of agreement, murder, revenge and insult. This research also exposes the criterion for the selection of an elder in conflict resolution institution and the study areas indigenous rules of law enforcement. It also came up with the relationship that existed between ICRM and the formal court system in resolving conflicts and keeping the societies peace and security. Hence, Bucha Woga plays a core role in resolving conflicts.

Key words: conflict, conflict resolution, indigenous, ICRM

CHAPTER ONE

1. Introduction

This thesis was based on the findings of research in to exploring the indigenous conflict resolution mechanism among the Oyda people of Southern Ethiopia. This introductory chapter contains a discussion on the background of the study, research problem, and objectives of the study, research question and significance of the study.

1.1 Background of the Study

Conflicts, according to Fisher (2000) are facts of life, inevitable and often creative. Fisher also points out that in our day to day interaction with others, we either observed or pass through conflicts which range from the very interpersonal quarrel, family and neighbors dispute, ethnic and inter-state conflicts to the global war. He further explains that conflicts can destroy existing relationships and bring disaster. He also indicates, conflict could create opportunities for new relationships and change (Fisher, 2000).

As a human being, we all deal with conflict in our day-to-day lives- at home, work and school, in personal and business relations. In today's complex society, it is common to see when communications break down, differences increase and conflicts arise. However, what is important is how to settle our differences.

Resolution of conflict is crucial for day to day coexistence as human societies are in constant search of resolution mechanism of conflicts (Pankhurst and Getachew, 2008). Hence, different societies of the world have developed their own mechanisms to resolve conflict. Like in other part of the world, in Africa, people with different backgrounds, culture, class, age and other come into conflict. The conflicting parties may be individuals, groups, families, clan's or ethnic group. To manage their conflict, Africans have developed their own indigenous institutions. In other words, those indigenous conflict resolving institutions helped them to settle their conflicts. However, the mechanisms are different from a given society to the other because of the different ways of life.

In the Ethiopian context as well, Mellese (2008) states that, as a multicultural society, there are various social groups that live together in harmony, cooperation and sometimes in conflict. On the circumstance when conflict arises within or between social groups, Abera (2000) notes that, various types of conflict resolution methods were applied in different parts of the country and among different sections of the population. For instance, Assefa (2005) has made a study on indigenous mechanisms of conflict resolution in Oromo. He defined some of the mechanisms in different categories. These include: *ilafi-ilame*, *Jarsumma*, *Waqeffana* and *Sinqee*. According to this study, these mechanisms have been practiced by the Oromo was mainly in order to resolve conflicts found in their respective areas.

The *Aba'la* in Afar, the *Shimagille* in Amhara region, *Nemo* in Shinasha, *Ruec Wec Ring* and *Guk* among the Nuer of Gambela, the *Korefinie* among the Gamo are also some of the many indigenous systems of conflict resolution mechanisms in Ethiopia (Pankhurst and Getachew, 2008). Thus, Ethiopians, like their African counterparts has employed their own indigenous conflict resolution methods in the process of settling conflict. Conflict resolution mechanism in Ethiopia can be generally classified as indigenous conflict resolution mechanisms and formal mechanisms of conflict resolution, which are provided by the state (Pankhurst and Getachew, 2008).

Every society developed a worldview through which it looks at and interacts with the surrounding reality. A society's worldview is constructed through the cultural lenses that people have developed through years of socialization (Hamdessa, 2000). Similarly, the Oyda people have also developed different institution to manipulate the day to day activities of its members. Among these institutions, conflict resolution mechanisms are employed by the society in order to resolve conflicts. Therefore, the general purpose of this study was aimed at exploring the role of indigenous institution of conflict resolution mechanism in handling conflict found in the study area.

1.2 Statement of the Problem

Conflict is a natural and common to every society, each society developed its own conflict resolution mechanism based on their traditional customs and values. Like others, Africans have their own means of addressing and resolving conflicts since the remote past (Zartman, 1989). Tirsit (2002: 28 & 29) also notes that traditional approaches of conflict resolution are an important component of the cultural heritage of African societies. According to Rabar and Karimi (2004), indigenous conflict resolution mechanisms in Africa are generally closely bound with socio-political and economic realities of the lifestyles of the communities. These mechanisms are rooted in the culture and history of the African people, and are in one way or another unique to each community.

For example, as it is mentioned in the works of Malan (2005), the Rwandan *Gacaca* court, *Kacokemadit* meetings in northern Uganda and the *Ajaweed* Council are known in their provision of speedy solution to genocidal criminals and healing of traumas. In addition, *Kidepo* valley communities of eastern Equatorial and *Mato Oput* of the *Acholic* people of northern Uganda (Brock-Utne, 2001) are also the other examples of African born conflict management and reconciliation methods. Africa, therefore, has a number of indigenous conflict resolution mechanisms which helps its people to manage and resolve conflicts ranging from inter personal to inter-ethnic ones.

As part of Africa, Ethiopia has also developed its own means to address conflict. Ethiopia is believed to be the country of more than eighty ethnic groups, who have their own languages, and cultures. These diverse ethnic groups have developed their own distinctive political, administrative, economic, social and judicial systems. These diverse groups had been living in cooperation and conflict for a long period of time. They have also developed and employed their own mechanisms to solve different conflicts that arise due to divergence of interest and other factors (Assefa, 2001).

The different scholarly works in the Southern Nations Nationalities and peoples region also showed that the region employed its own methods of conflict resolution mechanism. For instance, Yewondwossen (2006) explains the Ye Joka indigenous conflict resolution mechanisms

among the Gurage people. Sileshi Abate examines the nature of Sekacho conflict resolution mechanism in Bench Maji Zone. Besides, Temesgen Minwagaw discusses mechanisms of conflict resolution in Doko- Gamo ethnic group in Gamo Gofa Zone (Gebre, et al, 2011). Added to that, Ambaye (2008) describes the traditional conflict resolution mechanism of the Sidama people. Furthermore, Melese Mada (2008) explains about the role of elders in resolving conflicts among the people of Wolayta.

The Oyda have been discussed in few of the literature found. Among those scholarly works, for instance, Abraham Dilnesaw (2003) discusses on the linguistic aspects of the Oyda in his research entitled 'word formation in Oyda'. The same studies on Oyda language have also been conducted by Haileyesus Engedashet (2002) and Fleming (1975) in their book 'aspects of Case in Oyda' and 'Recent Research in Omotic-Speaking Areas' respectively. Added to that Dereje (2011) explains about the Oyda's local economy and society in his book "the Oyda of southern Ethiopia: a study in local economy and society." In this work, he describes the hierarchical social organization of the Oyda people in terms of occupation and clan membership as well as the economic inequality existed between the farming and artisan community.

However, the findings of these studies do not give any information about conflicts and conflict resolution mechanism in the study area based on the worldview of the people. Therefore, there is no previous study on the Oyda's understanding of conflict, causes of conflict and their resolution mechanism. In addition, the Oyda have their own indigenous conflict resolution institution based on their own traditions, customs and worldview, which are not studied yet. Thus, there is a gap in studying the causes of conflicts and their resolution mechanism among the Oyda people of southern Ethiopia. Therefore, this research was mainly aimed at filling this gap. As a new study on conflict and conflict resolution mechanism in the study area, the researcher will construct on the general works available and on the oral tradition of the people under study in order to produce a general understanding of conflict and conflict resolution mechanism.

In general, the purpose behind this research is to explore and examine conflict and the indigenous conflict resolution mechanism among the Oyda people of Southern Ethiopia. In order to give comprehensive information about conflict and conflict resolution mechanism, the

researcher tried to explain the socio-cultural elements and ritual processes employed in the resolution mechanisms among the Oyda of southern Ethiopia based on ethnographic field work.

1.3 Objectives of the Study

This research has the following general and specific objectives.

1.3.1 General Objective

The general objective of this research was to investigate and analyze the causes of conflicts and the role of indigenous conflict resolution mechanisms in resolving conflicts in Oyda people of Southern Ethiopia.

1.3.2 Specific Objectives

The specific objectives of this research were:

1. To explore the role of indigenous institution in resolving conflict in the study area.
2. To identify the cause of conflict handled by indigenous conflict resolving institutions.
3. To describe the procedures followed by these indigenous institutions.
4. To examine the relationships between the indigenous conflict resolution mechanisms and the formal court system.

1.4 Research Questions

Based on the above objectives of the study the following main research questions are formulated, and the aim of this research is to answer the following questions.

- ✚ What are the roles of indigenous institutions in resolving conflicts in the study area?
- ✚ What are the causes of conflict in the area resolved by the indigenous conflict resolution mechanisms?
- ✚ What are the procedures followed by these indigenous institutions?
- ✚ How do indigenous conflict resolution mechanisms and the formal court system work together?

1.5 Significance of the Study

The study of indigenous conflict resolution mechanism among the Oyda people of southern Ethiopia was important from the following perspectives:

The findings of this study entitled, indigenous conflict resolution mechanism among the Oyda people of Southern Ethiopia: An exploratory study, are designed to give a brief, reliable and state-of-the-art account on the role of indigenous conflict resolution mechanism in resolving the different causes of conflict found in the study area based on the worldview of the people and other corresponding social, cultural, and economic practices of the society at large. For the reason that the people in the study area lack sufficient professional writings on the role of the indigenous institutions in conflict resolution, the current study is supposed to throw in at least few of those needy areas of the issue through initiating and provoking those potential researchers and providing them with basic and preliminary information on subject under study.

Besides, this study intended to provide some information to the government and non-governmental bodies on the role of indigenous institution in conflict resolution in the study area. Also, the public organizations and any interested bodies may consider it as the reference in promoting the indigenous values of the people in general and the mechanism of indigenous conflict resolution in particular. It is also supposed to serve as a significant and reliable ground for policy makers, legal personnel and development partners (government bodies, nongovernmental organizations, etc.) in their activities towards initiating, executing, handling and supervising the holistic and sustainable development of the study area and other similar localities of the state.

CHAPTER TWO

2.1 Review of Related Literature

This section of the thesis attempts to review the existing literatures related to the research question under study. It begins with explaining the conceptualization of terms on conflict and conflict resolution mechanism; major theoretical schools on the causes of conflict, the strengths and weaknesses of indigenous conflict resolution mechanisms. At the end, a brief accounts on the different types of conflict resolution mechanism are discussed.

2.1.1. Conceptualization of terms

2.1.2 The Concept of Conflict

There are different ways of explaining the concept of conflict in the academic literature of conflict. The word conflict is itself derived from the Latin word '*confligere*', which literally means, to 'strike together' or 'to clash, engage in a fight' (Schmid, 2002). Accordingly, conflict happens when different opposing groups compete with each other to achieve their intended goals. In other words, it refers to a confrontation between individuals or a group resulting from opposite or incompatible ends or means.

Conflict is not a new phenomenon in the history of human beings. It always exists as long as human beings live together and it is an inevitable part of human experience or existence (Francis, 2006). Assefa (2001) also notes that, as long as there is the concept of society and the very existence of peoples, there is undoubtedly conflict no matter the extent as well as the source of it. In fact, it is very difficult to separate conflict from humankind. It is impossible to see them independently; they are always together making two faces of the same coin. It is unconceivable to think a society without conflict.

Historically, individuals, social groups and societies have disputed and competed against one another over scarce commodities and resources. They have even fought one another and bitterly sought the elimination and/or subjugation of rivals, in order to control these resources and commodities (Baxi and Gallanter 1979; Moore 1985). The realization of these needs and interests by people can lead to conflict. When two groups or individuals pursue incompatible

interests and needs which could either be political, economic, social or cultural, they can engage in conflict (Bukari, 2013).

Conflict appears to be an essential element of human performance in diverse activities. The term could be classified based on different criteria and variables, and this creates difficulty in formulating an operational and exact definition.

Therefore, different scholars have come up with different definitions, concepts, views and description on conflict. For Coser (1968), conflict is a struggle over values or claims to status and scarce resources, in which the aims of the conflicting parties is not only the desired values but also neutralizes, injures or eliminate their rivals: the negation of harmonious coexistence of people.

As to Nader (1968), Conflict is an inevitable phenomenon in human society's sphere of life since the entire life of humankind is manipulated by the prevalence of conflict within the society when people set opinion against opinion, run interest against interests. Kriesberg (1973:17) on his part simply defines conflict as " a relationship between two or more parties who believe they have incompatible goals." Boulding also defined conflict as "a situation of competition in which the parties are aware of the incompatibility of potential future positions and in which each party's wishes to occupy a position that is incompatible with the wishes of the others" (1962:5).

These definitions imply the intrinsic and inevitable nature of conflict in human existence. It is undoubtedly clear that every human being or groups of human beings have goals or interests which may be different from the goals and objectives of the other individual persons or groups. This incompatibility in goals and interests would result in conflict. Therefore, conflict is mainly perceived as difference and disagreement which give rise to the pursuit of incompatible goal among the parties.

Conflict unfolds as a result of interaction and contact among people; "an unavoidable concomitant of choices and decisions and an expression of the basic fact of human interdependence" (Zartman, 1991:370). In the various literatures, conflict is basically, understood as the pursuit of incompatible goals between two or more parties. Accordingly, the incompatibility of goals will lead to contradiction where the party with unrealized goals feels

frustrated and cause aggression against the other (Galtung, 2004). Therefore, conflict is a common phenomenon manifested in the form of disagreement or difference of opinion in the course of human interaction. Thus, it can be considered as an intrinsic and an inevitable part of a functioning society (Ali, 2006).

There are a number of scholars who have contributed in studying conflicts in a systematic manner beginning from the late twentieth century. These scholars have identified and categorized conflict in various ways. Most of them tried to develop dichotomized perceptions on whether conflict is disjunctive and an abnormal phenomenon (Osipova, 1989). Contrarily, conflict is perceived as a reaction resulting from a social interaction and a means to resolve an avert fission and thereby preserve development and maintenance of social order (Schellenberg, 1996 and Gulliver, 1963).

Conflict is a dynamic process in which structure, attitudes and behaviors are constantly changing and influencing one another. Conflicts emerge under a great array of different circumstances. Violent conflict and non-violent conflict are results of interaction between these three elements. The development of certain attitudes can be combined with or lead to hostile behavior (violent attacks, threats, economic coercion, discrimination). In addition certain structures might be in place or created that promotes conflict. As the conflict develops (conflict formation) it may widen, draw in other parties, deepen, and spread, generating secondary conflicts within the main parties or among outsiders who get sucked in. This often considerably complicates the task of addressing the original, core conflict. Eventually however, resolving the conflict must involve a set of dynamic, interdependent changes that involve de-escalation of conflict behavior, a change in attitudes, and transforming the relationships or clashing interests that are at the core of the conflict structures. In this respect, it often undergoes change. The change in structure, attitude and behavior will inevitably trigger the conflict cycle (Galtung 1969, cited in Ramsbotham eds. 2005).

Therefore conflict is viewed from different angles. Thus, there is divergence among scholars to frame a single definition of conflict. Hence, “conflict is a fluid infinitely elastic concept which can easily be twisted in to different shapes” (Ademola, 2006:36). As a result the nature of conflict may be hidden inwardly as hatred or be manifested overtly, verbally or in physical

violence. It may also appear at an emotional stage, reach its climax at violent stage and might disappear and reappear (Galtung, 2004). It is to this effect that conflict results in process of constantly changing. Such changes constitute conflict when the goals of the parties in the interaction remain incompatible. Therefore, conflict is not a static phenomenon rather it is a constantly changing phenomenon.

Generally, conflict could be taken as opposition between individuals, groups, institutions, that arises because of incompatible wishes or interests. Conflicts could be economic, political, social, cultural, struggles within humans at all levels of interaction.

In the study of conflict, the term dispute and conflict are used interchangeably. For instance, the two terms have carried the same message for the lawyers. Due to the constant interchanging of the terms, some scholars also substituted conflict for dispute and dispute for conflict. On the other side, there are cases where scholars describe a sharp difference between the two terms.

Conflict by far is different from dispute in many ways. One way is the distinction made by John Burton (1990). He distinguishes conflict and dispute based on two elements. These are time and issues in contention. Accordingly, dispute is a short-term disagreement between groups and is negotiable. Nevertheless, conflict is long term, deep-rooted disputation and not easily negotiable. Ross (2007) supports this view saying conflicts are long term ones, in contrast disputes suddenly occurs and quickly disappears. Ross (2007) also shows a clear distinction between dispute and conflict. He strengthens his contention in the way that these terms are quite different based on the range in terms of intensity, use of violence, the degree to which they have escalated and resources they mobilize.

Besides, Kriesberg (1997) also draws out the difference that exists between dispute and conflict. Hence, for him dispute is a struggle over matters that can be agreed and contained elements of compromise. While conflict is concerned with issues that involve deep-rooted human needs. In addition, dispute is a clash of interest while conflict is a clash over values. It is relatively easy to deal with dispute than conflict (Burton, 1990). In support of this, Mayer (2000) suggests that a conflict occurs due to value and interests are more charged and intractable. Therefore, disagreement on people's interest is seen as simple and superficial.

