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**INDIGENOUS INSTITUTIONS OF CONFLICT RESOLUTION AMONG  
THE AB'ALA AFAR OF NORTH-EASTERN ETHIOPIA**

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**By**

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## Table of Contents

<b>Acknowledgements</b> .....	i
<b>List of Tables</b> .....	iii
<b>List of Maps</b> .....	iv
<b>Glossary of Indigenous Terms</b> .....	viii
<b>Abstract</b> .....	ix
<b>Chapter One: Introduction</b> .....	1
1.1. Description of the Study Area .....	1
1.1.1. The Research Area .....	1
1.1.2. The Ab'ala Afar .....	2
1.2. Statement of the Problem .....	3
1.3. Objectives of the Study .....	4
1.4. Research Questions .....	5
1.5. Methods .....	6
1.5.1. Informal Interviews .....	6
1.5.2. Semi-structured Interviews .....	7
1.5.3. Case Studies .....	7
1.5.4. Secondary Data .....	8
1.5.5. Analysis of Documents .....	8
1.5.6. Partial Immersion in the Community .....	8
1.6. Limitations of the Study .....	9

1.7. Field Experiences .....	10
1.8. Organisation of the Thesis .....	11
<b>Chapter Two: Literature Review .....</b>	<b>13</b>
2.1. Theoretical Background .....	13
2.2. Studies on Indigenous Knowledge of Peace-making in Africa .....	22
<b>Chapter Three: Economy and Social Organisation of the Ab'ala Afar .....</b>	<b>25</b>
3.1. A General Overview of East African Pastoralism .....	25
3.2. Labour, Livestock and Land .....	31
3.3. Kinship and Marriage .....	39
3.3.1. Clans and Clan Solidarity .....	39
3.3.2. Marriage .....	41
3.4. Social Status, Household Property Relations and the Role of Women .....	46
3.5. Summary: Economy and Social Organisation of the Ab'ala Afar .....	48
<b>Chapter Four: Disputes and Dispute settlement .....</b>	<b>51</b>
4.1. Levels of Dispute Settlement .....	51
4.2. Afar Customary Law .....	57
4.3. Dispute Processing .....	60
4.3.1. The Judicial Procedure .....	60
4.3.2. The Pattern of Dispute Settlement in Moots .....	63

4.4. Some Dispute Cases in Ab'ala .....	66
4.4.1. Family Disputes .....	66
4.4.2. Intra-clan Conflict Cases .....	71
4.4.3. Inter-clan Conflict Cases .....	73
4.5. Summary: Intra-Afar Disputes and their Resolution .....	75
<b>Chapter Five: Afar Relations with Tigrayan Highlanders .....</b>	<b>81</b>
5.1. Trade and Exchange .....	82
5.2. Friendship .....	84
5.3. Kinship and Intermarriage .....	85
5.4. Resource Sharing and Management .....	87
5.5. Conflict and Conflict Management .....	90
5.5.1. The Nature of Conflict .....	90
5.5.2. The <i>Gereb</i> : An Indigenous Institution of Inter-ethnic Conflict Resolution .....	96
5.6. Summary: Inter-ethnic Conflicts and their Resolution .....	104
<b>Chapter Six: Conclusions .....</b>	<b>107</b>
<b>Bibliography .....</b>	<b>112</b>
<b>Appendix I: List of Key Informants.....</b>	
<b>Appendix II: List of Pictures.....</b>	

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## **List of Tables and Figures**

Table 1: Population Size of the Resaerch Sites

Table 2: Five Major Ethnic Groups in Ab'ala Town

Table 3: Comparative Average Livestock Holdings of the Ab'ala Afar and their Tigrayan Neighbours in 1977 and 1997

Table 4: Dispute Cases Handled by the Ab'ala Court in the Last Six Years

Table 5: Compensation Payments in an Inter-clan Dispute Settlement

Table 6: Compensation Payments in Afar and Tigrayans

Figure 1: The Structure of the Overall Legal System in Ab'ala

## **List of Maps**

Map 1: Distribution of the Afar in the Horn of Africa

Map 2: Pastoral Areas of Ethiopia

Map 3: The Afar National Regional State

## Glossary of Indigenous Terms

*Abo Gereb*- Council of elders who run the *Gereb* institutions

*Absuma* – Cross-cousin marriage

*Ada*- Custom

*Ado*- Afar youth deployed to keep restricted grazing areas

*Ado Haba* – Leader of Afar youth responsible for keeping restricted grazing area

*Affa*- Lineage

*Affu*- Forgiveness

*Aketta* - Ropes

*Alekum*- Bride price

*Algie*- Best man

*Ardighu*- A widowed man

*Dagu*- Exchange of information and news.

*Deka* –Boundary

*Derg*- The Military Government of Ethiopia which Ruled the Country from 1974-1991.

*Digbi* – Wedding/marriage

*Doa* –Blessing

*Dubarti*- Begging a person who is threatening to retaliate

*Egugumo*- Local bandits

*Errer*- Betrothal payment

*Eta*- Milk

*Fatiha*- To declare end of conflict

*Fikur*- Bond friend

*Fishih*- Opening of restricted grazing area

*Genzeb* - A collective name for cattle.