2.1.3 Conflict Resolution

Conflict seems to be present in all human relations and in all societies. From the beginning of recorded history, we have evidence of disputes between different groups. Because of the pervasive presence of conflict and because of the physical, emotional, and resource costs that often result from disputes, people have always sought ways of resolving their differences. In seeking to resolve differences, they have tried to develop procedures that are efficient, that allow them to satisfy their interests that minimize suffering, and that control unnecessary expenditures of resources (Moore, 1996).

Conflict resolution, according to Jeong (2000) is defined as a long term settlement of an underlying long-running conflict. It needs the long term commitment of the actors to solve their differences since the deep rooted conflicts arose over non-negotiable issues. The main target of this mechanism is to resolve the main causes of conflict. Conflict resolution requires a more analytical and problem solving approach and needs to pass through complex processes. Hence, it would enable the contestants to understand their differences exhaustively if they are interested to recognize the underlying causes of conflict.

IPRA (1994) also defines conflict resolution as “a process of decision making whose objectives are to handle, manage, settle or resolve conflicts”. During such resolution of conflicts, the conflicting parties enter in to the conflict resolution process either through self-conscious efforts to come an agreement, or they may enter by other means; for example, environmental change, the influence of third parties, victory of one party and the like (Schellenberg, 1996).

Conflict resolution is all about addressing the sources of conflict and the restoration of former relationships between the disputants. During the conflict resolution, Ramsbotham (2005) underlines that, behaviors should not be violent, attitudes should not be hostile, and the structure of the conflicts should have been changed.

The process of conflict resolution has to do with how indigenous structures and systems ensure action in bringing peace at the individual and community level relationships. In this respect, resolution procedures are generated from general cultural life and daily experiences of living. In this context, the term 'indigenous' refers to "the structures and units of organization in a

community and encompasses also the norms, values, beliefs and worldview that guide social interaction." (Kendie and Guri, 2006:333).

Generally, conflict resolution is the process whereby the disputants attempt to resolve their conflicts. It involves the end of violence, attitudinal changes to one another and addressing the sources of conflicts.

‘Dispute settlement’, on the other hand, according to Jeong (2000:35-36), contributes to the stability of society with the confirmation of legitimate roles of accepted norms, values, and institution in everyday life. For him, dispute settlement is used to solve interest based disputes out of court or before a court settlement whereas conflict resolution goes through a far more complex process.

‘Conflict management’ is largely seen in terms of social control designed to minimize the challenges to the core values of the system Jeong (2000: 34). Thus, conflict management, according to Jeong, helps to reinforce coercive policy by conforming to dominant social norms. Conflict management is also the process of reducing the negative and destructive capacity of conflict through a number of measures and by working with and through the parties involved in that conflict (Best, 2006:95). Conflict management basically refers to the process of containing the conflict to avoid aggravation. Some analysis, actually include prevention as a component of conflict management. In general however, conflict management is perhaps an admission of the reality that conflict is inevitable, but that not all conflict can always be resolved; therefore what practitioners can do is to manage and regulate them.

According to Lederach (1994) as referred in Jeong (2000:37) conflict transformation can be regarded as ‘the movement from latent conflict to confrontation to negotiation’ in achieving the peaceful relationship of a secure community. Ryan (2000) also states that conflict transformation should address issues such as long-term security, economic justice and the culture of violence. Conflict transformation entails going beyond resolving conflicts and engaging with the conflict situation continuously to bring new relations, perceptions relation and communication patterns between the parties if necessary by changing the very constitution of the society that support the continuation of conflict (Hugh, 2003:05).

According to researchers, the overall field of conflict management is fraught with conceptual and definitional vagueness. The terms of conflict resolution, conflict management, dispute settlement and conflict transformation are often used loosely and interchangeably (Reimann, 2006:102). However, for the purpose of this study, the concept of conflict resolution is used as a mechanism of conflict management approach in the study area.

On the other hand, Indigenous mechanisms of conflict resolution (ICRM), according to Abera (2003) as referred to Pankhurst and Getachew (2008), are made by the people and derive their legitimacy from participation and consensus of the community and these mechanisms are long-persistent social practices, rooted in local cultural setting, aiming at resolving conflicts, reducing tension, and rebuilding social relationships. Besides, Pankhurst and Getachew (2008), defined it as “localized institutions and its legitimacy is limited to particular ethnic group”. Therefore, these definition entails that indigenous mechanism of conflict resolution are practices that are derived from the tradition, custom and worldview of the society. In this study, an indigenous mechanism of conflict resolution refers to the conflict resolving institutions that are practiced outside the formal court system.

2.2 Theoretical Framework

Theory, according to Kurtines and Silverman (1999) as cited in (Kawulich 2009: 37) is encompassed of an explanatory statement which used to help explicate and understand relations among variables, how they operate and the processes involved. They further argue that the importance of theory lies in its ability to assist the researcher to identify and organize the connections among various phenomena that may seem unrelated. This section of the thesis describes the theories that provide the theoretical framework for analyzing the sources of conflict from different theoretical perspectives.

2.2.1 Sources of Conflict

To develop the nexus between conflict and its resolution mechanism, understanding the various causes of conflict is essential. Effective understanding of causal factors initiating conflict is also paramount to adopt and develop a mechanism to resolve the conflict. It is often believed that understanding the problem is half way to resolve the conflict. Resolution, in this context, starts with understanding the causal factors of conflict.

The various social conflict theories are attempted by scholars to provide frameworks for the understanding of conflict, especially sources of conflict, the condition under which conflicts occur, and sometimes the condition for their resolution. The following are among the different theories of conflict that describe the sources of conflict.

The structural functional theory is one of the major theoretical approaches to study the sources of conflict. The structural functionalist theory asserted that individuals will adjust to a given structure in an organization, institution or society. Any change in the structure of the organization or institution causes conflict and it destabilizes the organization. The theory reflects a system approach where each part has one or more functions to perform. It focuses on things that will maintain the state of equilibrium and collaboration in the organization (Durojaye et. al, 2013.). Moreover, structural functionalism according to Nader (1968) emphasizes both the structural sources and the structural functions of conflict. Structural functionalists view society as an equilibrium system whose component parts play a role in the maintenance of the whole. Hence, as part of social life, conflicts too work towards the maintenance of the ongoing social structure (Lewellen, 1983).

The other theory explaining the sources of conflict is interaction. Interaction is the main sources of conflict within a given society. For instance, Cohen (1974) states that, the very process of organizations would increase interaction and hence conflict. When the society organized itself at one place scarce resources and power may not be distributed equally to all members and this led to conflict. Cohen also explains that “a larger population aggregate meant more disputes for mediation by the leaders”. Besides, Eitzen and Zinn (1991:430) states that, “the probability of disagreement, irritation and the violations of privacy increased” when there is high contact or relations between different members of the society.

Opposing interaction as a source of conflict, innateness theory argues that the causes of conflict existed within us but not “within the social dynamics of human interaction” (Jacoby, 2008:67-77). From the scholars, Schellenberg (1996) explain that aggressive behavior is inherited by all human beings naturally and hence conflict is caused by innate behavior. Proposing against this theory, the social learning theorists explained that aggressive behavior is not inherited

biologically, rather learned through socialization. Moreover, they underlined that competition over resources, ecological and cultural factors are the causes of conflict (Eitzen and Zinn, 1991).

Human needs theory is the other theoretical school in describing the sources of conflict. Human Needs theory attributed the source of conflict to the fulfillment of personal or group objectives. This theory is based on the hypothesis that, in order to maintain stable society, basic human needs have to be met. In support, Burton (1990) believes that the human participants in conflict situations are compulsively struggling in their respective institutional environments at all social levels to satisfy primordial and universal needs such as security, identity, recognition and development. They strive increasingly to gain the control of their environment that is necessary to ensure the satisfaction of these needs. This struggle cannot be restricted: it is primordial. This approach shows that violation of basic human rights including socio-political and economic interests can be the fundamental source of conflict. Cohen (1974: 94) who articulates, when men do fight, they fight over some fundamental issues concerning the distribution and exercise of power, whether economic, political, or social, further strengthening this argument. This reveals that scarcity can be a cause of conflict.

The materialistic conception of the source of conflict is the other theoretical approach. The materialistic conception underlines that decisive factors in all conflicts are economic motives. Collier (2000) argues that lack of opportunities to external economic resources, low level of income and inadequate resources can be sources of conflict. It is important to mention here the works of Marx and Marxian perspective in this case. Originally the works of Marx is based on the assumption that society is a stage on which struggles for power and dominance are acted out. The struggles are largely between social classes competing for scarce resources, such as control over the means of production (land, factories, natural resources), and for a better distribution of all resources (money, food, material goods). Capitalism thrives on a class based system that consolidates power in the hands of a few men of the ruling class (*bourgeoisie*), who own the farms and factories that workers (*proletariat*) depend on for their survival. The interest of the dominant class is to maintain its position of power over the subordinate class by extracting as much profit as possible from their work. Only when the workers recognize their common oppression and form a class consciousness can they unite and amass the resources necessary to seriously challenge the inequitable system in which they find themselves (Allan, 2007).

In other words, Marxists argued that more unequal is the distribution of scarce resources in a society, the greater is the violent conflict of interest between its dominant and subordinate segments and the greater the changes that may be caused in the pattern of social organization, especially in the redistribution of scarce resources. Also, the more subordinate segments become aware of their true collective interests or inequality, the more likely they are to question the legitimacy of the existing pattern of distribution of valued resources and join evident conflict against dominant segments of the social system (Marx and Engels, 1964; Marx, 1967 cited in Lindsey, 2011).

This research is, therefore, an effort to address different methods of conflict resolution and their interrelations, the ritual they involve and the role of rituals in peace making, the indigenous methods of enforcing decisions among the Oyda of southern Ethiopia within the context of the existing theoretical framework.

2.3 Strengths and Weaknesses of Indigenous Conflict Resolution Mechanisms

According to Boege (2006), there are a number of limitations in traditional approaches to conflict resolution; few among them are, firstly, he points out that traditional approaches do not terminate conflicts which erupt out of the elders' authority. This refers to conflicts in the modern world where the legitimacy and acceptance of elders is minimal. Secondly, he puts that the practice of indigenous conflict resolution mechanism often contradicts universal declaration of human rights. For example, the practice restricts the participation of children's and women's right. The third disadvantage is according to him are that the applicability of traditional mechanisms is confined to a specific group such as a specific community, family, lineage or neighborhood. The other disadvantages are meant only to restore the statusquo and are always open to abuse.

Osagahae (2000), in a similar fashion, explained that in conditions where there is ethnic competition for power the implementation of traditional mechanism as a means to resolve conflicts will end up favoring the dominant ethnic group. In addition to that, Osagahae points out that, structures of traditional mechanisms and institutions are open for abuse, politicization and corruption. Besides, he argues that modern states with traditional societies do not have common

ground to apply traditional mechanisms as they are diverse and fragmented in most cases. Furthermore, he points out the weaknesses of indigenous conflict resolution in relation to age or gender bias for example, in cases with no women elders, some women may believe that male elders are biased against women and that this will be reflected in their decisions.

The Indigenous conflict resolution mechanism, on the other hand, has also its own strengths. The strengths of ICRM according to Assefa (2001) are, it quickly responds to crisis in terms of time, they contribute to the reduction of regular court case loads, they contribute to saving of the public money, it also minimizes the problem in shortage of judges who work in the regular courts, and budget constraints, they are complementary to modern government structures and are not substitutes or competitors as some government officials think and worry about. They give access to many people who do not find modern system of conflict resolution comfortable, affordable or suitable to their needs, disputants are satisfied with their operation and view their outcomes as fair, and the like.

One important features of traditional conflict resolution mechanism is their use of ritual symbols and interpretation of myths to bring conflicts to an end (Enaba cited in Birgit 2001:07). The rituals and interpretation of myths have psychological impacts on the parties in conflict. First, parties obey summons and other orders in order to attend meetings for reconciliation and respect other proceedings of the process. Second, parties tell the truth to elders in fear of bad consequences that may result from curses. Thirdly, it makes parties respect solutions rendered by elders and discharge their respective duties accordingly without the need for other coercive means. On the top of that ritual performances lubricate the function between the conflicting parties and accelerate the peacemaking process.

The other significant feature of traditional conflict resolution mechanism is that they consider wrong doings and offences as violence against the whole community than against the individual victim alone. Thus, in resolving conflicts offenders have to be reconciled to the individual victim and the community at large. The immediate objective of such conflict resolution mechanism is amending broken or damaged relationships and rectifying wrongs and restoring justice to ensure the full integration of parties in to their societies again (Enaba cited in Birgit 2001:06).

Boege (2006) in his part identifies the following advantages of indigenous conflict resolution mechanisms. Indigenous conflict resolution mechanisms;

- ❖ *fit situations of state fragility and failure;*
- ❖ *are not state-centric and hence credited with legitimacy;*
- ❖ *Take the time factor into due account and are process-oriented;*
- ❖ *provide for comprehensive inclusion and participation;*
- ❖ *Focus on the psycho-social and spiritual dimension of conflict transformation (2006: 22-27).*

2.4 Types of Conflict Resolution Mechanism

As part of social life, conflict has to be resolved. Various methods have been used to solve the existing conflicts. All social activities have terminating points within it. But in conflict situation, unless the conflicting parties find mutual solution conflict cannot get its end (Coser, 1956). On the other hand, scholars agree that in every society, there are different mechanisms of conflict resolution. Gulliver (1979:1) categorizes the mechanisms of conflict resolution in to two: the violent and the peaceful. The violent mechanism includes war, self-help and duel, whereas the peaceful mechanism includes avoidance, burying the dispute in the symbolic process, negotiation, mediation, arbitration and adjudication.

Of the above two mechanisms peace researchers have suggested and favored the peaceful conflict resolution mechanism. For instance, avoidance is one way of handling conflict peacefully. To Gulliver (1979), this type of mechanism can be successful if there is a possibility for either contestant to leave their rivals behind and move to another place. The pastoralists and hunter-gatherers usually employ this type of mechanism because they have vacant places to wonder here and there and subsequently to avoid conflicts.

The other peaceful mechanism of conflict resolution is negotiations. Negotiations are a mechanism through which discussion conducted between two or more contestants in order to reach on agreements. In this case no third party is allowed to propose and give decisions. Rather the decisions are given by the disputants' themselves (Gulliver, 1979). In line with this, Singer (1990) divides negotiations in to two forms: competitive and Collaborative negotiations. In the

case of competitive negotiation, either of the contestants in conflict is benefited at the expense of the other. This occurs where there are no valuable relations among the disputants to preserve.

Gulliver (1979) in this case states that during negotiation it is the potential of the disputants to gather support from the society, which determines the fate of either of one party to be beneficiary or not but not the legal norms or rules. In the case of collaborative negotiation, one groups gain is not balanced by the loss of the other group or vice versa. Besides, collaborative, often called “problem solving” or win-win negotiation, aims at joint gain of the parties through fair distribution of the pain of losing, an act that favors good future relationship of the parties. According to Barash et.al (2002), sometimes collaborative negotiation is disadvantageous when both disputants failed to be satisfied or when they lost something and spited the pain among themselves.

Mediation on the other hand is the other types of conflict resolution mechanism. Mediation, defined by Jeong (2010:45) as a process whereby a neutral third party, acceptable to all disputants, facilitates communication that enables parties to reach a negotiated settlement. Moore (2003) in his part defines mediation as the intervention in a conflict of an acceptable third party who has limited or no authoritative decision making power but whose role is to assist the involved parties to voluntarily reach a mutually acceptable settlement of the issues in dispute. As mentioned the mediator doesn't have decision making authority as a result this fact makes mediation attractive to many parties in dispute as they retain the ultimate control of the outcome. However, according to Moore mediators are not without influence. Mediation may also establish or strengthen relationships of trust and respect between the parties.

The above mentioned definition outlines that mediation is the process of conflict resolution whereby the neutral third party intervenes to resolve conflicts. While mediating, the role of mediators is facilitating conditions for disputants to negotiate and assist the resolution process. The resolution is held without any use of force and the conflicting parties also not obliged to accept the decisions provided by the mediators.

Arbitration, on the other hand involves a third party who makes a binding decision based on legal norms, principles and facts. Accordingly, arbitrators have to be impartial, have good conscience and respect the objectivity of the process (Jeong, 2000). Gulliver (1979) also argues

that arbitration involves a third party helping people by deciding for them. Therefore, the final decision lies with the arbitrator (Nieuwmeijer, 1998).

Adjudication, according to Schellenberg (1996), refers to the resolution of conflict by a court. In other words, it is the use of courts to decide conflicts. Adjudication comes in to play when one party goes to a court to demand something from another. In short, adjudication is the conflict resolution mechanism process using courts based on established laws, procedures and structures. In addition, use of adjudication process requires familiarity or knowledge of the established procedures, formality and rules of the system.