*Gereb*- Institution of inter-ethnic conflict resolution between the Afar and the Tigrayans

*Gubna*- A widowed woman

*Gulla* - A thick black cloth worn by a defendant brought to the Gereb for a verdict.

*Hagai* -The hottest period of the year

*Hanni*- Reprisal

*Haram*- Forbidden

*Hizaeti(Desso)*- Restricted grazing land

*Imba*- Sub-district or locality

*Karma*- The main rainy season that starts in July

*Kauti*- clan marks often printed on the skins of camels

*Kebelle*- The Lowest Administrative unit

*Keddo*- Sub-clan

*Lah* – A he-camel

*Loina*- Clan head (see also, *Mekabantu*)

*Loina Lah*- A he-camel given to clan head

*Mablo*- Meeting or assembly

*Mad'aa* – Customary Law

*Maldino*- A goat slaughtered for an injured man as a symbol of well being

*Megeberia*- Money raised in burial ceremony

*Mekabantu*- Clan head (plural *Mekabana*)

*Mekabon*- The judges in an inter-clan dispute settlement

*Mela* -Clan

*Morrotom*- A period of forty days before actual dispute settlement begins

*Morrusso*- Compensation for a minor wound

*Oloyita* - Bed made up of leather

*Quadi*- Religious judge

*Sara*- A small sack made of goat skin used by Afar women for carrying water

*Senan Ari*- Afar hut made of mat

*Sisrit* – Rules of the Gereb

*Sola*: A place where a sheep is finally slaughtered to mark the end of enemy in an inter- clan conflict resolution.

*Subah*- butter

*Tej*(also called *Mess*) - An alcoholic drink commonly consumed by the highlanders

*Waidal*- An animal sacrificed before burial of the deceased in an inter-clan clash

*Wereda*- An administrative unit above the *kebelle*

*Wocho*- A thick black cloth worn by a defendant brought before elders for a verdict (see also *Gulla*).

## Preface

This thesis focuses on indigenous dispute settlement among the Afar who live in the Ab'ala lowlands near the foothills of Eastern Tigray. At the outset, my plan was to work on the same research topic in a Tigrayan community in the southern highlands adjacent to Ab'ala. Nevertheless, a preliminary visit to the area revealed that it was not feasible to carry out the study, as the traditional institutions of conflict resolution in the originally proposed research site were no longer operational. If I had pursued that line, my thesis would have been more of historical than anthropological nature since I would have dwelt on data about a dead culture. However, my brief stay among the Afar on the other side of the territory enabled me to notice that these communities also have a long-standing tradition of resolving conflicts according to customary laws. This applies not only to situations within the Afar themselves but also to conflict matters that concern neighbouring highlanders. I, therefore, found it interesting to do the M.A. research in the aforementioned Afar locality.

Fieldwork was mainly carried out for about three months from beginning of September to end of November, 1999. But there were also occasional visits to the research sites later in January and February, 2000 for cross-checking and bridging gaps.

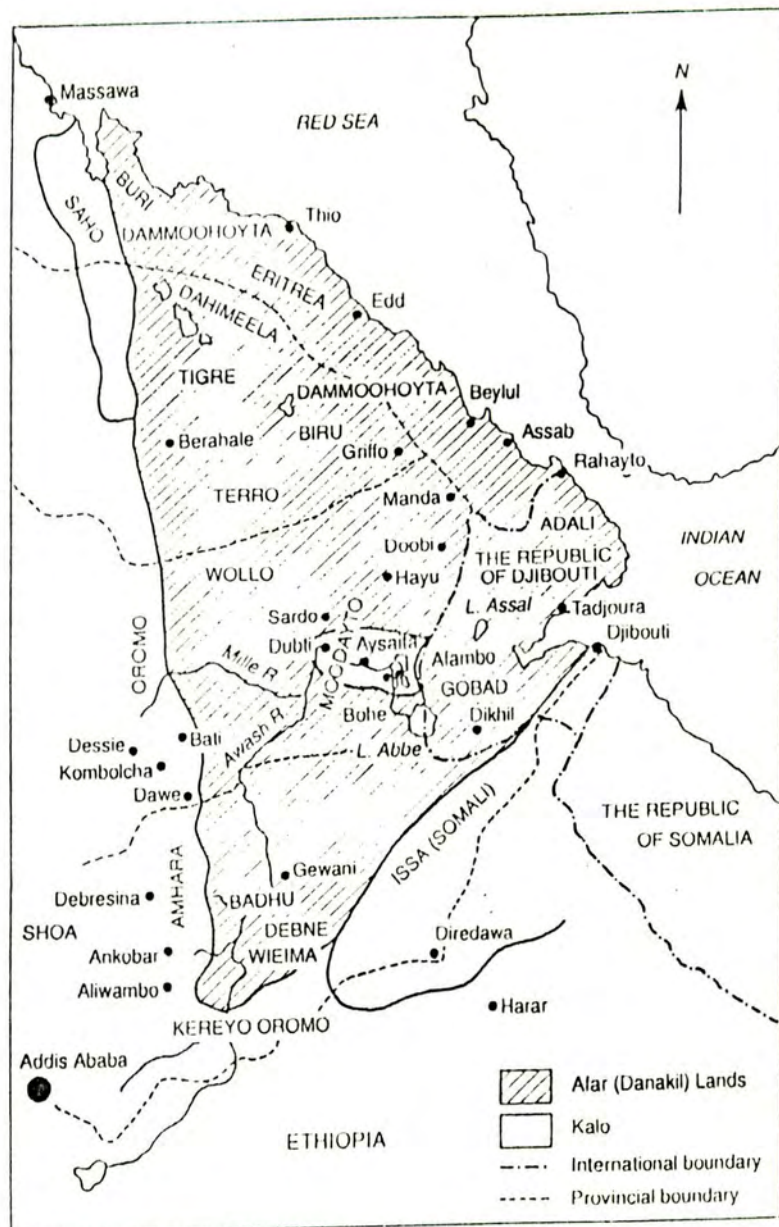
## Abstract

This is a study on indigenous practices of conflict resolution among the Afar who share a common boundary with Tigrayan highlanders in northern Ethiopia. The latter constitute a separate ethnic group and have a slightly different means of subsistence. The aim of the study was to examine the types of disputes in historical perspectives and understand local ways of handling conflict ranging from the intra-clan to the inter-ethnic level.

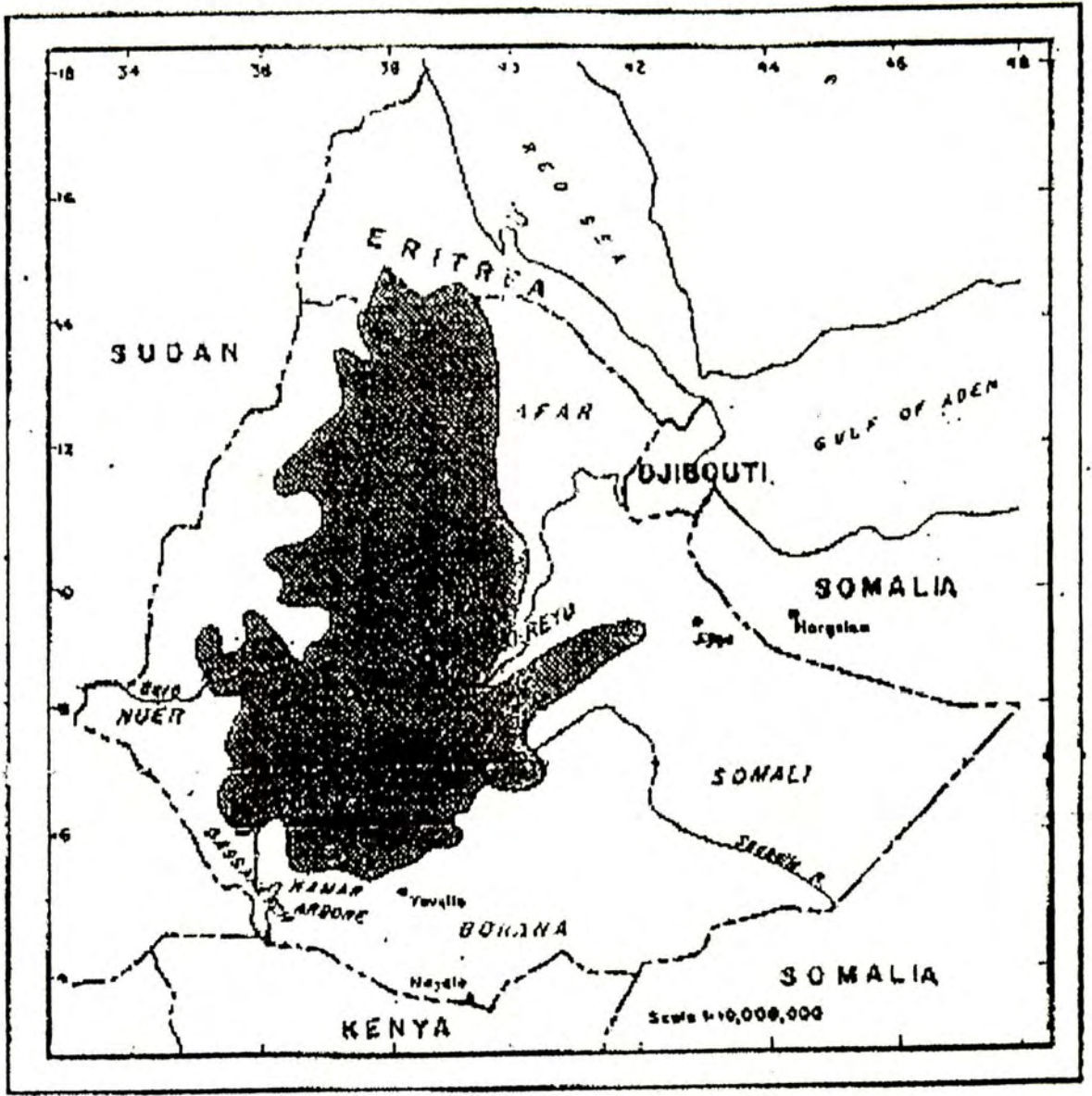
The study revealed that the nature of conflict changed with changes in the ecological, socio-economic and political arena. Ecological disasters causing huge livestock loss have forced the Afar to diversify their means of income to cope up with the situation. This shift in the means of livelihood had its own effects as far as the traditional institutions and value systems are concerned. With a shift from nomadic based economy to cultivation, the pastoral attitude of communal ownership of land altered and conflicts taking the form of land disputes and water diversion rights became rampant. Urbanisation and wage labour migration had also weakened kinship obligations and clan solidarity among the Afar which bear their own influence on local dispute settlement.