The other peaceful way of resolving conflict is burying the dispute in the symbolic process. Gulliver (1979: 2) states that when effective, practical means are unavailable, where their use might bring about intolerance complications or threaten social relations, a dispute may be transformed and redefined in symbolic and supernatural terms-witchcraft accusations, performance in the ancestral cult or some other religious systems.

Generally, the promotion of harmonious relationship in the wider social environment is often viewed as the goal of conflict resolution (Jeong, 2008). According to Mack and Snyder (1957) societies can differ greatly in their levels of conflict behavior, the way in which conflicts are played out, and the mechanisms for dispute settlement which are utilized to control and direct conflicts when they occur.

Conflict Resolution as a ‘Social Drama’

The concept of ‘social drama’ as conflict resolution was instigated by Victor Turner. Heavily drew on the structural functionalist perspective, Victor Turner point to the concept of social drama while analyzing the Ndembu ritual performance. Turner’s social drama has got four phases and performance is considered integral to the social drama’s unfolding. Each theory of language and social order draws life as drama as its reigning orientation to understand conflict, crisis, and its resolution. Simply put, the social drama refers to what happens in a community when someone breaks a rule, how the community then takes sides for or against the rule breaker, and how the community works to resolve this problem. At the center of social dramas is thus

conflict, unfold in a predictable four-stage process, and involve public forms of communication. In Turner's definition of the social drama too conflict is central (Moore, 2009).

These four stages of the social drama are the following. The first stage of the social drama is the breach, the breaking of a rule by a member of the community. The second stage is crisis, and crisis, according to Turner, is "contagious" as a result of broken rules or breach. The third stage is redress, or employing procedures to repair or remedy the breach. This machinery of repair can take a wide number of forms: from personal advice or counseling; formal, legal, judicial machinery; to the performance of public ritual. Finally, come reintegration or schism. Reintegration or schism is the fourth stage of the social drama which entails; if the repair works, then the rule-breaker is reintegrated into the community. Put it differently, the community moves on, back to its normal life. Nevertheless, if the redressing mechanism doesn't work, then the community splits or breaks apart into factions, what Turner calls schism (Moore, 2009).

Therefore, in this research an effort was made to employ different methods of conflict resolution mechanism and their interrelations, in order to study the indigenous methods of resolving conflicts among the Oyda people of southern Ethiopia within the perspective of the above mentioned mechanisms.

CHAPTER THREE

3.1 Research Method

Research methods are the various procedures, schemes and algorithms used in research. All the methods used by a researcher during a research study are termed as research methods. They are essentially planned, scientific and value-neutral. They include theoretical procedures, experimental studies, numerical schemes, statistical approaches, etc. Research methods help us collect samples, data and find a solution to a problem. Particularly, scientific research methods call for explanations based on collected facts, measurements and observations and not on reasoning alone. They accept only those explanations which can be verified by experiments (Rajasekar et.al, 2013).

On the other hand, according to Kitchen and Tate (2000), research methodology means a coherent set of rules and procedures that are used to explore a problem within the framework of philosophical approaches. Besides, Mikkelson (2005) also argues that a research methodology includes the tools and techniques of data gathering and analysis.

In the sub sections that follow, I discussed in details about research approach, research design, method of data collection, sample procedure, data collection procedure, ethical consideration, method of data analysis, scope of the study, limitation of the study and organization of the thesis.

3.2 Research Approach and Design

There are two types of research methodologies in any research: these are qualitative and quantitative. Nevertheless, for this study, I employed qualitative research method.

According to Straus and Corbin (1998), qualitative methodology is a typical research approach which enables to come up with data that cannot easily produced by statistical procedures or other means of quantification. It is also the means for exploring and understanding the meanings individuals or groups ascribe to social or human problems (Creswell, 2009). The need of choosing qualitative approach is to study things in their natural setting, interpret phenomena and getting in touch with everyday social events (Lincoln, 2000).

Besides, qualitative research methods are praised for exploring people's life in a detail and enriched manner (Silverman and Marvasti, 2008). Furthermore, qualitative research is preferred to collect data about human life realities, experiences, behavior, emotion and feeling, organizational function, social movement, cultural phenomena and their interaction with nature (Straus and Corbin, 1998). Therefore, the method that I employed in this research is qualitative approach to explore the role of indigenous institutions in resolving or settling conflicts in the study area. In order to do this, as shown clearly in the above, it is the qualitative research approaches that will help me most.

As stated above, this study is designed to be a qualitative exploratory research. The reason for using such an explorative method is that the topic needs in-depth exploration and detailed view of the subject matter in its natural setting (Creswell, 1998). This study explores the role of indigenous conflict resolution mechanism in resolving or settling conflicts in Oyda people of Southern Ethiopia.

According to Kruger and Newman (2006), exploratory research is a research in to an area that has not been studied and in which a researcher have to develop initial ideas and a more focused research questions. Exploratory research is also aimed at exploring all sources of information based on range of evidences and by discovering new ideas and using qualitative data. Therefore, this particular study focuses on exploring experiences, ideas and perspectives of the Oyda people in resolving conflicts through their indigenous institutions.

As Kruger and Newman (2006) explained in purposive sampling, the researchers select a sample with a purpose in mind. Usually there are one or more specific pre-defined groups the researcher is seeking. Hence, the Oyda *Woreda* is selected based on my prior work experience in the area. In this case I observed valuable assets of the community's in the area of peace building that interested me to further explore their experiences. Since this study dedicated itself towards understanding the issue at community level, it is not worth to stick on a single *Kebele*. As the local elders who have a critical role in conflict resolution are scattered in the various *Kebeles* of the *Woreda*, it is insignificant to depend on a single *Kebele* as a study site. For the richness of the

data the elders considered and admitted to this study are accessible elders from different *Kebeles* around the *Woreda*.

3.3 Method of Data Collection

In order to get the required data for successful completion of this study the following methods of data collection was used:

Key Informant Interview:

Key informant interview (KII) was also conducted to collect qualitative data. The purpose of key informant interview is to learn about people's view on the topic of interest, to learn their terminology, and judgments and to understand their perceptions and experiences (Kikwawila Study Group, 1994). Key informant interview (KII) helps the researcher to gather sufficient information about the issue under study and in sharing the experiences of the people. The key informants were chosen on the basis of their knowledge of the culture and their experiences in indigenous conflict resolution mechanism. Thus, elders of the community, police officers, formal court judges, administrative officials were sources of information. Therefore, in order to get relevant data on past events and circumstances and even on the current reality, I conducted key informant interview with few knowledgeable individuals. Hence, this study has employed this method to supplement the findings obtained through other means.

Inclusion criteria

For the purpose of this study, I recruited ten key informant respondents who satisfied the following inclusion criteria. So, participants who have:

1. The experience and participated in resolution process
2. A leadership ability and known in the community as an elder
3. Age range above 55, were admitted as a study participant.
4. Only male elders were taken because the role of women in indigenous conflict resolution practice is limited
5. Their willingness to participate in the interview and their ability to give consent.

Observation:

The other additional method I employed in this research is observation. Using observation in combination with other qualitative methods such as interview and FGD is an integral part of the research process which helps and enables the researcher to facilitate and develop positive relationship among key informants and stakeholders whose assistance and approval are needed for the study to become reality. Data gathered through observation is also valuable in determining whom to recruit as an informant for the study and how best to recruit them (Mack *et al* 2005: 16).

Therefore, in order to get reliable data for the successful accomplishment of the research, observation was another major method of data gathering system to get valuable information. Because what peoples say and do may sometimes contradict with each other. Thus, direct observation was the best solution. By using this method, the researcher observed the place where conflict resolution processes were taking place in different parts of the district, what is called *Bucha*. Besides, during the process of conflict resolution, the researcher observed how indigenous mechanisms play a role in maintaining peace and security based on their customs, traditions and worldview of the people under study.

Focus Group Discussion (FGD):

On some specific issues different people may have different concerns. Thus, to look at concerns of different individuals and even to explore their level of understanding on some issue the researchers will use FGD as another method of collecting data for this study. There are several reasons, according to Bryman (2004: 247-8), for using focus group discussion as a data collection tool. Among other things conducting an FGD help the researcher to develop an understanding about why people think the way they do, members of the focus group can bring forward ideas and furthermore the interactions found in group dynamics are closer to the real life process of “sense making” and acquiring understanding.

Therefore, considering the advantage of conducting FGD and the time given for completing the research, different focus group discussion sessions was conducted with various categories of informants with the aim of accessing different views about the role of indigenous institutions in

settling conflicts and collecting a large amount of data pertaining to the issue under study, relatively over a short period of time. The focus group discussions was made with the local elders, government officials, women, youths, formal judges, police officers of Oyda *Woreda*, to explore the role of indigenous institutions in resolving conflicts existed in the study area.

3.4 Sample Procedures

Selection of appropriate samples will depend on the sampling procedures followed. To this end, the researchers used purposive sampling techniques. In terms of sample size, the researcher conducted an interview with ten key informants, i.e. six key informants were with community elders and the other two key informants were with formal court judges and the rest two with the Police officers. And three FGDs were conducted from different target groups such as women, elders, youths, formal judges, police officers and with other local authorities. Each FGD will comprise eight discussants.

3.5 Method of Data Analysis

In order to examine, explain and analyze the cultural values of the people in the study area, the researcher administered qualitative data analysis method. After collecting the necessary data through the help of the above data collection tools, the next task that needs to be done was the categorizing, combining, synthesizing, and thereby analyzing of the collected data. Before the actual analysis of the data, the collected data was sorted and categorized in accordance to its source and type. For the purpose of clarity and convenience some selected data was collected by each data collection technique was transcribed, compiled and further elaborated in to meaningful and patterned information soon after the completion of that particular data collection session.

3.6 Ethical Consideration

It is obvious that ethical consideration is as essential as other aspects in the process of conducting a research for it significantly affect the success of the study. In this regard, a researcher needs to consider ethical standards of the host community on which the research will be conducted. Therefore, I considered the social and cultural norms of the host community on whom the research was carried out. To do so,

First the ethical approval and clearance was obtained from Addis Ababa University, department of Social Anthropology. The *Woreda* governing bodies or other concerned bodies were contacted and permission was obtained from them. The objective and purpose of the research was clearly communicated to participants and I also let them know to withdraw if they get discomfort in the process of their participation.

While writing the report, I was refrained from using unnecessary terminologies that might disappoint the participants of the study and I tried to avoid my personal biases. Confidentiality and anonymity were ensured and therefore it was impossible to know who said what. The interest of participants was given due place in the process and nothing was made that harm the participants physically, socially, psychologically. The relationship between the researcher and the participants was based on mutual trust and they were not misused and all the ethical concerns were respected appropriately throughout the process of the study.

3.7 Scope and Limitation of the Study

This study is delimited to Oyda *Woreda* of Gamo Gofa Zone. This research was focused on the role, processes and procedures of indigenous institutions in settling or handling of conflict in the study area. The relationship between indigenous conflict resolution mechanism and the formal court system in dealing with conflicts is also addressed. Thus, members of ethnic groups found in this *Woreda* are subjects of the study. In the study area, although it will be better to include other groups from the community, only five *Kebeles* (Shefite, Markala, Dalcha, Bagara and Baltsa) from the total of twenty *Kebeles* were covered by the study.

The researcher's inability to speak and listen the language of Oyda, Oydigna, had a communication barrier and hence a little impact on primary data collection process. However, the researcher have found interpreters while conducting interviews and a focus group discussions and as well as to observe the events and process of the Oyda mechanism of conflict resolution. This enabled me to gather the necessary data without any problem. Shortage of time, finance is the other issue that limited this study. Therefore, it is with this limitation that the study is designed.

3.8 Thesis organization

This thesis was organized in to seven chapters. The first chapter sets an introduction to the thesis, and outlines the themes and problem formulation of the study. Also included is, objectives of the study, research question and significance of the study. The second chapter presents a review of relevant literatures on conflict and conflict resolution mechanism. The third chapter describes about the methodology of this research. The fourth chapter discusses about description of the study area i.e. about, the social organization of the people under study, their brief history, their kinship and marriage organization. The fifth chapter was devoted to the causes of conflict among the people of Oyda. The sixth chapter deals with institutions and mechanisms of conflict resolutions and the final chapter, chapter seven, was dedicated to conclusion .

CHAPTER FOUR

In this chapter an effort has been made to present description of the study area, a short history of the Oyda, social organization of the people of the study area, kinship and marriage organization.

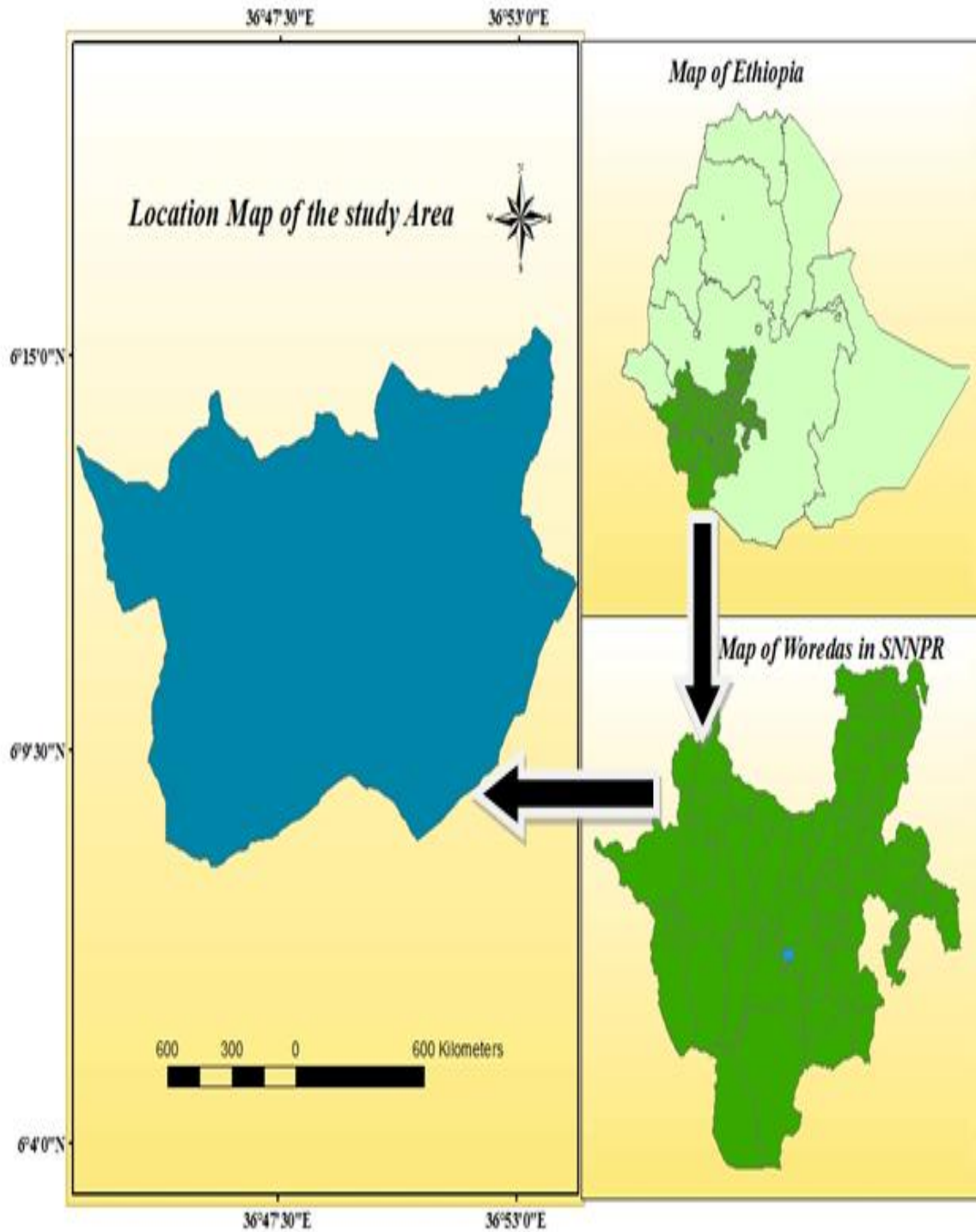
4.1 Description of the Study Area

The Oyda *Woreda* is part of the Zonal administration of Gamo Gofa, within the Southern Nations Nationalities and Peoples Regional State (SNNPRS) of Ethiopia. Within the Zone, a new *Woreda* administration known by the name Oyda was established in 2007. Before its establishment, as to the *Woreda* culture, tourism and communication office, Oyda was part of the Gofa-Zuria *Woreda*, by putting the Oyda to the status of PA administration.

Nowadays, however, the Oyda *Woreda* (district) is one of the fifteen *Woreda*'s and two city administrations in Gamo Gofa zone by the new government structure which was formed in 2000. The Oyda *Woreda* is sub-divided in to twenty smaller administrative units known as *Kebele*, each comprising a varying number of villages. Among these *Kebeles*, Shefite, Bagara, Baltsa, Markala, and Dalcha are selected as the site of the study because it is believed that most of the informants that are necessary for my study are found in these *Kebeles*.