On the highland-lowland dimension, past experiences reveal that raids triggered by resource competition, loss of stock and the quest for social honour had been common. Currently, however, sedentarisation reduced mobility of the Afar and minimised the extent of inter-ethnic conflict. In fact, this together with existing cross-cutting ties, economic and social relations with highlanders strengthened peace in the northern parts of the ethnic boundary. In some cases, fights that occur between individuals or small groups especially in the southern territory often quickly turn into inter-ethnic conflict expressed in reprisals. But dissolution of the traditional political system of the southern highlanders has made it difficult for them to pursue their institutional violence against the Afar. Besides, the current Federal system of government has generally enabled the Afar to see themselves as a group giving little importance to clan differences. This along with the Afar people's increased involvement in national affairs created power balance between them and the Tigrayan highlanders leading to a reduction in the prevalence of raids.

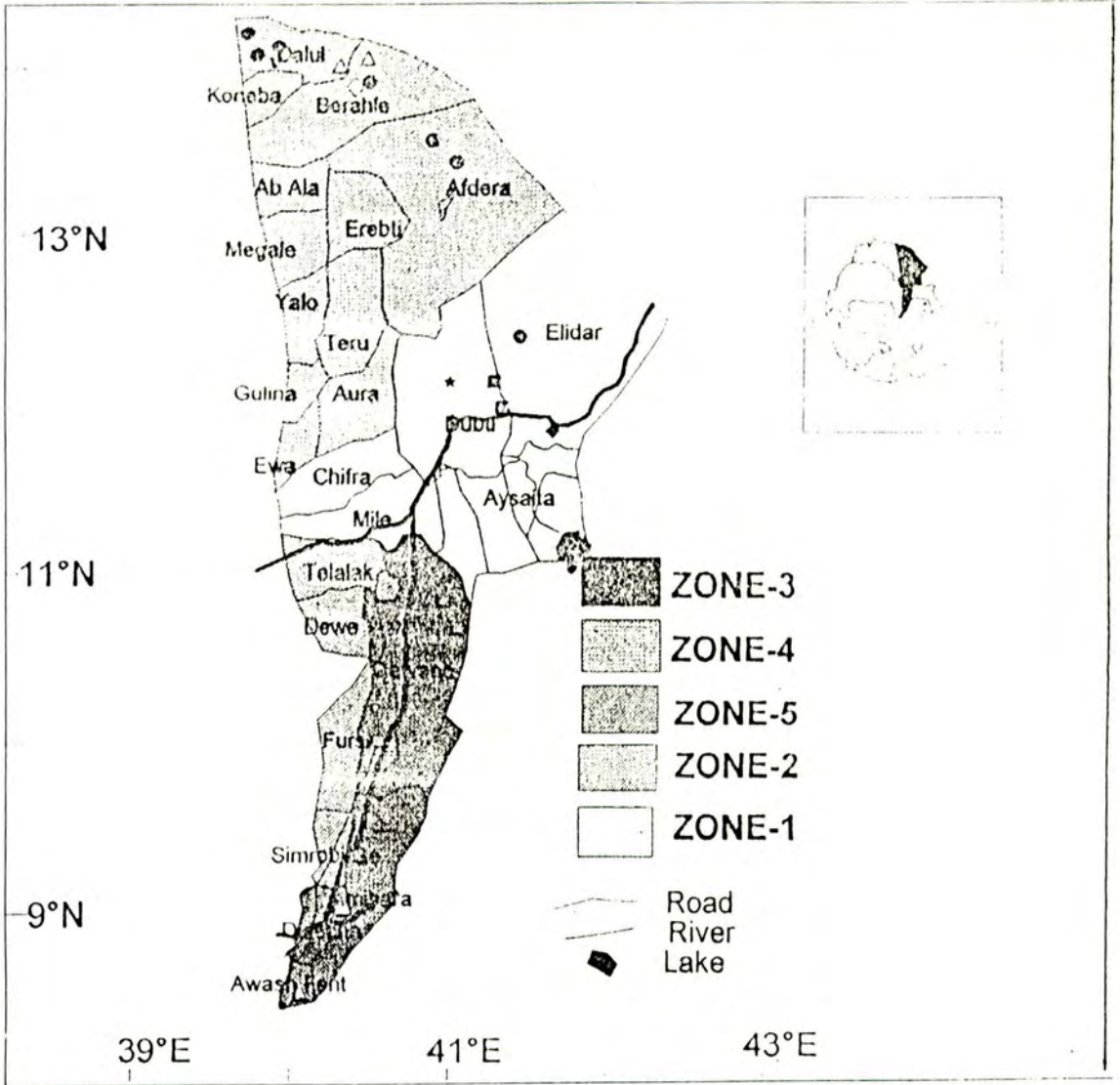
When conflicts occur at various levels, the Afar generally rely more on their own local dispute settlement forums than the government legal machinery. Within their own group, clan elders as well as kinship and domestic groups maintain peace through sanctions following *mablo* assemblies. Relations with the highlanders are also regulated via a jointly established institution called *Gereb*, which enforces order based on written customary laws. At present, government institutions also co-operate with local inter-ethnic mediation at different stages.



Map 1: Distribution of the Afar in the Horn of Africa (Source Gamledin, 1993)



Map 2: Pastoral Areas of Ethiopia-Unshaded Part (Source : Hogg, 1987)



Map 3: The Afar National Regional State (source : Region 2 Investment Bureau)

# Chapter One

## Introduction

This thesis is based on the findings of research into the indigenous institutions of conflict resolution among the Ab'ala Afar of Ethiopia. This introductory chapter contains a discussion of the context of the study, the research problem, objectives and methodology. Additionally, the chapter highlights the limitations of the study and the organisation of the thesis. To put the statement of the research problem in perspective, the chapter starts with a general background to the study area.

### 1.1. Description of the Study Area

#### 1.1.1. The Research Area

Ab'ala is the name of an administrative unit in the present Afar regional state established at a *woreda* level. The principal town of the *woreda* is also known by the name Ab'ala and constitutes the Capital of Zone 2 Administration of the Afar Region. Ab'ala town is located about 55 Kilometres east of Mekelle and around 835 Kilometres north of Addis Ababa. It is surrounded by a chain of hills to the west and a large plain of agricultural land to the east.

The research was carried out in the Capital, Ab'ala (previously called Shiket), and two adjacent rural settlement areas, Adi Haremeli and Erkudi, about 6 kilometres from the town. The selection of these three sites for the research was envisaged to avail greater opportunities to observe and document different types of conflict within Ab'ala *Woreda*. A major consideration in selection was their proximity to the ethnic boundary where the interaction between the Afar Low-landers and the Tigrayan Highlanders can be observed

with relative ease. In settlements further away from the ethnic boundary, it would have been very difficult to observe that type of interaction.

According to the 1994 Census, the population of Ab'ala *woreda* is 24, 291. Table (1) below provides an overview of the demographic characteristics of the population in the study area within the Ab'ala *woreda*.

Table 1: Population Size of the Research Sites

Name of PA	Both Sexes	Male	Female	No. of Households
Ab'ala Town	3,300	1,613	1,687	881
Erkudi(Dergamo)	1,687	951	736	355
Adi Haremeli	2,460	1,363	1,097	486

**Source:** Central Statistical Authority, 1996

The urban population of Ab'ala consists mainly of sedentarised Afar and Tigrayan settlers, but there are also small numbers from other ethnic group largely working for government.

Table (2) shows the number of residents in the town by ethnic background.

Table (2) The Population of Ab'ala Town by Ethnic Group

Ethnic Group	Both Sexes	Male	Female
All Persons	3,300	1613	1687
Afar	405	250	155
Amhara	55	31	24
Oromo	9	4	5
Tigraway	2765	1295	1470
Eriterean	8	2	6
Others	58	31	27

**Source:** Central Statistical Authority, 1996

### 1.1.2. The Ab'ala Afar

The Afar are a Cushitic speaking people living in the arid and semi-arid areas of Ethiopia, Eritrea and Djibouti. Outsiders have used many different terms to refer to the Afar. These terms include Danakil, Adal and Teltal, even though the Afar liked none of them (Savard,

1970). The Afar inhabit an inhospitable land and their total number in Ethiopia is reported to be 1,098,184 (Central Statistical Authority, 1996).

The Afar are classified into two distinct decent groups: the Asaimara (“Red”) and Adaimara (“White”). The former are considered a nobility group, while the latter are said to form the class of the commoners (Lewis, 1969). Historically, their economy was based on multi-species livestock husbandry. But with increased vulnerability to drought and famine due to ecological disasters, they now depend mainly on camel and goat pastoralism.

The Ab’ala Afar are agro-pastoralists who combine animal husbandry with marginal agriculture. Their settlements are semi-permanent situated near permanent water sources and small trading centres. Since rain-fed agriculture alone is often not promising, they employ water diversion techniques as well to grow their crops.

## **1.2. Statement of the Problem**

The Ab’ala Afar have their traditional institutions for conflict resolution at both micro and macro levels, i.e. conflicts arising within the community as well as those with neighbouring Tigrayan highlanders. *Mablo* is the institution that addresses inter-ethnic conflicts.

Unlike many instances of inter-ethnic conflict in the Horn of Africa, the Ab’ala Afar institutions of conflict resolution seem to function with minimum direct involvement of governmental structures. This seems particularly exceptional in the case of *mablo* that handles Afar-Tigrayan conflicts. It seems conspicuous that these indigenous institutions do

not seem undermined by the modern structures introduced by government. On the contrary, government seems to support, and its structures appear to work in complementarity with, the traditional institutions.

The persistence of the Ab'ala Afar institutions of conflict resolution constitutes the object of research in the present study. The basic question concerns the dynamics of persistence in a context of far-reaching transformations experienced by the population in different socio-economic spheres.

The dynamics for the persistence of the indigenous institutions of conflict resolution are investigated and analysed at two levels. The first concerns conflicts within the Afar and the dynamics will be sought in entrenched socio-cultural premises shared by the conflicting parties. The second, and probably more challenging level concerns dynamics for the persistence of *mablo*. A major question to be addressed at this level concerns the manner in which *mablo* is related to governmental legal and administrative structures.