Based on the data obtained from Oyda *Woreda* road and transport office, the capital of the district administration is Shefite, a town some 523 km southwest of Addis Ababa, 258 km from Arba Minch town, the capital of Gamo Gofa zone, and 311 km from Hawassa. As the data gained from Oyda *Woreda* Agriculture and Rural Development Office, Oyda *Woreda* is bordered by Demba Gofa *Woreda* in the north, Geze Gofa *Woreda* in the northwest, Uba Debretsehay *Woreda* in the east, Ari *Woreda* in the west and of the Maale in the south.

Map of Oyda Woreda



Source: Study area map generated from Ethio GIS (2007)

The *Woreda* is dominated by mountain and plateaus and its altitude ranges from 1000 to 2950 Above Sea Level (A.S.L). The other topographic features of the *Woreda* include plateaus, rugged terrains and valleys. The district is endowed with rivers and spring water resources. The main rivers include Hoshme, Zenti, Ergino and Lomate and there are a number of spring waters. According to the district culture, tourism and communication office, the *Woreda* has also a number of tourist attraction sites and cultural heritages. For instance, the waterfall of Zenti in Dalcha kebele, the natural Bombar cave on the plateau of Shala, the Neskama stalae in Harbir mount Sa'a Gul'a in Dama kebele, the Tonont natural forest are some of the tourist attraction sites. These sites are the potentials to attract tourists and generate income for the *Woreda*.

The *Woreda* is inhabited by three ethnic groups, such as the Oyda, the Ari and the Gofa. The Oyda people make up the majority in terms of population number. The most widely spoken language in the *Woreda* is Oydigna, but people residing in and around Shefite town also speaks Amharic and Gofigna. In fewer places in the study area particularly where the Ari is settled in the western highlands, the Ari language is also used as a media of communication among the communities.

According to the 1994 national census report, the number of Oyda population is about 14,000. However, based on the census conducted in 2007 more than 45,100 people are estimated to live in the *Woreda*. Like the other part of Ethiopian people, the economy of the district is based on farming and animal husbandry. However, the leading economic activity is farming as compared to animal husbandry. With the exception of Shefite, a town of the district, the majority of the population lives in the rural areas.

According to the agriculture and rural office of the *Woreda*, (June 25, 2015) the land area of Oyda *Woreda* measures 20,000 hectares. Out of this land area, 435 hectare is cultivated currently (2015), 280 hectare is covered by forests and 74 hectare of land is allocated for grazing land.

With regard to climatic conditions, as the data obtained from agriculture and rural development office, the Oyda *woreda* is divided in to three climatic zones i.e. *Alle* (highland), *geze-dawle* (midland) and *Dawle* (lowland). The highland (*Alle*) area accounts for 20% of the total land area of the district, which is characterized by high amount of rainfall and sparse in terms of

population distribution. The highest place in the district is the Dahlak Mountain, which rise as high as 2950 m above sea level.

The midland (*geze-dawle*) comprises 60% of the total area, which is the largest zone in terms of area coverage. The lowland (*dawle*) ecological zone holds the remaining 20% of the district land and characterized by moderate amount of rainfall and dense, in relative terms, with regard to population distribution. In this ecological zone, the lowest point, as explicated from the districts agriculture and rural development office is Shefite which is 1000m above sea level.

In these ecological zones, as revealed from same source, products like maize, barley, teff, cassava, wheat, sorghum, legumes, peas, garlic, potato and sweat potato, *enset*, ginger, avocado, banana, bean, orange, mango, cabbage, onion, sugarcane and etc are produced. Cash crops like, chat, coffee, mace are also produced. Enset plant is highly produced in the *Woreda* and it is the staple food type. Enset also constitutes the base of their subsistence economy, supplemented by a variety of cereal and root crops as mentioned in the above. Livestock, comprising cattle, sheep, goat, mule, horse, and donkey are also raised extensively.

There are disagreements with regard to the classification of the language of Oyda. The Oyda language is classified as part of the Ometo branch of Omotic, itself one of the six language families within the Afro-asiatic language families (Bender 2000; Fleming 1976). The linguistic affinity of Oyda to members of the Ometo group is generally accepted by scholars. However, views differ as to which branch of Ometo the Oyda language is closest to. Fleming (1975: 267) writes: “although there is not enough grammatical data available to say much, it appears that Oyda leans toward Basketo more than to Central Ometo.” In his classification of Omotic languages, Fleming (1976) nevertheless places Oyda in the Central Ometo branch (also known as North Ometo), together with Gamo, Gofa, Kullo, Wolayta.

Besides this, Fleming describes Oyda’s connection with the Ari which he recognized as ‘Ometo in speech but Ari in tradition’. Similarly, Klausberger (1981) emphasized their Omotic origin but strong influence from Ari. On the other hand, Cerulli (1956) put the Oyda language under the Ari/Bako group along with the Ubamer, Bio, Sido, Sangama and Maale. Haileyesus Engedashet (2002) suggests a reconsideration of Oyda’s classification claiming that while most members of

North Ometo have a high percentage of shared vocabulary and are mutually intelligible, the same cannot be said of Oyda.

4.2 A Short history of the Oyda

Different views have been forwarded by elders with regard to why the name Oyda was given to the people under study. The first view, as to the key informants, the name Oyda is derived from the word “Oya” which literally means green or wet place. Based on this name, Oyda is a place in which its soils are fertile, its forest and natural habitat are green and its surrounding environment is suitable for living.

The other view, as the data obtained from the Oyda *Woreda* culture, tourism and communication office, mention that this ethnonym (nation name), which is also used to refer to their language, originates from the noun *oyde* which means ‘seat’. By this identification their ancestors allegedly wanted to indicate the comfort and hospitality that the place seemed to offer to them after their long travel from southeastern to northwestern direction, when they declared: 'this is the place to be, this is the seat'.

According to tradition, as explicated from the elders, the history of Oyda starts from Andak spring, a spring found in Baltsa kebele in Oyda *Woreda*. From this spring, Zongar and Gudar, mythological men, appeared girded with three thin ropes (*kere*) on their back in the olden time. Zongar and Madar gave birth to two children, named *Zhazho* and *Zhalshi*. These two and their successor ruled oyda for many years. Later, however, the unpopularity of this clan by the people with regard to administration finally led to the transition of power to the *shara* clan. From that time onwards the descendants of this clan ruled Oyda until the coming to power of the *shara* clan. After some time, the *shara* clan lost its power.

After the seizure of power from the *Shara* clan which controlled power until a new dynasty took over some time in the remote past, associated with *Kefesho* (mythological women) from Gamo, whose twins competed for power and the youngest son, Oydina, won the throne by trickery and became the first *Kaati*, Oyda king of the new ruling clan that remained in power until the 1894 Menilikian conquest, and in a much reduced form, to the present (Dereje, 2011).

As other ethnic groups in Ethiopia, the people of Oyda practiced distinct political system that administers the domestic affairs of the people since the beginning of their history. The administrative system of Oyda was termed as *kaatidom*, equivalent to kingdom. According to Bahiru (1991), the Oyda has developed a political system which was less authoritative than the neighboring Gofa or Wolayta whose *Kawo* were vested with more power and was hereditary.

As to Dereje (2011), *Kaati* (king) was the highest and supreme administrative office among the society of the Oyda. The principle of *Kaati* selection is dictated by personality traits such as wisdom, prudence and economic status. Once elected as a *Kaati*, as further argued by the same source, he is expected to perform different responsibilities. Among the responsibilities of the *Kaati* were ensuring food taboos (e.g. pig, wild goat, chicken and egg, and cabbage); avoiding impurity (*tuna*) such as contact with mourners, women during seclusion periods; holding the annual rain sacrifice.

A *Kaati* is also responsible for maintaining law and order through the institution called *Bucha*. *Bucha* was a sacred place where injustice is redressed and truth is spoken. Under the office of the *Kaati*, as to the elders, there was an administrative unit called *Ogadde*. The appointment of this office is not based on clan descent rather it is based on the person's charisma and valor. As put forward by the same source, the *Ogadde* are usually four to five in number and are appointed by the *Kaati*. *Ogadde* are responsible for executing administrative orders forwarded from the office of *Kaati* (GGZCTO, 2004).

Among the Oyda it is not only the *Kaati* and the *Ogadde*, but also there are other traditional offices in the state structure. These traditional offices according to Gamo Gofa zone Culture and tourism office (2004:220) was *Bitan*, *Chomach* and *Godi*. As the elders of the Oyda explicated, *bitan* was the second traditional administrative office in the *Kaatidoms*. The office of *Bitan* was responsible for the fertility of land related ritual and sacrifice. The *Bitan* are also responsible for protecting the people from bad lucks, misfortunes, famine, disease through ritual sacrifices and praying. This office is also responsible for solving problems related to dispute within the community.

The other important traditional office was the *Chomach*. They are responsible for maintaining law and order in their respective administrative areas. The *Chomach* participates in all ritual and magical activities of the *Kaati*. The *Chomach* were elected by the old men from the *aagara* clan (high clan within the *tsoma* group) (GGZCTO, 2004:222). Like the *Bitan*, when dispute arises between individuals and groups in the society, the problem would get solution through this office. At the lowest level of the traditional office lays the institution of *Godi*. This office was appointed by the *Kaati*. *Godi* was mainly responsible for carrying out and replicating the rituals and sacrifices of the *Kaati*, *Bitan* and *Chomach* at the village level (ibid).

Nevertheless, with the coming of Christianity and Islam into the area and after the incorporation of Oyda into the new Ethiopian Christian kingdom, there emerged new form of administration that used to govern the newly integrated area. This event resulted for the coming of new titles in the area, such as the *balabat* (local official during the imperial administration) and the *chiqa shum* (village headman under the imperial administration) that replaced the *Kaat*is and its various offices in the state structures (Dereje, 2011). Therefore, these factors undermined the long lasted native Oyda *Kaatidom* system.

With regard to religion, the Oyda believe in a sky god called *tsozi*. After created the world, *tsozi* is believed to be disconnected from direct relationship with his creatures. Nonetheless, he is believed to interfere in the affairs of his creatures through intermediaries. All mysterious places and objects are thought to possess *tsozi*, hence are worshiped. The Oyda traditional belief system assumes dichotomy. If *tsozi*, the sky god, is the creature, so is *tsalahe* the main earthly spiritual force. *tsalahe* is known for his reventfulness and recognized as a bad spirit. He is believed to intervene in the daily life of the people through bad luck, misfortune or sickness if not appeased (Dereje, 2011). According to the Culture Tourism and Government Affairs Office of Oyda *Woreda*, now a day, majority of the Oyda people are the followers of Christianity and followed by traditional religion and Islam.

4.3 Social Organization of the Oyda

The people of the studying community, Oyda, are traditionally hierarchical, divided into three major social groups. These are the *Malli*; the *Tsoma* and the *Manni* (Dereje 2003). One of the three groups is the *Malli*, whose members come from the *Oydina* and *Deebina* clans; these

constitute traditional ruling families, and from one of them the traditional king known as *Kaati* originates (Klausberger 1976: 101-102). The *Malli* have enjoyed political, economic and social privileges over the remaining ordinary people. From amongst the institutions, two of the most important traditional office, the *Kaati* and *Bitan*, have been their reserves. Members of the *Malli* group, especially holders of the traditional offices used to own bigger lands and enjoyed labor contribution and hold higher social status. Socially they are addressed by the prestigious name *Danna* (Dereje 2003).

Members of the second group are called the *Tsoma*. The *Tsoma*, consist of a group of clans that form the majority of the society. It includes all the clans except the *Oydina* and the *Deebina* as well as the Artisans which include both *otta manni* (potters) and *kotsi manni* (smiths). Within the *tsoma*, the *aagar* clan is accorded with more status and its members used to occupy some of the traditional offices such as the *Chomach* and the *zorsi* (spirit possessor). They represent different clans and are occupationally farmers (Dereje, 2011). The *Chomach* are the most socially respected group of the society next to *Kaati*, king and *Bitan*.

At the bottom of the social hierarchy are found socially inferior groups included under the category of *Manni*. These groups consist mainly of craftsmen such as potters (*otta manni*) and smiths (*kotsi manni*). These sections of the society are discriminated and hold lower status among the people. Traditionally, the latter (*kotsi manni*) are marginalized; they are allowed only in-group marriage and are not supposed to own cattle and farmland, and they settle in peripheral areas, such as near riverbanks or at the outskirts of villages (Dereje, 2011).

According to Dereje (2003) the social stratification in Oyda is also reflected in language use: the *Manni* use the Ometo language, Basketo, as a lingua franca in markets and other public settings in order not to reveal their identity. Summarizing patterns of social hierarchy in southern Ethiopia, Freeman (2003: 301) describes of occupation as “notional or hereditary”, since it remains vital in defining social groups even if the members do not practice it any more. However, Social stratification is gradually declining due to the expansion of education, socialist ideologies introduced in the 1970s and more importantly, due to the recent spread of the Pentecostal-Christian religion (Dereje, 2011).

4.4 Kinship and Marriage

The kinship ties among the Oyda extend from individual to clan level. The Oyda people count descent through male line. As to the informants, the Oyda practice a patrilineal descent system and residence is patrilocal.

The main kinship categories among the Oyda, as the data obtained from the elders, are *kara ass* (family), *bolle* (in-laws), *komo* (race) and *oma* (clan). Among the Oyda *kara ass* (family) is encompassed of the man, his wife and the children. From the member of the family, *adde*, hold authority over the family and is even considered as *tsozi* (god) by the children (na'unsu). In this institution, the children and the wife have an obligation to obey and respect the husband (*adde*), since the *adde* is the head of the family. The eldest son, *eshe*, is the future successor to his father, *adde*. This type of kinship organization also extends to wives and husbands family. For instance, mother's brother is called *awzo*. *Awzo* enjoys reverence among kin groups. Mother's mother is said to be *afo*. Mother's father is *mayzo*. Mother's sister is *ende*. All this and their descents are categorized under *kara ass*, family.

Bolle (in-laws) is the second level in Oyda kinship organization perspective. As elders of the study area described, *bolle* (in-laws), is consisted of descents of wife's and husbands' family. They are highly respected by the wife, husband and their children. Next to *bolle* is *komo* (lineage) which composes of many minor lineages. According to Gamo Gofa zone culture and tourism office (GGZCTO 2004:217); there are about forty two lineage groups in Oyda kinship organization which are categorized under the two higher clans (*malli* and *tsoma*). As the data obtained from the informants, marriage within this lineage groups is highly prohibited. Also prohibited is, making sexual relation within in the kin group because it is considered as an incest taboo. Moreover, a man from Oyda is not allowed to get married a girl of his own lineage until its seventh generation.

Kinship category extends up to the *oma* (clan), the largest form of decent organization in Oyda. With regard to clan, as mentioned in the above, the Oyda are grouped into three clans, such as *malli*, *tsoma* and *manni*. This social hierarchy recognizes higher and lower clans. The lower clans such as, *manni*, are not allowed to marry from either of the higher clan, *malli* or *tsoma*.

Marriage among the Oyda is exogamous. According to the Oyda culture, as argued by elders, a person is not allowed to marry a girl of his own family member in both his father and mother's line. Therefore, based on the tradition of Oyda, to marry or having sexual intercourse with blood relative is an incest taboo. Also a taboo in the tradition of Oyda is marriage with socially marginalized group such as *manni* (blacksmiths or potters) which needs a ritual of purification for an individual who married from such a despised and discriminated group.

During a spouse selection, the boy's or girl's family has to take a number of issues of marriage into consideration. The issue of social status of the mate is their prime concern. According to my informants, it is only allowed for Oyda boy to have a marriage relationship with socially valued groups and prohibited with those who are in lower status and despised group. They also look the social status of the girl's or boy's family in terms of active social participation, economic strength, and bold names they have in the community. Besides checking the social status of the mate, the families of the boy or girl has to investigate whether or not there exist hostilities or dispute between the two families.

The other aspect of marriage in the study area, as to the key informants is bride wealth provided by the boy. Whether rich or poor, a boy is expected to offer a silver ring called *migido* (ring made from bronze) or *elcha* (necklace made from bead) to the girl. These days, however, as it is elucidated by one of my key informant, boy's family is expected to pay up to 20,000 birr to the girl's family as a reward for their daughter.

As the data obtained from elders, there are four kinds of marriage system existed in Oyda. These are *dosse (kadhe) eke*, *goche eke*, *mahe* and *beete gele*. From among this, the common form of marriage in the study area is *dose/kadhe eke* (marriage based on the consent of the boy and the girl), which will be made after several rejection from the girls family. In this kind of marriage, as it is argued by the informants, elders from the boys' family are expected to repeatedly ask the agreement of both the girl and the girls' family. After repeated refusal, as it is common and part of their culture, the girls' family finally agrees to give their daughter to the boys' family if they are happy with the boys' family.