### **1.3. Objective of the Study**

The research sets out with eight objectives. These are;

- To understand the nature of Afar disputes and the mechanisms of their settlement particularly through the indigenous system.
- To see how the indigenous system was transformed across historical periods, i.e. to see what type of conflict became important with changes in socio-political conditions.
- To understand how the indigenous system functions and to examine salient features in the

process of dispute settlement: the setting and the stages involved in the process of decision making.

- To assess the effectiveness of the local institutions in bringing long lasting solutions to conflicts.
- To understand how the local institutions of conflict resolution relate to the modern court.
- To highlight aspects of the highland-lowland interaction and the local ways of conflict management in an inter-community/ inter-ethnic/ context.
- To examine the factors contributing to the continuity of the local dispute settlement forums despite the influence of government legal structures.
- To document a case of local conflict resolution mechanisms in agro-pastoral communities for further research in the future.

#### **1.4. Research Questions**

The study seeks to address the following major questions:

- ◆ How do the Ab'ala Afar handle disputes arising at the intra-clan and inter-clan levels?
- ◆ How do indigenous mechanisms change over time?
- ◆ What forms of conflict tend to emerge with the changes in Afar mode of living and socio-political changes in the area?
- ◆ How are disputes actually handled within the community? Who is responsible for decision making? What kind of people get involved in the settlement process?
- ◆ Is there any relationship between the indigenous mechanisms and other conflict resolution institutions run by the state particularly the court? If so, how are they related?
- ◆ How does the general public evaluate conflict resolution institutions at both intra and

inter-group levels?

- ◆ How do the Ab'ala Afar define their relations with neighbouring Tigrayan highlanders?
- ◆ What factors contribute to the persistence of indigenous conflict resolution institutions despite the influence of the modern legal systems?

## **1.5. Methods**

This thesis is based, first and foremost, on the findings of a three-month fieldwork in Ab'ala town and two other settlements within the Ab'ala Woreda administration (i.e. Adiharemeli and Erkudi). Since most Ab'ala Afar are bi-lingual speaking my language (Tigrigna) in addition to their own, I was able to conduct interviews without serious problems in communication. But to further my insights, particularly in situations where people used their own language, an interpreter with a wide range of kinship and social networks was recruited. In the collection of research material, several methods were adopted. In addition to partial immersion in the community (so-called participant observation) the main methods used were informal interviews, semi-structured interviews and case-studies.

### **1.5.1. Informal Interviews**

Before detailed and well-structured interviews were conducted, initiatives were made to meet as many residents as possible in informal discussions on some general issues relating to their modes of living and socio-economic conditions. In the course of these discussions, different categories of Afar (old and young as well as men and women) were asked about their perceptions of the institutions of conflict resolution, their views on the decisions made, and their evaluation of the effectiveness of the decisions in restoring peace in the area. The

informal interviews availed opportunities to identify key informants for the semi-structured interview.

### **1.5.2. Semi-Structured Interviews**

Some 46 elderly key-informants considered resourceful by community members were selected for the semi-structured interviews. Fully structured interviews were not preferred because the elders were expected to supply more ample and valid information if allowed to speak with minimum guidance. As expected, more relevant information often emerged outside the structured questions indicated in my notebook.

Th semi-structured interview were intended to access information on Ab'ala Afar modes of livelihood, marriage practices and dispute settlement. On issues related to highland-lowland interaction, the interviews involved, in addition to Afar, informants from Tigray.

### **1.5.3. Case Studies**

Case-studies were employed to document the nature of dispute cases handled by the dispute settlement institutions at different levels. In this connection around 20 old, new and ongoing dispute cases at family, intra-clan and inter-clan levels were recorded. Of these cases I present only a few in this thesis. Presentation covers the most frequent instances of conflict. Special reference will, however, be made to cases of inter-ethnic conflict.

#### **1.5.4. Secondary Data**

Secondary sources were used to obtain background information on past and present socio-economic adaptations among Ab'ala Afar. These were particularly important for understanding past and current socio-economic conditions that are believed to bear on dispute settlement.

#### **1.5.5. Analysis of Documents**

Some data relating to dispute settlement are available in the *Woreda* Administration and Court. These were analysed and interpreted. This helped me to understand the magnitude of dispute cases reported and the nature of dispute cases brought to court, in a historical perspective.

#### **1.5.6. Partial Immersion in the Community**

In this study, I also tried to employ the most important tool in anthropological enquiry, partial immersion or what is commonly characterised as participant observation. I have partially observed and participated in some ceremonies and social events in the local community, including marriage and burial ceremonies. Apart from being an instrument for data collection, I now feel that partial immersion in the community also helped me to gain trust of the community members.

Partial immersion in the community was also helpful as a research method in gathering data on how the Tigrayan peasants evaluate relations with their Afar neighbours. This was possible by enjoying local beer in the *Sewa* houses in Shiket. The Afar are Moslems and hence do not generally consume alcoholic beverages.

However, in some other events such as dispute settlement, I could only passively join the elders sitting under the tree and observe the procedures. As an outsider, I was neither entitled nor expected to participate in the negotiation and decision making processes. It is in recognition of such constraints that I decline to characterise my field experience as participant-observation.