Mahe is the other form of marriage among the Oyda. This is a kind of marriage when a younger brother marries his older brother's wife after he passed away. It is also a kind of marriage when

an elder sister dies; a younger sister marries her sister's husband. The purpose of this marriage is to ensure the continuation of the blood relationship within and to prohibit the girl not to marry outside of the group. However, according to the culture of the people, it is not allowed an elder brother or sister to marry his or her younger brother's or sister's husband or wife during death.

The third type of marriage is *goche eke*, abduction. In this case, the marriage can be made with or without the permission of the girl. This is also a kind of marriage when a boy marries a girl without her parents' primary consent. This happens when the girl's family response is negative towards the boy's family. After repeatedly asking, and if the girl's family is still unwilling, the boy will marry the girl without her family's permission. *Goche eke*, abduction can also be made with no knowledge of the girl and her family with only in the minds of the boy and his collaborator. However, it will be known when the boy and his family send a group of elders to the girl's family for pleading.

Goche eke marriage is known by its consequences. According to the informants, if the marriage is made without the consent of the girl, it might cause quarrel among the clans of the boy and the girl which will in turn bring consequences on both sides. *Beete gele* is the other type of marriage in the study area. This category of marriage happens when a girl loves a boy. In this category, the girl enters in to the boy's house without his interest and prior agreement. According to the informants, if the girl enters into the boy's house with no interest of the boy, he has the right to marry or not to marry.

CHAPTER FIVE

5.1 Causes of Conflict Among the Oyda

In this chapter, an effort is made to discuss and analyze the causes of conflict in the study area. As in anywhere else, conflicts in Oyda may possibly differ from minor disagreements between parties to serious conflicts which in the end lead to killing. Conflicts defined as disputes or disagreements between two or more individuals, families or groups require a proper mechanism to resolve them so that the parties to the conflict will try to build some level of trust and confidence between themselves.

Every society perceives something as to what a conflict is and why it happens. For the people of the studying community, conflict can be regarded as contestation or argumentation or both of the two. Anything breaking the rules or any action against the norms, traditions and customs of the society is considered as wrong. Wrong can be an act against the norms, principles set by the community. For instance, to deny the right of others, lying to the people and failing to respect seniority is an act of wrong.

Understanding the contemporary conflict cases in the Oyda of southern Ethiopia remains crucial in trying to describe and analyze the role of the Oyda indigenous mechanism of conflict resolution. In order to understand the conflict resolution mechanism in the study area, a brief discussion and analysis of the causes of conflict is presented in the subsection below.

The most frequent conflict issues in the study area are conflict in the ceremony of mourning, theft, abduction, adultery, excessive usage of alcohol, family related conflicts, insulting and conflicts over the violations of agreement, murder and revenge.

5.1.1 Conflict in the Ceremony of Mourning (*Bale Ayth*)

Mourning ceremony is one of the cultures of Oyda which is highly valued and celebrated. It happens when an individual dies in the community; the mourners come from different areas in the *Woreda* in order to attend the ceremony. There is a culture that prohibits a group not to enter the mourning house until the first groups finishes. So all the group is expected to enter in to the

mourning house one by one. Each clan and its members from the different areas in the *Woreda* will come to the mourning house led by their local leaders such as, the *Chomach*, *Bitan*, and *Godi*. When coming to the mourning house, each clan sings and praises their own leaders, their achievement and what they did in their respective areas. In their stay inside the mourning house, members would sing and appreciate what the deceased man has done when he was alive. In this time, as to the informants, delay or taking more time may happen which can annoy those awaiting clan outside the mourning house.

As to the informants, each clan or group is expected finish without much delay in the ceremony on one hand and the other awaiting groups have to wait until the entrant group comes out. However, if one of the groups fails to do this and attempts to break this rule, there is a possibility of disagreement which in the end resulting for the eruption of conflict between individuals and groups. This incident usually brings heavy consequences on both sides. The competition is between the different clans to attend first in the ceremony.

The possibility for disagreement and then to conflict is even more serious in the *qaxaro yefo*. *Qaxaro yefo* is a kind of mourning when an individual dies in a community it can be children aged above seven, young, *Kaati*, *Chomach*, *Bitan*, *Godi*, *Ogadde* (local chiefs) and other respected elders. When one among these dies and if the family of the deceased is not ready in terms of money to conduct the mourning ceremony in that day, then the family of the deceased will postpone it to the time that are favorable to them.

During the day of *qaxxaro yefo*, the competition is fierce between groups who are to be able to attend first in the ceremony. In the *qaxxaro yefo* it is not only the elderly who play in the mourning ceremony but also the youngsters. The youngsters in their own part are also competing to play first and to take more time in the play in the ceremony. During this competition, the possibility for the rise of disagreement and conflict is inevitable. Therefore, *Bale ayth* is also amongst the different causes of conflict found in the study area.

In line with this, one of my informants, Ato Dawit Wolde who observed the incident that happened in the mourning ceremony rehearsed the situation in the following way.

Case 1

It was in 2005 E.C. The incident was happened in Lame kebele between two clans from Kodo kebele and Dalcha kebele. There was mourning in Lame and people from Kodo and Dalcha are amongst the attendants in the mourning. It was in Maqa Milashe's home that the mourning is taking place after he lost his eldest son. People gathered to show their sorrow and entering the mourning home one after the other. Each clan or group is waiting outside the mourning house until the other finishes and comes out. The wait outside the mourning house until the other comes out is over and it is time now for the Kodo people to enter the mourning house led by Ato Kozhmaro. They entered and started mourning but delayed. Irritated by the Kodo, those awaiting groups outside, the Dalcha, forcefully entered the mourning home when the Kodo people are inside the mourning house. When the Kodo knew that they are undermined by the Dalcha, fighting started between these two groups and Arata Teto, leader of the Dalcha, was stabbed with spear by Ato Kozhmaro. However, Ato Arata was not dead but highly injured. Following this, the mourning house was turned in to chaos when others started to fight in each side. The remaining members from both side fought for a short period of time. The fighting resulted in minor wounds from both sides. Shortly after the incident, Kozhmaro and members of the Kodo fled and left the area fearing the attack. Hearing the case, Police interfered in the matter and began investigating the criminals. Later, the suspected criminals were arrested and detained including Arata Teto but Bucha elders from both sides interfered to mediate the matter in bucha woga and the case was allowed by the local authorities. Those clique leaders who are responsible for the eruption of the violence were called to appear in front of bucha. Ato Arata was accused of breaking the rules of the mourning and major cause for the violence. Ato Kozhmaro was accused for stabbing and attempting to kill Ato Arata.

Following that, the bucha made a decision that made Ato Kozhmaro guilty of attempting to kill Ato Arata and ordered to pay 1500 ETB as a compensation for the wound and injury he made. For breaking the rule, Ato Arata made an apology in front of the people and the Bucha saying: 'I should be blamed for breaking the law of the people, the bucha, I also the cause for the violence; now I'm in front of you for your apology, so, please forgive me' . Then, the people and the bucha apologized him and the matter ended with the reconciliation of the two groups. Finally, the conflict between the Kodo and the Dalcha was resolved based on the custom and traditions of the studying community.

From the above statement one can understand that mourning ceremony particularly, failing to follow the rules of the mourning ceremony, could be the cause for conflict among the studying society. The above mentioned statement also reveals that, in the study area the need to use force, undermining the status of others and failing to recognize the cultural principles and rules in the mourning ceremony could be cause of conflict. People in the study area resort to violence means when they feel they are undermined and their values are violated by others. Added to that, the above statement also reveals that still the indigenous institutions of conflict resolution are still workable to settle conflicts which erupted due to failing to follow the rules of mourning ceremony among the people of Oyda. However, with the recent socio-cultural changes in the area, the eruptions of this kind of conflict cases are reducing from time to time.

5.1.2 Family Related Conflicts (*Kara Ass Adho*)

A family in Oyda consists of parents and children including a father, sons, daughter, wives, grandfather and grandmother. According to the informants, conflict within a family mainly caused by conflict over division of labor, property management, resource distributions like land and cattle. Such conflicts can be between parents and children, brothers and sisters, husbands and wives. Mistreatment from husband may be major causes of conflict between husband and wives. Incompatible inheritance claims and use of resources can also be another major cause of conflict between family members. Conflict within a family also involves relationships between cousins, uncles and nephews.

Mostly the reconciliation of family related causes of conflict will be made at family level, involving the spouses' parents and very close relatives from both sides. But there are some instances where a family related cause of conflict also goes to either in the formal system or in the indigenous conflict resolution mechanism. On the other hand, the conflicts between brothers and sisters may arise due to inheritance of property up on the death of their fathers. According to the culture of the study area, as to the informants, it is the sons in the family who has the right of inheritance to their father's property or money.

Property distribution in Oyda takes two forms which can be the source of disagreement. The first one is found in the highland area of Oyda. It says that when the father dies, it is the young boy who has the right to own the property of his father and this inheritance is locally called *ba'a*. This is mainly due to the fact that the society believed that as the son is the last offspring; he should be given all the properties to lead his future life as the remaining sons are thought to be already leading their life. On the other hand, the last son is believed to take the responsibility of watching and taking care of his father so; the younger son has given the right to inherit his father's property.

Secondly, in the lowlands, the eldest son has the right to inherit his father's property. As to the informants, in this kind of property inheritance, the eldest son from the family inherits his father's property. This is because it is believed that as the elder son is their first, he has to inherit property and take the fathers responsibility when he dies. There are also other instances where fathers in the studying community may give their properties to their sons based on their will to whom they like most which can make one son different from others in terms of property ownership. As to the informants, this situation may create problems in the future when sons know that they are given lesser property than others.

On the other hand, women are excluded from property inheritance among the Oyda in the past. According to elders, currently, however, women also have the right of inheritance to their father's property and money. Regardless of the normal distribution trend, sometimes competition over inheritance may cause conflicts among the (sons) siblings. Conflict among the siblings is mediated at family level involving clan leaders, elders, uncles and other friend and close relatives. After the end of the mediation, the contestants will get their share based on the

established system of the community. If the problem would not get solution in this process, it will move to the *Bucha Woga* conflict resolution institution.

In relation with this, one of my key informants, Uta Toka, told the following case of family related conflicts, which was took place in 2001 E.C. It will be described as follow:

Case 2

It was in Shefite, a town of the district, an incident was happened caused by property distribution and inheritance claims between Taddesse and Geresu, brothers. Their father, Gebeyehu, inherited much of his properties to the eldest son, Taddesse, eight years ago. Their father was died in 1999 E.C. Knowing that his father was given most of his assets and properties to Taddesse, Geresu started to ask his brother, Taddesse to give back from much of the properties he inherited. Taddesse refused to do so. Geresu's claim was not stopping and they argue and quarrel day by day. Looking the situation, neighbors tried to mediate and resolve the problem but fruitless. Then the case was moved to bucha woga and Geresu accused his brother of dominating the whole property. The bucha decided in favor of Taddesse saying 'it was your fathers will and right to give the bulk of the property that he likes and we will not stand against it.' Frustrated by the decision, Geresu engaged in turbulence and insulted the elders that they biased the decision. Saddened by Geresu, the insulted elders gathered and cursed him saying 'you insulted us, humiliated us, you call us wrong and undermined the laws of bucha; may your children insult you, may the bucha humiliate you, may the people humiliate you, may the bone of our forefather pierce you.' Two weeks after the decision, Taddesse and Geresu quarreled once again along the boundary caused by farmlands. Quarrel along the boundary is a tactical one for Geresu. The reason why he wanted to quarrel along the boundary is because he wanted it as a pretext for other extra demands from his father's assets. The problem was started when Geresu pulled the boundary a little far from what his father has demarcated and he started to make a fence along the boundary without the knowledge of his eldest brother, Taddesse. Taddesse warned Geresu to stop

his unlawful actions. But Geresu refused and continued his actions with insults and cutting down of agricultural products. Days after this incident, rumor was heard that Geresu wants to kill Taddesse so that he can easily control whatever he claims from what his brother has inherited. However, the plot to kill Taddese was happened on the other way round where Geresu was murdered. During in the usual quarrel along the boundary, irritated by Geresu's repeated action, Taddesse has killed his brother using Walle, locally made weapon that looks like blade. This incident ended the quarrel between Taddesse and Geresu over inheritance claims under the family related conflict in the study area.

As clearly described in the above statement, claims of inheritance and property distribution between families members can be the cause of conflict among the Oyda. The above mentioned statement also reveals that, in the study area unfairly distributing property and inheritance between children could be the cause of conflict. Besides, a case narrated in the above statement also disclose that indigenous institutions of conflict resolution are still practicable to settle conflicts which was caused by property and inheritance claims under family related conflicts among the people of Oyda.

5.1.3 Adultery (*Olale*) and Abduction (*Goche Eke*)

Adultery is also the other causes of conflict in the study area. According to the values and norms of the community, having to create another sexual affair with any married woman in the presence of his legal wife is considered as a shameful act. Even it is forbidden to create sexual affairs in the community before marriage as it is believed to cause *gome* on the person and his generations. As revealed from elders, the culture of Oyda strongly against the act of adultery. Adultery brings a serious moral shock against the whole community in the study area. Based on the belief of the people, being adulterous is not only considered as the violations to the societies norms and values but also is against the holy creator, tsozi (sky god of Oyda). If an individual found to be adulterous, he is subjected to ritual of purification.

According to the culture of the people, if someone found to be adulterous, the first thing that he is expected to do is leaving the area to other nearby society for eight days. It was believed that if

an individual found to be adulterous and still lives in a society without purifying from sin, it is considered that he/she is polluting the community. Therefore, according to the belief of the people, the one who committed adultery is obliged to leave the area to the other neighboring ethnic groups until he gets purified. As to the informants, he/she has to stay in his exile until elders call him to come back. The first thing elders can do to purify is calling the adulterous to come to his homeland holding cabbage which was produced in his exile. After doing that, in front of elders the adulterous has to confess saying “I am against the norm, against the *Bucha*, against the *Kaati* and against the people as a whole”.

Following confessions, as to the informants, goat slaughtering ceremony will take place as a symbol to purify his sin on one hand and his integration with the society on the other. After the goat was slaughtered, the blood will be taken and the man who is accused of adultery will wash his hands. It was believed by the people that the blood of the goat will purify an individual from his sin. Then the wrongdoer will integrate with its community following his confessions and ritual of purifications in front of the elders.

If the act of adulterous is committed by the individual, as mentioned in the above, he/she will be condemned and cursed by the society. The condemnation by the community in turn results in the reduction of the status of the individual. A person who committed adultery with the wife of other individual or with someone else who is unmarried one will be an ardent enemy of the victim husband or family and revenge is inevitable. In the study site, as the informants explained, one of the reasons for the causes of conflicts is being adulterous.

Abduction is also one of the causes of conflict in the study area. It has been practiced in the *Woreda* over long period of time. As anywhere else, it happens when a boy uses force instead of the girl's or family's primary consent or good will. After repeated inquire from a boy and his family, as to the informants, and if a girl still refuses, then the boy with his friends will set a time and abduct the girl. In addition to that, abduction can also take place without the knowledge of the girl or the family. They can simply abduct the girl whenever the situation is favorable to the abductor. Knowing this, the girl's family may react violently. The act of abduction causes conflict particularly when the girl's family attempts to liberate the abducted girl from the kidnapers. On the contrary, the kidnapers struggle to keep on retaining the girl. At this time, the parties will fight to liberate the girl on one hand and kidnap on the other which later resulting

in a serious consequence on both sides. However, as informants argued, abduction seems latent due to the expansion of education and other socio cultural changes as well as government intervention.

5.1.4 Conflict Over the Violations of Agreement (*Kothe*)

Conflict over the violations of agreement between parties is the other types of conflict witnessed in the study area and remained one of the common sources of disagreements between individuals and groups. The failure to keep the promise, which a person has entered with other individual or group, can have the power to bring people in to conflict. One of the manifestations of conflict in the study area in this case is based on the borrowing and lending of money or property between the parties. The borrowing or lending of property can be described in the form cattle or land. Besides property and cattle, the practice of lending or borrowing of money is also a common task among the studying community.

In the study area, as informants explained, people lend money to one another and pay back at the time agreed upon by the parties. However, the one who borrowed the money may fail to return on time or deny his/her having borrowed the stated money. Hence, the lender and the borrower will come in to conflict; this is due to the fact that much of the time agreements between parties are made with verbal agreements rather than legal agreements or consents.

Besides to money lending and failure to pay back, property or animal lending and borrowing instigate conflict in Oyda of southern Ethiopia. Property lending and borrowing among the Oyda are widely practiced. As to the informants, people can lend or borrow property for the sake of helping one another in times of difficulties. It can be manifested when either of the parties (borrower or lender) benefits from what they borrowed or lent. For instance, an individual borrows land from the owner for a specific period of time based on the equal sharing of what the lender has produced what is locally called *kothe*. When the *Kothe* expires the lender is obliged to give back the land to the owner and depending on the interest of the owner and *kothe* agreement will continue for another years depending on the behavior or productive nature of the borrower.

Animal lending or borrowing is also common in the study area. There are two forms of cattle exchange between individuals in the study area. People can give or borrow cattle for kin or non-kin groups. When people give cattle for people, it means that he/she provided it for the sake of

supporting somebody else to meet his personal needs. And when people lend cattle, as to the informants, it means that the borrower is expected to give the share from what the original one is produced. Commonly, cattle like Ox, sheep and goat are lent to somebody else for a specific period of time. However, animal or property may be partially or completely damaged or died. At this occasion, the lender demands the normal one than the damaged one. On the other hand, the borrower purposefully misappropriates the property not to return it back to the owner. Finally, these situations lead the parties to disagreements or problems. The rise of conflict in between these parties is then inevitable.

The following is an example of a case related to the farmland contract as described by my informant, Sibhata Fesha. It will be narrated as follow:

Case 3

The case was happened in Kodo-Jama, a place in Oyda between two farmers, Fanos and Pawlos Wolde. It was in 2007 E.C that Ato Pawlos Wolde and Ato Fanos quarreled on farmland contract. The agreement was made in 2006 E.C between the owner of the land, Fanos and Pawlos, who appeared with his manual labor. The contract was made for four years i.e. until 2009 E.C. based on the equal sharing of products which will be produced from the farmland. Only a year after the contract, disagreement cropped up between the two when the lender accuses the borrower of misusing and cheating from the produce of his farmland contrary to the agreement. Elders in the neighborhood interfered in the case and the problem was resolved after the lender accepted his faults. Then the lender allowed him to continue with the contract that has been agreed in the previous. However, the borrower, Pawlos engaged in his former mistakes once again and become a source of disagreement between the two. Worried by Pawlos, Fanos take action which includes the taking of all products from the farmland without sharing with Pawlos and warned him not enter to the farm from that time onwards. It was done before the harvest time. Irritated by Fanos, pawlos asked him to give his share from the produce but Fanos refused. In the exchange of words both parties fought together and even the fight became intense as children from

both sides took part. In the fight, Fanos was injured and Pawlos son's hand was broken. In front of Fanos, during quarrel, Pawlos told him that he wants to kill him. Fearing the further consequence, elders in the community called the two parties for reconciliation. Finally, after a long discussion, the contestants were agreed and solved their problem.

As clearly showed in the statement above as narrated by my informant the violation of agreement between parties can be a source of disagreement which later can be changed in to conflict. On the other hand, people can quarrel during lending and borrowing when they feel that they are cheated, unfairly treated or dissatisfied with the one whom they think is going against the contract they agreed on. Besides seeking for justice, people sometimes resort to violent means in order to secure their right. At the same time there is an indigenous mechanism of conflict resolution that can resolve whenever the problem related to violations on contract or agreement arises.

5.1.5 Murder (*Shemppo Wodho*) and Revenge (*Kushe Maahe*)

Among the study people, as elders revealed, murder among the Oyda is a serious crime. It is not culturally acceptable to kill a fellow Oyda man or even it is highly forbidden to attempt to kill a person who is a member of the community. According to the tradition of the people, pointing a spear or other killing material on an individual is still highly condemned by the tradition of the people. It is believed by the society that pointing a spear or other sharp materials against other is not only an attempt to kill a person only but it is also considered or directed against the people, the norms and tradition of the society. In other words, pointing a spear on others, as to the informants, is also pointing against the people, the culture and the tradition of the society.

Pouring the blood of other is a taboo among the people and needs a complex process to reconcile and integrate between the conflicting parties and very difficult to integrate with the society. As explained from informants, the slayer will face many problems if he kills an individual from the society. This include, the insecurity of his families condition at home, the probability of revenge by the deceased family, the social and economic crisis and hardship he will face in exile, the compensation he will pay, the social exclusion he will face from the society

and so forth. So, learning the lesson from others, as the informants explained, people often refrain from killing others not to face the social and economic sanctions and hardships to them.

Although there is a strong social taboo that prohibits a man not to kill another man from the community, still the crime of killing others is there among the society. When a person commits a crime of killing, an offender is excluded from the community because of failing to keep the norms of the society. Currently, however, the degree of the occurrence of homicide offences in the study area is reducing from time to time as the informants and FGD participants explicated. As to the informants, this is due to change in awareness and the expansion of modern education and religion in the study area. The crime of murder, as further revealed from the informants, is not an immediate event but the collective effect of other causes of conflict. It could be conflict in the mourning ceremony, family conflict, and adultery, excessive usage of alcohol, theft, abduction, revenge, insult and other.

The other cause of conflict in Oyda is revenge. In Oyda culture, there is no an intention to kill a person without any background reasons. Conflicts that emerge due to disagreement in the mourning ceremony, adultery, insult, theft, abduction or any other causes of conflicts in the study area could finally result in to revenge in which the loss of life may occur. In the context of the Oyda, revenge is not strictly personalized in the sense that it always directs itself exclusively against the killer. The people in the study area certainly first want to take revenge on the person who committed the crime, but if he cannot be found it may instead be directed against some of his close kin and relatives: father, brother. However, in several instances, younger or elder brothers are also targeted for revenge.

Besides targeting on the slayers kin, properties like home, agricultural products and cattle are also targets of attack. According to the informants, the first step in the process of taking revenge in the absence of the murderer is the burning of the slayers home, the confiscation of properties, the killing of cattle and the cutting down of live agricultural products. Before the revenge takes place, both the slayer and his close families have to flee the area to other neighboring ethnic groups until their problem is resolved through indigenous means of conflict resolution.

According to key informants, if someone commits a murder crime, the slayer first told to flee to another area. The slayer will stay outside of the society until the elders told him to come back for

resolution. This is for the sake of avoiding the probability of revenge by the deceased family. During the resolution day, as the data obtained from informants, the elders call the slayer to come from his hideout to the river which is found in any of the boundary that separates the Oyda from other neighboring nationalities. Along the river (outside and inside the boundary), as to the informants, both the slayer and the deceased family makes a small hut for burning. By crossing the river, each side will burn the others hut as a means to end enmity in the presence of the elders and local chiefs.

The burning of hut, as to the key informants, symbolizes about the end of enmity between the two parties and disagreement burned down and turned in to a new relationship. This process of ending enmity between the parties is locally called *yijo michida*. When coming to the place of resolution, the elders usually bring the family of the deceased and their relatives for reconciliation. In the meantime the elders keep and watch carefully the deceased family not to take revenge against the slayer and his family.

The resolution between the two parties concludes with the ritual ceremony that aimed at integrating the parties. A person should go through a ritual ceremony to purify himself from the sin. It is believed that the ritual ceremony will purify the slayer and facilitates his integration with the community and resolve the conflicts between the killer and the deceased family. The ritual ceremony involves the slaughtering of a goat in the presence of the elders, the slayers and his family and the family of the deceased. Both parties will wash their hands with blood as a ritual to purify themselves from the sin they have engaged in. Both parties will shake hands and hug each other as a symbol of ending enmity. And finally, the resolution process will be completed by traditional elders blessing. This will resolve the conflict between the two families.

5.1.6 Alcoholism (*Mathe*)

Among the study area, intoxication is the other types and causes of conflict. As to the Oyda *Woreda* police officers, it was clearly indicated that excessive usage of alcohol is one of the causes of conflict. Based on the information gained from the *Woreda* police office, few cases of crime are the result of alcohol drinking. Among the Oyda people, drinking of alcohol is there throughout the year and caused conflicts between individuals and groups. However, the

tendency of people's drunkenness differs from season to season. Conflict due to alcoholism is more prevalent in the season of Bone (dry season). This is because of people would earn money from the selling of many agricultural products to the market. Intoxication is likely to be less during the *bargo* (rainy season). This is because; in this season the likelihood of people to gain money is less as the people have less or no agricultural products to sell in the market and generate income. At the same time the intensity of conflict is also less due to shortage of money to spend on drinking.

On the other side, whether or not people are in *bargo* (rainy season) or in *bone* (dry season), it is common to see when people insult others when they are intoxicated. Insulting individuals or groups in bad words would initiate conflict. The probability of disagreement is also common when there is collective labor what is locally called *dago*. During the *dago* feast, people usually drink more and play with one another. As they drink more and more, as to the informants, words they exchange might be stronger which may result in quarrel. As to the informants, even it will be very difficult if the exchange of words is accompanied by clan insult or downgrading the social status an individual has in the society which can result in bloodshed.

Besides this, conflict in weeding ceremony is also common there in the study area as it is common to see people drinking in the weeding ceremony. When people drink more in weeding ceremony, particularly the youngsters, there will obviously be a disagreement which can later be changed in to conflict. On the other hand, as further argued by the informants, during market days people often comes from different areas for their own purpose in addition to exchanging in the market. There are three big market days in the study area that people of different origin can visit, buy and sell products. In this big market days it is not only those agricultural or industrial products brought for exchange but locally made *areqe* or *tej* is also enormously produced and sold. As I myself observed, people of different age and sex comes and drinks the alcohol. It is also common to see people in these drinking houses shouting and insulting one another with bad words which will bring disagreement and finally lead to fighting. As informants described it usual to see when people fight each other in these days than other days. Hence, alcoholism is one of the causes of conflict in the study area.

5.1.7 Insult (Cashi)

Insult (*cashi*) is the other source of conflict which is found in the study area. According to informants, *cashi* is an offensive word which can annoy people and will result for the rise of disagreement and later to conflict. Based on the data obtained from informants, *cashi* will result in a serious conflict if the insult is bad and directed against clan or the social status of an individual or lineage descent. In the study area, as explained from informants, people insult one another using offensive words. For instance, insulting one another using offensive words as *manni* (potter or smiths), *ayle* (slave), *buda* (evil eye) is viewed as bad insult that may result in serious of conflict between individuals and groups. This is because insulting someone wrongly using such types of words could result in the discrimination or exclusion from the society.

Therefore, a person who has been insulted in such a way would come into serious conflict with the person who is the victim of the insult. For instance, if someone insulted a person who is not belongs to his clan saying *manni*, it possibly will initiate annoy among the insulted clan and may result for the eruption of serious conflict between groups or clans which can end in heavy consequences from both sides. This is because, according to the belief of the society, *manni* is the most despised and excluded section of the society. Therefore, people often dislike to be connected with this name in any form of their social life.

With regard to this, insulting someone as *manni* would result in the discrimination of a given clan members. Other clan members, for instance, would ignore them from taking part in any of the social interaction and relationship that other members have. Besides, other clan members also not agree to make marriage relationship and participate even in mourning with the family who became *manni*.

On the other hand, insulting someone as *ayle* (slave) could also lead to serious conflict. Insulting someone saying *ayle* (slave) has also the same consequence on the person who has been insulted like *manni*. So, individuals would come into serious conflict with the person who has insulted them to make themselves free from such allegations which could outcast from the social life of the society. To insult others as *buda* (evil eye) is also one of the other sources of conflict among

the Oyda. This is because such type of insult would outcast an individual from the people or family. Therefore, people would make no social relationship with *buda* if an individual or a family found to be *buda* (evil eye). As to the informants, insulting someone as *buda* would result in the discrimination of a given family or individual from the society. So, to insult someone as *buda* would result in conflict.

In order to avoid these bad names, as to the informants, clan members would fight to guarantee their cleanliness from the name that they have given wrongly. As a result, peoples from both sides may face serious injury or loss of life or heavy destruction of property might happen. In addition, the person that belongs in a certain group who has forwarded the insult would be punished according to the principles and traditions of the Bucha Woga conflict resolution institution.

CHAPTER SIX

6.1 Institutions and Mechanisms of Conflict Resolutions

The Oyda communities in the Oyda *Woreda* have their own mechanisms of conflict resolution. Their mechanisms of conflict resolutions is described and analyzed under this chapter. As a whole, under this chapter, efforts have been made to discuss and analyze the conception of wrong among the Oyda, the Oyda understanding of conflict, institutions on which the society depends to resolve conflicts like the *Kaati* (office of the king), *Bitan* (literally, local chief) and *Chomach* (literally local chief below *Bitan*), institutions, the procedures they follow to resolve conflict, selection criteria of the elders and the mechanisms of law enforcement. The chapter also deals with the relationship between the formal court systems and the indigenous conflict resolution systems.

6.2 The Conception of Wrong Among the Oyda

The Oyda people have its own conception on what action is wrong and right based on the worldview of the people. According to the culture of Oyda, as forwarded from the elders, what is wrong among the Oyda can be seen in terms of violating the principles, norms and customs of the society. If someone breaks the values, norms and principles of the society or acting against the governing behavior of the people, it is believed among the society that the wrongdoer will face curse from the community. Curse, as to informants, would result in bad consequences or misfortunes on the person, his property his family as well as on the whole community. For instance, according to my informants, if someone violates the governing behavior of the society or commits wrong, and failed to clean his transgression in front of the *Bucha Woga*, it is believed that God (*tsozi*) will bring danger not only on the person who committed wrong but also on the whole community.

According to the culture of the studying community, as my key informants explained, people can also be cursed with the breaking of minor social norms such as minor insults, not to tell the truth, failing to respect seniority, disrespecting elders, unwilling to accept the command of the family and so on. As further explained by the informants, it is thought among the society that once an individual is cursed and remain unclean, it will cause bad consequence and epidemics on the individual and among the society. So, the violation of societal norms and principles which

supposed to bring disaster on the wrongdoer and on the whole community can be resolved by the indigenous institutions of conflict resolution which is known as the *Bucha Woga*. Therefore, for the people of Oyda, violating against the traditions, norms, principles and values of the society is considered as the act of bad behavior. This bad behavior or wrong can be resolved or cleaned by the established institution called the *Kaati* institution, the *Bitan* institution and the *Chomach* institution within the *Bucha Woga* conflict resolution institution.

6.3 The Oyda understanding of conflict

The Oyda people define conflict in different ways. The community in Oyda does not have a single word that defines conflict. The informants indicated that the word *kach* means quarrel or absence of peace, and *adho* means conflict among the Oyda. *Osh* refers to fight and or disagreements and *oli* refers to war. Generally, the informants defined conflict as disagreements, quarrels and fights between individuals and groups of people.

6.4 Conflict Resolution Institutions and Mechanisms

Based on the data obtained from ethnographic fieldwork, there are mechanisms for conflict resolution that was developed by the community in the study area which can resolve conflict from its source. The most widely practiced institutions in the study area, according to FGD participants, elders and key informants in order to bring peace and order between individuals or among groups include the *Kaati* institution, *Bitan* institution, the *Chomach* institution.

Those who participate in the *Kaati*, *Chomach*, *Bitan* institutions would often meet to conduct conflict resolution processes under a tree yard or an open place called *Bucha*. For the Oyda, according to my informants, *Bucha* is a wide open place or it could be a tree yard where people meet to deal with their differences through peaceful means. Thus, as a place of gathering each institution has its own *Bucha* and it is believed that it is a place where truth is spoken and differences are settled among the people.

6.5 The Oyda Indigenous Conflict Resolution Mechanism (The *Bucha Woga*)

The Oyda of southern Ethiopia have developed a set of indigenous laws that prohibited and allowed particular actions in order to maintain the wellbeing of the society and keep the community in peace. As forwarded by the informants, custom laws governing behaviors of conduct have been in the people since long time and they tend to impose limits to all possible actions of an individual and a group and ensure predictability and possible action.

This body of indigenous law and values that keeps the wellbeing of the community is the *Bucha Woga*. The word *Bucha Woga* is combination of two words, *Bucha* and *Woga*. *Bucha* is an indigenous/local Oyda term which means and represents the society as a whole and *Woga* represents the rules and principles set by the people. Hence, the term *Bucha Woga* signifies the rule or principle of the people. As the name indicates, people would gather or come together to deal with their differences and resolve conflicts based on the established rules and principles. The people of Oyda, as to the elders, have long history of peaceful coexistence among themselves and with other peoples outside of their boundary. However, when conflict occurs between individual and groups, the people have developed its own mechanism to keep the wellbeing of the society.

Therefore, based on the data obtained from the study site clearly shows *Bucha Woga* institution as institutions of conflict resolution among the Oyda of southern Ethiopia. This institution processes conflict and conflict related issues based on the worldview of the people and power vested on them by the customary law. In the study area, *Bucha Woga* served as indigenous mechanism that can maintain peace and security for its people based on the values and world view of the people. At the same time, it was a long lasted means to control those behaviors that are considered by the society as socially bad and abnormal. In line with this, there is a formal court system operating in the study area as an additional means to maintain peace and order between individuals and groups and worked hand in hand with the indigenous one.