### **1.6. Limitations of the Study**

Generally, the study was conducted according to plan and without much difficulty. But this does not mean that no problems were encountered. The study also cannot claim to have dealt exhaustively or comprehensively with all the issues involved with conflict and conflict resolution in the study area. It is thus only prudent to outline some salient limitations of the study.

Firstly, three months were not enough for an anthropological study of dispute settlement at the micro-level involving different methods. The case study method in particular needs a fairly long period of time if events in each dispute case are to be recorded in a historical perspective. Without having adequate time to get to know the society and be accepted by its members, it may not be easy to collect objective data from people.

Secondly, the fact that I did not speak Afar language was a constraint to fully immerse myself in community affairs. This language problem was not a real challenge with my informants as they could also speak Tigrigna language. But during the actual dispute settlement drama, which I attended, I had to simply record the voice of the parties involved

and transcribe it later with the help of a translator.

Given such constraints, issues requiring in-depth pursuit of kinship networks and their role in dispute settlement were left for future research undertakings. Besides, since I tried to look into conflicts at various levels, I don't claim this thesis to be comprehensive. The thesis is simply viewed as an eye opener for future studies on the topic.

### **1.7. Field Experiences**

During my stay in the field, I encountered a number of good and bad events. To enumerate all is virtually untenable. One particular event at the inception of my fieldwork, however, deserves documentation.

On my first day in Ab'ala, I had to stay overnight with a friend who works for the Dryland Husbandary Project (DHP-Ethiopia)\*. The room was so small and compact and I had to lay on a mattress on the ground. While I was asleep, my friend went out to the neighbourhood for prayers. When the candlelight went out, I heard noise from the roof. A while later, something dropped on to me. I rushed into the table and lit another candle. It was a rat. As this happened on the arrival date in a somewhat strange environment, I will probably continue to remember it in future too. Nevertheless, this was just an incident associated with the physical environment. The next morning, I began to realise that there were even more challenges in the social milieu. Living in a community with different values, norms and beliefs I had to be sensitive to the new socio-cultural context and behave accordingly. My

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\* DHP-Ethiopia is part of a larger project covering five IGAD member states: Eritrea, Ethiopia, Kenya, Sudan and Uganda. It was established with the aim of identifying and developing strategies for addressing the crisis of African drylands, and is regionally coordinated by OSSREA.

highland background initially affected my attitude towards the community as the Afar have a long history of conflict with highlanders. I was worried that I might not be treated well. During the early days of the fieldwork, I even avoided going into places inhabited exclusively by Afar. In due time, however, I came to appreciate that the Afar are very friendly though for strangers like me, elements of suspicion often precede trust.

### **1.8. Organisation of the Thesis**

This thesis is organised in six chapters. Chapter one highlights some general features of the the Afar and the area they occupy. It also describes the context under which the study was conducted. It begins with a brief description of the people and the selected research sites. Then, the statement of the problem, objective and research questions, methods, limitations of the study and field experiences are presented consecutively.

Chapter two presents a review of the relevant literature on conflict and conflict resolution. It begins with the theoretical debates on the sources of conflict both at the intra and inter-ethnic levels as well as some key issues pertaining to their resolution. Then, a review of studies on African indigenous systems of peace making are discussed.

A large portion of the third chapter is devoted to the discussion of aspects of the Ab'ala Afar's economy and social organisation. It is mainly concerned with their traditional land tenure system and its transformation across history, their kinship and marriage practices as well as household property relations which are all relevant to disputes and dispute settlement. But as a background to the situation among the Ab'ala Afar, a review of some related themes from previous research

mainly conducted among the southern Afar are highlighted at the beginning of this chapter.

Chapter four addresses the actual dispute cases within the Afar local community and the institutions involved in mitigating them.

Chapter five looks at highland-lowland interactions, the nature of conflicts arising between the two groups and the mechanisms of handling them.

Finally, the conclusion summarises the major points discussed in the preceding chapters and relates the findings with some of the major theoretical orientations regarding Afar intra-community disputes and conflicts involving the Afar and Tigrayan highlanders.

## Chapter Two

### Literature Review

This chapter presents a review of the anthropological literature on conflict and conflict resolution. The review starts with the main theoretical frameworks anthropologists adopt in the study and analyses of conflict at the micro and inter-ethnic levels. It later addresses the literature on indigenous processes of peace making in Africa and presents some ethnographic cases.

#### 2.1. Theoretical Background

With the alarming reports of the drought disaster in the Sahel-Somalia region, there has been an increased interest in the study of the physical, ecological and social processes of pastoral societies in the region (Brandstrom et al, 1979:9). The early literature on pastoralism, however, has generally portrayed a negative stereotype representation of that production system. In fact, writers such as Ricciardi (1971), Riefenstahl (1982), and Amin, (1983) have even gone to the point of stating that pastoralism can be equated to other forms of African wildlife. For these writers, pastoralists are easily distinguishable by their exotic and romantic dress and bearing. They also accuse pastoralists for willingly identifying themselves as “noble savages” resisting change and disdaining the modern world. Therefore, for colonial and post-colonial development and government experts, the dominant image of pastoralists was of lazy, warlike, lawless people who wandered around looking for pasture for their herds (Fratkin et al, 1994).