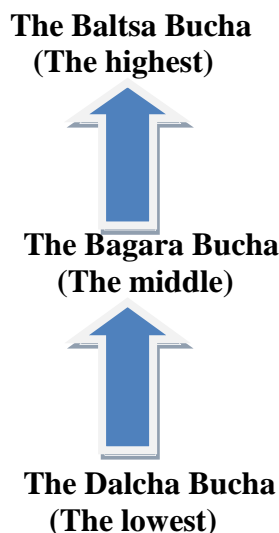
In addition to that, as put forward by the informants, the *Bucha Woga* indigenous conflict resolution mechanism in most cases work in collaboration with the formal conflict resolution system. Hence, the two are collaborative in a process to resolve conflicts that are existed in the

study area. The relationship of the institution can be seen when one of the institutions refer cases from the *Bucha Woga* institution to the formal court system and the vice versa.

Therefore, *Bucha Woga* conflict resolution institution is the forms of indigenous mechanisms of conflict resolution in the study area. As the data obtained from the informants, the *Bucha Woga* system is a hierarchical and this system foresees a peaceful and mutual resolution of conflict between individuals and groups for long period of time. The *Bucha Woga* indigenous conflict resolution system has its own characteristic features. Its characteristic feature is that the system assumes hierarchies of power where power from one institution differs from the other. Hence, based on the data obtained from elders, this system of conflict resolution has structured in to three hierarchical powers.

These are the *Dalcha Bucha* (at the bottom), the *Bagara Bucha* (in the middle) and the *Baltsa Bucha* (the highest). Depending on what form of conflict, the people start the resolution process at *Dalcha Bucha*, and if they are unable to settle the dispute or if they are unsatisfied with the decision, then they go to the *Bagara Bucha* in order to find better justice. If the person once again feels unsatisfied with the decision passed by the *Bagara Bucha*, he will then go to the last stage of decision making body, the *Baltsa Bucha*. The *Baltsa Bucha* is the highest and final authority to resolve the conflict in the study area.

Figure 2: Showing the power hierarchies of the *Dalcha*, the *Bagara* and the *Baltsa* institution at the community level in the *Bucha Woga* institution.



These three are the highest power holding institution in Oyda in terms of maintaining the society's peace and security in addition to the *Kaati*, the *Chomach* and *Bitan* institution of conflict resolution that also work for the societies wellbeing and peaceful coexistence. In terms of jurisdiction, as FGD participants explained, these institutions (the *Baltsa Bucha*, the *Bagara Bucha* and the *Dalcha Bucha*) holds the highest authority as compared to the *Kaati*, the *Bitan* and the *Chomach* institution of conflict resolution in the study area. Everyone in the community, as to the FGD participants, have the right to go to any of the conflict resolution institutions found in the study area. They can start and bring the cases from the institution found in their village be it *Chomach*, *Bitan* or if they like, they can go to the highest power holding hierarchies of conflict resolution institution i.e. the *Baltsa Bucha* , the *Bagara Bucha* and the *Dalcha Bucha*.

The *Baltsa Bucha*, the *Bagara Bucha* and the *Dalcha Bucha* are the name of conflict resolution institution on one hand and it can also serve as the name of the *Kebele* of the *Woreda* on the other hand. As informants underscored, people usually in the study area, goes from the bottom of the power hierarchy to the highest authority until they get solution to their cases. In this time there is a man called *Mura* that facilitates and coordinates one of the hierarchy with the other serving as a messenger. If an individual opposes the decision and thinks the verdict unfairly decided on him and if he wants to go to the next higher authority, the *Mura* facilitates the case by bringing the case from the former hierarchies of power that he brought the case to the next.

The *Dalcha Bucha*, the *Bagara Bucha* and the *Baltsa Bucha* are not widely found in the different part of the district like that of the *Bitan* and the *Chomach*. They are only three in number and found in three places in the *Woreda* and see the cases of conflict in ascending order. It is not allowed for a given Oyda man to start his case from the final decision making body in the *Bucha Woga* conflict resolution institution i.e. the *Baltsa Bucha*. An individual rather has to start the case from the bottom, *Dalcha Bucha*, and continue to the next two hierarchies of power step by step. After the *Baltsa Bucha*, as to the informants, there is no other institution that an individual has the right to appeal; he/she accepts the decision passed by this institution as there is no institution to go further for extra appeal. An individual has the obligation to accept whatever the decision passed in favor or against him in this last step of conflict resolution institution.

The Baltsa *Bucha* is highly respected and considered by the society as fair and committed for those who are unfairly treated. However, if one fails to accept the decision passed by the Baltsa institution, he will be cursed, outcasted and isolated from the community. His refusal to the law of the people (the *Bucha Woga*) will be made public so that each of the community members know and isolate him from any of the social interaction and relationship. In the end, within a short period of time the names of the rebellious offender, his mistakes and the decision passed by the *Bucha* on him and his disloyalty to the decision will be dispersed in the community. The rebellious offender, pressurized by the sanction either flees the area or accepts the already passed decision and asks an apology for his wrong deeds and undermining or challenging the very existence of the institution.

6.6 The *Kaati*, *Bitan* and *Chomach* Institution of Conflict Resolution

Based on the data obtained from focus group discussants, elders and informants, the *Kaati*, *Chomach* and *Bitan* institution are mechanisms of conflict resolution found in the study area within the *Bucha Woga* conflict resolution institution. According to informants, the word *Kaati* refers to the name of the king of Oyda and accordingly *Kaati* institution is an institution where the process of conflict resolution takes place in the office of the *Kaati*. Hence, the name of the institution is derived from this word. This institution is the highest in terms of jurisdiction as compared with the *Bitan* and the *Chomach* institution of conflict resolution. What makes this institution different from the others is that, this institution is found only in one area in the district. The seat of this institution is in the ritual center of the Oyda called the Baltsa.

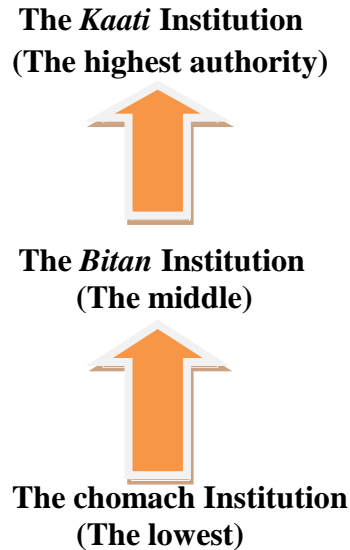
The *Kaati* institution of conflict resolution are able to deal with conflict cases caused by, bad insult like (potter or smith, slave, evil eye etc) homicide cases, adultery and also sees other cases of conflict if it was not resolved by the *Bitan* and *Chomach* institution. In this institution each and every conflict cases can be resolved but the most usually seen conflict cases are homicide cases and bad insult. But this does not mean that other conflict cases are not seen by this institution. According to the informants, any of the societal problems which are considered a threat to the wellbeing of the society would be carefully watched and resolved in the end.

Bitan is also one of the conflict resolution institutions in the study area. This is the second power holding institution next to the *Kaati* institution in the *Bucha Woga* conflict resolution institution.

This institution sees conflict cases that are not resolved in the *Chomach* institution of conflict resolution. This institution can be found in almost all places in the study area. Therefore they can be easily accessed by the community. One is not expected to go far distant to find justice in the presence of the *bitan* institution in his own village. But if the person whether accuser or accused is not satisfied with the decisions passed by the institutions found in his respective area, he has the right to go to the place he thinks will provide a better justice. Probably, these institutions are the *Baltsa Bucha*, the *Bagara Bucha* and the *Dalcha Bucha* institutions of conflict resolution. As informants explained, people often want to go to these institutions seeking for better justice.

Chomach institution is the other kind of conflict resolution institution found in the study area. In terms of power, this institution is found at the bottom of power hierarchies in the institution of conflict resolution where the people often begin their case from this institution in their village. For instance, if the type of conflict is simple or a conflict between relatives or neighbors on simple issues, the resolution process will take place at this institution. In this regard, informants stated that to deal with simple conflicts, first, the case would be seen in *Chomach* institution. However, if this institution could not be able to manage such cases, the issue would be transferred to the *Bitan* institution. Like that of the *Bitan*, this institution is found in almost all places in the community. When disagreement or conflict arises within the community, the institution firstly sees the case before it transferred to the next step. If the case is not able to be resolved or the person is not satisfied with the decision with this institution, the *Chomach* institution allows an individual to go to the *Bitan* or whatever institution he likes to go.

Figure 3. Figure showing the power hierarchies of the *Chomach*, the *Bitan* and the *Kaati* institution at the village level in the *Bucha Woga* institution of conflict resolution in ascending order.



According to the belief of the people, those individuals who are elected as an elder to participate in the *Kaati*, *Bitan* and *Chomach* institution should be acquainted with the knowledge of the customary laws and know the tradition and history of their society, which would help them to resolve conflicts easily. These elders as forwarded by the informants, who are deciding on the matters of conflict in these institutions, are temporary workers where they are called when conflicts occur and dissolve after the resolution processes are completed.

As to the informants, elders' role in these institutions is crucial in which its role is observed when they deal with conflicts ranging from simple disagreements to the case of homicide. There is no regular time and date set by the people of the studying communities in order to deal with issues of conflict. The date and time for the decision of a given case depends on the time when and where the conflict has occurred but not previously set principle. In other words, when conflict occurs, elders meet and discuss the issue without waiting for date and time. As forwarded by the informants, the verdict will take place within a couple of hour after the incident, if the case is serious or a day after the case has occurred if the case is simple. In this regard, informant state that the resolution process of the verdict has no time bound and date limit but depends on the occurrence of the conflict. The resolution often starts early in the morning.

In these institutions of conflict resolution, the role of *Kaati*, *Bitan* and *Chomach* as traditional rulers is that they watch the resolution of conflict as an observer. The role they have in the resolution process is checking and supervising the normal running of the verdict. The roles played in the institution are those elected elders. Most of the decisions are passed by the elders with little interference from the *Kaati*, *Bitan* and *Chomach*. At the end of the verdict, for instance, the elders give chances to these local chiefs to say something on the decisions, parties and the verdict as whole. Still, as to the informants, the decisions are passed by the elders.

6.7 The Procedures Followed by the Institution (The *Bucha Woga*)

Based on the data obtained from FGD participants, interview, *Bucha Woga* is an indigenous mechanism of resolving various types of conflicts in the study area. *Bucha Woga* is also an institution for which all the communities or groups gave recognition. Therefore, the institutions are organized as a means to find solutions for conflict and conflict related issues. In this regard, the institution deals with all kinds of conflicts that happened because of conflict in the ceremony of mourning, conflict over the violations of agreement, murder and revenge, adultery, abduction, intoxication, family related conflict, murder and revenge.

Conflict resolution through the *Bucha Woga* conflict resolution mechanism is held either under tree yard or in the wide open place, and follows certain rules and procedures. According to the FGD participants and key informants, the process of resolving conflict begins with the separation of parties involved in conflict and reporting the case. Reporting the case can be made by the parties themselves, elders, neighbors, relatives of miscreant, an eye witness, friends or any other person.

Before it turns in to a state of chaos, as elucidated by the informants, one of these bodies will make an effort to stabilize the situation between the conflicting parties. This action is aimed at preventing the continuance of revenge which will be carried out by both parties and to give an end for the hostile relation that might cause suspicion and chaos between relatives of the conflicting groups before justice provides the real answer as who is guilty and innocent. Therefore, the conflicting parties will refrain from doing any further wrongdoing (revenge action) until the *Bucha Woga* gives final decision on the issue. As to the elders and key informants, getting willingness from the conflicting parties to come to the *Bucha Woga* is

another key issue in the process. This means that the parties in conflict have to agree to come and deal with their problem before the *Bucha*. After both parties agreed to come to the *Bucha Woga*, then the process of conflict resolution begins.

Following the agreement of both parties in order to appear before the *Bucha Woga*, then the elders advance on to the next step. The next step is therefore to call the parties in conflict before the *Bucha*. The *Bucha* officially sends a messenger for the parties to appear. The institution normally has its own messenger whose duty is to spread information and call the parties before the *Bucha*. The man in charge of this duty is called *Mura*. *Mura* is appointed by the local traditional chiefs in order to ease or harmonize the relationship between the people and the *Bucha* elders and to facilitate the verdict of the institution.

Besides this, the *Mura* is also responsible for taking and giving cases from one of the hierarchies of power to other. As described by the informants, when people often want for further justice or feel unsatisfied with the decisions passed by the *Bucha* at the bottom, the case of appeal will be brought to the other higher hierarchies of conflict resolution institution by *Mura*. Hence, the importance of *Mura* in facilitating the conflict resolution process is very crucial. For convenience, a location which is suitable and middle in distance to both parties will be prepared and appropriate time is also set for the parties to appear before the *Bucha*.

During the appointment day, a gathering will be held either in a wide open place called *Bucha* or under a tree yard with the attendance of offender and defendant as well as their family. This place is a sacred one and respected by the people. As the place is a sacred one, no one is allowed to do anything in the enclosed place. As to the elders, if one fails to respect the *Bucha* and crosses through the place, it is believed that the *Bucha* will bring bad fortune and consequence on the person and his family. Therefore, to escape from curse, people refrain from doing anything in the place where truth is spoken and justice is provided to the people. Besides gathering on the *Bucha* and tree yard, as underscored by the elders, the people in this time also gather inside *Kebele* administration.

The overall process begins when the leader of the *Bucha* gives an opening speech for what reason the gathering is called. When the meeting is on, each party in conflict is asked to give his or her account of what reason led them to the conflict before the resolution process takes place. Accordingly, each side gives account of what happened during a conflict based on the order of the elders. In this regard, both parties are requested to give an accurate and precise description of what caused the conflict.

The elders usually pay attention to examine the case by posing cross examination. Concerning this, one of my informants stated: ‘we always tend to allow and give more room to both parties to tell the account so that we can know who is right or wrong.’ After the presentation of the account is finished, the *Bucha* elders raise important questions to the parties so that it allows them to know and understand correctly about the basic causes of the conflict, the level of damage it resulted and the decision to be made.

As elucidated by the informants and FGD participants, passing a decision is another stage in the process of conflict resolution. Once the issues are well identified, as to the elders, *Bucha* make proper decisions concerning who is innocent and who is guilty. When making decision, elders usually take in to consideration issues of relying on the truth. Based on the values and worldview of the community, they then make judgment which will have the power to bring peace, happiness and unity among all the parties.

Compensation (*acca*) is also part of the process in resolving conflict in *Bucha Woga* institution. As elders underscored, after the judgment is finished, compensation is decided depending on the cause of conflict and the damage it resulted. The loser of the case, as to the informants, is obliged to pay compensation to the loss that he or she made during quarrel depending on the cause of conflict. For instance, according to the culture of the society, if someone kills an individual he was expected to compensate what is locally called *carra*. *Carra* is made from bronze which is equivalent to the price of Ox which can be estimated in between 5,000 to 6,000 Ethiopian birr. Besides, as to the elders, Ox is also given as compensation for blood price. On the other side, as explained from the elders, there are also cases where those who are found guilty sometimes are not ordered to pay compensation to the victim but to apologize and allow the matter to an end.

These cases would be small cases of conflict which do not involve property destruction, loss of life but only have psycho social consequences on the people.

After the decision is passed and the compensation is decided, there is a ceremony that will be accomplished whilst making an oath that will help both parties not to hide the truth about what happened during the quarrel as well as engage in a conflict and revenge each other. According to the tradition of the Oyda, as forwarded from the elders, it is believed that if an individual breaks the oath or makes an oath wrongly, a very serious result will happen on his personal life, family life as well as his property. As explained from same source, bad consequence is expected to happen on the life and property of the family. According to informants, there are individuals who are sick, become crazy, and finally died due to this factor.

In order to conduct the ceremony, as to the informants, there are materials that will be brought to the area where the process is taking place. These are; a stone, ash, sword, spear, bone and etc. According to the informants, the aforementioned materials have their own attached meanings and symbols based on the custom and tradition of the people. The people who are attending the ceremony are expected to make a line and leap over it after making an oath (*caaqo*).

The following are some of the words of an individual while making an oath under the guidance of the bucha elder.

Ta turto achiko

If I conceal the reality;

Ta itta ocheza achize maqqiko

If I hide a criminal;

Ta itta ocheza madiko

If I help the miscreant;

Ta wordo wochiko

If I do wrong;

Tani itta ochte geleza maqqiko

If I engage in a quarrel;

Ta wordo ohiko

If I lie the Bucha

Ta bucha wogtipo adhiko

If I breach this agreement,

Tani hani shuchtigar mumisse

Let I be a stone that is not speak

Hana turta tana mu'o

Let the spear pierce me

Hana mashta tana mu'o

Let the sword slash and kills me

Tasin ta kochtis eze bazta budo garyo/dhabo

Let I, my family's life and my assets be ash and be futile.

Ta maqatsita melo

Let I be like a bone that lost its flesh.

Depending on the type of conflict and the degree of destruction, as to the informants, there are ceremonies that will take place after the conflicting parties make an oath. For instance, if the conflict caused the loss of life, goat will be slaughtered and food made from false banana with locally made beer which is called, *daana* will be delivered. With the end of goat slaughtering ceremony, elders will gather for final blessing. Then the process of conflict resolution will end with elders blessing.

6.8 Selection Criteria of the Elders

Among the Oyda society, different mechanisms are employed to select elders to participate in the conflict resolution institutions. In the study area, elders who are elected for the *Bucha Woga* institution are in between eight and twelve whose purpose is to resolve the different types of conflicts existed in the study area. The criteria used to select elders as a conflict resolution process takes various issues in to consideration. As argued by the elders, the selections of authorities to the *Bucha Woga* institutions follow a certain rule and requirements based on the norms and traditions of the communities.

Clan membership is one of the criteria for electing an elder as a conflict resolution institution. There are clans who are prohibited to serve as an elder in all types of conflict resolution institutions. This clan is the *manni*. According to my informant, it is believed that members of the *Manni* clan are considered by the society as despised and impure. As a result, a man from this clan cannot be able to become an elder in the institution. Also, an individual who in his birth time followed the natural way to come out from his mother's womb is only eligible to become an elder in the conflict resolution institution.

According to the culture and tradition of the Oyda, as the data obtained from informants and, during birth if a man was born in unusual way than the usual or the natural one what is locally called *torqqa* (if leg appears first than the head of the child during birth); he cannot be an elder in any of the social institution including *Bucha Woga* in the future. His abnormality in birth can be proved from his family or close relatives or the person exposes himself fearing the curse it will result on him. According to elders, intentionally, if someone is against this law, he will risk his life and his family's life and property in danger which ultimately ending in bad consequence.

Besides this, there is a tradition called *mingi* in Oyda that prohibits a man not to participate in conflict resolution institution. As to the informants, a man is said to be *mingi* if his teeth erupts in the upper jaw before the lower jaw during his childhood. Hence, he is considered as socially impure and remains a symbol of bad fortune to the people and the culture prohibits him not to become an elder in the institution of conflict resolution. According to elders, both *mingi* and *torqqa* are not only despised by the society but also considered as woman. Socially they are labeled as woman and people give no room for them as they are thought to be impure. If someone is against this law, it will cause *gome* on the person and on the society as whole. Based on the belief of the people, as to the informants, if the above mentioned individuals participate in the institution, *gome* will result in misfortune, disease, drought and epidemics among the society. Fearing the consequences of *gome*, peoples often refrain from going against it.

Besides these, *ayle koch*, family of the slave, will not also be elected as an elder for this conflict resolution institution. As explained in the above (chapter six section 5.1.7), *ayle* is a kind of people who are given a lower status in the community because of their previous account. In the people of Oyda, a person can be an *ayle* if he fails to pay back what he borrowed from a lender that can be money or property. The slave only can be freed when he pays back in a service for

the one who made him slave. When the slave finishes his labor service, the owner will let him go and sets free. And from that time onwards a person who is named as slave will be freed. Even though freed, the society still calls the person as slave. Therefore, to be a slave in Oyda is to be socially placing an individual to a downgraded status and neglected in the society. Knowingly or unknowingly, if anyone who is associated with this name participates in the resolution process, he will be cursed with some which can bring bad luck and disease on the person and his family.

The other recruitment criteria to elect the elders are the indigenous knowledge that the elders have regarding the *Bucha Woga* conflict resolution process. An elder who has good knowledge on the process of conflict resolution based on the world view of the people are preferred and usually elected. Besides knowledge, ability and experience is the other issue in the process of selection. The elders have to have ability and knowledge in resolving conflicts because it helps easily persuade the disputants entering in to negotiations. As underscored by the informants, it is usual that those individuals who are believed to have ability to solve conflicts are frequently invited to come and solve conflict cases. The ability and knowledge of elders can be explained in terms of their ability in referring a certain cases to the societal norms, customs, and traditions are very essential to reconcile the disputants.

The other criterion in the selection of elders for *Bucha Woga* conflict resolution is the personal quality of the individual. Based on the context of the studied community, as to the elders, the personal quality is all about elders' truthfulness, neutrality, conduct and the status the elder has in the community. Furthermore, the personal quality of the elder is also manifested through in his concern for the peace and wellbeing of the people and his harmonious relation with the community. The issue of age is also the other criteria in the selection of an elder for being a member of *Bucha Woga*. This is understood by the society as their knowledge on particular customs, skill and wisdom in handling conflicts and an ability to analyze and advise disputants being patient, impartial and free from favoritism. This means, as argued by the informants, the elders must incorporate characteristics such as well informed, tolerance, wisdom, patient, being truthful and the like.

The other recruitment criteria for the elders are the acceptance of elders in the community and how much the elders are refrained themselves from those considered by the society as unethical activities, i.e. being drunk, adulterous, interferences in the affairs of other individuals and the

like. Elders in the community who are associated with these disrespectful activities are not usually qualified to become leaders in conflict resolution institution. In general, the recruitment of elders to the *Bucha Woga* institutions relies on the commitment, respect and willingness of the elders.

6.9 The Mechanisms of Law Enforcement

Based on the works of Max Gluckman (1955), the traditional communities do not have written rules and regular institutions to enforce a verdict. Yet, they have maintained the unity of their customary laws and norms without breaking up.

The indigenous law among the Oyda recognizes the mechanism of law enforcement based on the norms and traditions of the people. Whenever there is a party which fails to be abided by the final decision of the elders, the *Bucha Woga* enforce laws by means of exclusion, curse and social sanctions. As elders explained, curse is one of the vital means to enforce the verdict rendered by the indigenous institutions. According to the culture of the Oyda, as informants argued, curse may cause illness or death to an offender and also a future threat to his family and property. The effectiveness of the curse has been proved from the harm it brought to the offender on one hand and his family and property on the other. Due to this fact, all the community members know the power of curse and refrain from going against the norms and principles set by the people.

In the social context of the community, the other sanction to the rebellious offender is the exclusion of an individual from the community. According to the elders, if someone is against the norms and principles of the people and unwilling to accept the decisions of the *Bucha Woga*, the people excludes the offender from any of the social interactions and relationships. The traditional verdict will usually declare the prohibition of depriving any cooperation to defiant by the community at large. As noted by the informants, the community at large usually respects and enforces the decisions of the ritual elders. As a result, the community will exert pressure on the defiant by alienating him/her from common social usages and interactions.

The authorities will make announcement to the effect that the act of the offender is rebellious act to the values traditions and norms of the people. Hence, they will declare that any member of the community have to refrain from having interactions with the rebellious offender. There is a

mechanism by which the announcement of excluding the rebellious offender will be distributed to the public at large. In this regard, the various social organizations are used in distributing the words of the announcement. According to my informants, due to the severity of the enforcement mechanism, it is rare to happen. However, at the current time, due to the implications of the various socio-economic developments, enforcing the mechanism is becoming difficult.

6.10 The Relationship Between the *Bucha Woga* Institution of Conflict Resolution and the Formal Court System

In this sub topic I have tried to put the relationship between the indigenous conflict resolution institution and formal court system in their collaborative work towards the maintenance of peace and security issues of the society in the study area.

Indigenous institutions of conflict resolution and the formal court system are obviously sources of peace and stability in the study area. Therefore, it is clear that their collaboration is inevitable. There are certain areas that these institutions work together as far as the peace and conflict resolution are concerned. Those collaborative works are made for the mutual benefits of the institutions on one hand and to keep the societies peace and stability on the other.

According to the data obtained from elders and FGD participants, there is a relation between *Bucha Woga* institution and the formal court system and they work together in collaboration. It was argued by the informants that one of the institutions cannot be successful without the other because the formal mechanism has its own legal means (police force, militia) to maintain order in the area but the indigenous one has the experience and traditional authority to harmonize the relation of the people and strengthen social cohesion. Although the scope of their contribution in resolving conflicts is different, based on the data obtained from informants, the indigenous conflict resolution methods are currently operating in conflict resolving and drawing the attention of the government whenever the community feels insecure.

In the study area, *Bucha Woga* conflict resolution institution is working in cooperation with the formal court system. For example, in their respective areas, individuals bring cases to the *Bucha Woga* institutions based on their interest. However, in order to do that they have to bring agreement letters from local authorities (community police, kebele) regarding agreement of the

authorities on the resolution of these individuals through *Bucha Woga* institutions. On the other hand, whether the conflict is resolved or not, the *Bucha* elders also expected to give a final report to the local authorities concerning the issue. Finally the authorities will give the results of the dispute to the concerned government bodies (formal court system).

On the other side, all dispute and conflict related cases that lack evidence and that needs social reconciliation are resolved by the indigenous methods. Both institutions work hand in hand with each other to maintain the societal peace and security. Because they are heard by the community, elders advise and recommend the community to abstain from criminal acts. Both institutions cooperative work for mutual benefit is viewed when they see issues regarding a family dispute such as divorce, property inheritance and property division. As to the informants, in formal court system, resolutions of those conflicts are virtually left to the indigenous conflict resolution mechanism in the research site.

The other point which should be mentioned in this case is the relationship that existed between the *Woreda* police office and the *Bucha Woga* institutions. The elders investigate the dispute and resolve the problem between the conflicting parties. During the resolution process, as to the informants, the two parties come together and present their case to the *Bucha*. Until the problem is concluded, in the process of presenting their case, there will be an argument between the parties. In this argument there are possibilities for the rise of violence between the disputants. Sometimes, even, as to the informants, there is a quarrel and insults in the process of resolving the disagreement that existed between the two.

To avoid this act, whenever the parties are resolving their case, the local militias or other security forces that were sent from the police office will watch the situation of the two conflicting parties until the resolution process is finished. Therefore, this is one of the signs of the existence of the relationship between the ICRM and the formal court system. Hence, these two institutions which are sources of peace and security in the study area work cooperatively for the benefit of both on one hand and for the society on the other. Generally, the indigenous conflict resolution mechanism and the formal one, which are sources of peace and stability in the area, work cooperatively for the benefit of the community.

CHAPTER SEVEN

7.1 Conclusion

In so far presentation, it was clearly mentioned that conflict is a natural phenomenon and happens in every society across the world. In a similar fashion, the Oyda of southern Ethiopia also experiences different types of conflict between individuals or groups in the society. Such a conflict has its own means to address the problem which was developed by the society. The Oyda of southern Ethiopia has gave due emphasis for the existence of peace and stability and for the maintenance of order thus, they often resolve their differences or the conflict situation by peaceful means. In other words, the people have its own means to resolve disagreements or conflicts when it arises in the society. Thus, they spend plenty of time and effort in conflict resolution and peacemaking among themselves.

In their long existence, the people of Oyda have developed their own indigenous conflict resolution mechanisms which serve as indigenous solutions for conflict where the restorations of relations and meaningful trust and reconciliation prevail between parties in conflict among all the concerned members of the community.

Based on the data obtained from interview, observation and focus group discussion show that conflict is activated by different cause in study site. Breaking the rule in the mourning ceremony, inheritance and property claims, breach of contract, violation of societal values, and loss of human life are among the causes of conflict in the study area.

In the study area, indigenous conflict resolution mechanism i.e. *Bucha Woga* plays a remarkable role in resolving conflicts which arises between different groups and individuals in the community. The *Bucha Woga* conflict resolution mechanism primarily focuses on providing conflict resolution services to local communities based on long term and sustainable outcomes. The mechanism tries to combine truth and mercy as well as peace and justice through forgiveness, tolerance, peaceful coexistence, apology and compensation. It equally focuses on the past and the future relationships of the parties in conflict. Thus, such a mechanism in Oyda, is effective in addressing conflicts and bringing lasting peace between parties in conflict. In addition to that, there is a relationship between indigenous conflict resolution mechanisms and

the formal court system. In the study area, there is cooperation between the two and worked in collaboration for the maintenance of peace and security among the community.

Besides, the research indicated that indigenous conflict resolution institutions have legitimate cultural grounds to function in the context of the studied people. This institution functions in line with the societal harmony in the community. Therefore, the institution is grounded in to the tradition, values and worldview of the people.

On the other hand, a considerable number of conflict cases are resolved by the indigenous mechanism of conflict resolution. There are also instances where in the study area that there is a relationship between indigenous conflict resolution mechanism and the formal court system. They work together in order to keep the societies peace and security.

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Appendix 1:

Fieldwork Research Guides

Interview guideline for Oyda informants

Introduction: the purpose of this interview is to gather information related to conflict and indigenous conflict resolution mechanisms. This interview guide is prepared to MA thesis entitled: **Indigenous Conflict Resolution Mechanism among the Oyda People of Southern Ethiopia: An Exploratory Study.** The data to be collected from this interview will be used only for educational purpose. Your response will be kept confidential. So, I kindly request you to participate in this study voluntarily. The quality of this study depends on your genuine responses. Therefore, I would like to ask your consent to record your voice through the tape recorder, because it is hard to list down all your responses.

Research site identification and personal data of key informants

Woreda _____

Kebele _____

Sub-Kebele _____

Name _____ Sex _____ Age _____

Marital status _____

Educational level _____

Occupation _____ Religion _____

Role in the community _____

For how long you have been living in the area _____

Place of interview _____

Time and duration of interview _____

Background Information on the Nature and Causes of Conflict

1. What is conflict? How do you understand by conflict?
2. What is the conception of wrong among the Oyda?
3. What are the major causes of conflict that exist in your locality?
4. What are the main reason that trigger people in to conflict in your area?
5. Where the processes of conflict resolution are takes place? Would you describe the setting where the resolution takes place? How do the people perceive the place? If there is any symbolic or ritual meaning attached to the place?
6. What are the types of conflicts resolved by indigenous institution?
7. How does the indigenous conflict resolution institution resolve conflict cases?
8. How does the indigenous conflict resolution institution resolve cases which involve homicide? If there is a feuding in your locality, what are the mechanisms to stop the feud? (Probe, for compensation or ritual of purification to stop the feuding).
9. What are the procedures used in resolving conflicts in your locality?
10. What are the selection criteria for elders in the bucha woga conflict resolution institution?
11. What are the ways used by these indigenous conflict resolution institutions to enforce the decisions? Are there any religious or social sanctions to enforce the decisions?
12. Are there any religious or ritual performances before and after the conflict resolution?
13. Is there a collaborative work between the indigenous conflict resolution mechanism and formal court system?
14. What types of conflicts are mostly resolved by your institution?
15. What types of conflicts are difficult to resolve through your institution?
16. What could your institution do in such difficult situations?
17. Were there situations when the FCS refers cases to formal court system and vice versa? If yes, what were the cases?

Thank you for your genuine cooperation!

Appendix 2: Profile of Study Participants

(Participants in one research method are also employed in other research methods, i.e. a key informant may be an FGD participant).

2.1 Profile of key informants

Code	Sex	Age	Place	Occupation	Date of interview
KI-1	M	78	Baltsa Kebele	Elder	July 25, 2015
KI-2	M	70	Shefite	Elder	July 29, 2015
KI-3	M	35	Shefite	Formal court judge	August 4, 2015
KI-4	M	60	Markala Kebele	Elder	August 6, 2015
KI-5	M	57	Bagara Kebele	Elder	August 9, 2015
KI-6	M	69	Dalcha Kebele	Elder	August 12, 2015
KI-7	M	56	Shefite	Police officers	August 14, 2015
KI-8	M	58	Shefite	Police officers	August 19, 2015
KI-9	M	61	Shefite	Elder	August 22, 2015
KI-10	M	29	Shefite	Formal court judge	August 24, 2015

Appendix 3: Consent Form

Consent Form

Dear Participants,

I am Yewubneh Yemanebrihan. I am a Postgraduate student at Addis Ababa University, College of Social Sciences, department of Social Anthropology. As a partial fulfillment of the study, I am expected to work a thesis. To this end, I am working a thesis entitled “indigenous conflict resolution mechanism among the Oyda People of Southern Ethiopia: An exploratory study.” This research is dedicated only for academic purpose.

Participation is completely voluntary. There is also no right or wrong answer. You can freely explain what you think is relevant. Once you agreed to participate, you can also skip question you do not want to answer. I will record tape or other equipment interviews not to miss important points during the interview. Every cassette will be kept confidentially and will be burnt afterwards. I want to assure that any information that can serve as personal identifier will not be used throughout the study. The information you provide me is very important for the successful accomplishment of this study.

As a result, I am kindly requesting your cooperation.

Thank You!

Declaration

I, the undersigned hereby declare that the thesis titled *Indigenous Conflict Resolution Mechanisms Among the Oyda People of Southern Ethiopia: An Exploratory Study* is my original work and to the best of my knowledge and belief this thesis contains no material previously published by any other person except where proper citation and due acknowledgement has been made. I do further affirm that this thesis has not been presented or being submitted as part of the requirements of any other academic degree or publication, in English or in any other language.

Yewubneh Yemanebrihan

Date