The early structural-functionalist anthropological studies of agro-pastoralism in East Africa have generally challenged the negative perceptions of social order and law among pastoralists. In this connection, the study of African customary law within the context of political organization dates back to the 1920's when Edward Evans-Pritchard studied the Nilotic people of the Sudan. In his classical study of Nuer political organization, Evans-Pritchard (1940) states that the Nuer have an established code of law in relation to what a man is expected to do in order to achieve some social and cultural benefits. For instance, the amount of cattle a man should pay his bride's agnatic kins, the amount of wealth a man expects to receive as blood price and inheritance are all fixed by customary law.

Developments in political anthropology in the 1960s and 1970s have shifted interest from the focus on systems to micro issues of process and decision making. With the significant contributions of Victor Turner and Philip Gulliver, anthropologists began to pay special attention to issues of conflict, rebellion, power and so on. The former, for example, introduced the concept of "social drama" and saw politics as a kind of theatre in which individuals compete for power (Lewellen, 1983). Some scholars (e.g. Schapera, 1938; Gluckman, 1955, 1965) focused on social organisation and bureaucratic procedures with special emphasis on the role of the judges in the courts. Others (Bailey, 1963; Turner, 1969; Moore, 1978; Gulliver, 1971; Colson, 1953; Nader, 1995) focused on the social processes paying special attention to the parties involved in the dispute.

Scholars in legal and political anthropology have remained divided on issues relating to micro disputes and their resolutions. One such issue concerned the nature of the causes of

conflict. Some researchers sought to locate the source of conflict in deviant individuals and thereby began to study the legal processes by which deviants are identified, controlled and reformed. Most of the proponents of this view believe that conflict is caused by individuals who commit wrongful acts or who fail to fulfil their obligations. Some of these researchers argued that evildoing is randomly spread through the population and occurs at a fairly constant rate, whereas others looked for patterns of wrong doing that emanate from psychological, social or cultural factors. For example, Gibbs (1969) contended that the personality traits of Kpelle in Liberia induced particular patterns of wrongdoing, litigation and non-compliance with judicial decisions. Hippler (1973) and Bolton (1973), among others, also argued in favour of this view.

A few scholars during that early period, however, have focused on the social dimension of wrongdoing. For example, Samaha (1974) explained rising crime rates in Elizabethan Essex in terms of landlessness due to population pressure and new farming techniques at a time when wages were falling and prices rising. Similarly, Lundsgaarde (1968) attributed the increasing frequency of land disputes in the Gilbert Islands to such factors as overpopulation, type of government and principles of land tenure.

Other theorists located the source of conflict in the definition of deviant act. For example, Lodhi and Tilly (1973, cited in Collier, 1975) contended that the rate of crimes against persons have some connection with cultural rules about the use of personal violence. In some communities, men may be required to be ready to violently avenge a real or suspected insult to honour.

In contrast to the foregoing views, other theories attribute conflict primarily to contradictions or strains within social life itself. Such theories paved the way to studies of how legal processes reflect, mask, sustain or undermine the existing distribution of prestige, power and privilege. Epstein (1974) explained conflict in terms of the irresolvable tension that results from contradictory demands placed on individuals by the social structure. Similarly, in his study of the Ndeneuli of Tanzania, Gulliver (1971) observed that the scheduling of co-operative agricultural work groups eventually led to conflict. This enabled him to see the intricate relationship between conflict and co-operation.

The analysis of the relation between conflict and co-operation was further developed by scholars who tended to attribute conflict to the unbalanced distribution of culturally defined prizes. Thus according to the latter, individuals competing for power and prestige may break rules or invoke the legal system to achieve a particular advantage or to ruin a political rival. For example, Collier (1974) has indicated that the primary cause of disruptions by women in societies with patrilocal extended families may be the need for power. This led her to conclude that conflict can be politically motivated and is reflected in the tendency of individuals to look for rational reasons for seemingly irrational or illegal behaviour. Other writers (e.g. Kidder 1973; Lowy, 1971 cited in Collier 1975) have argued in favour of this view.

Another much pronounced issue in legal anthropology is the Rules versus Power debate. In his analysis of Lozi law, Gluckman (1955, 1965) looked for the 'rules' of the cases to

understand their outcomes. Not only was he preoccupied with the normative framework, but he also saw conceptual parallels between legal ideas found in Africa and those in other systems. He tried to define the differences in law that were likely to be found in different types of political economy, and also to show that there were universal modes of reasoning found in all legal systems. His overall attempt was seemingly to show that Africans were as logical and intelligent as Europeans (Gluckman 1955, 1965, 1969).

Bohannan (1967) accepted Gluckman's inclination toward the normative perspective and his appreciation of African culture. However, he criticised Gluckman's comparative approach by insisting that every culture constitutes a particular context with its own unique conception of and response to disputes. Accordingly Bohannan stressed the importance of adoption of indigenous categories and terms in ethnographic description and analysis. Within political and legal anthropology there ensued a debate identical to the controversy between formalists and substantivists in economic anthropology emerged. Some recent contributions to the literature (e.g. Fisher, 1998) continue to explain conflict in terms of cultural perceptions. They argue that mind sets or cultural lenses with which the disputing (and potential intervening) parties view the world are crucial factors for conflict.

Challenging the extreme cultural relativism of Bohannan, Gulliver (1979: 24-68) argued that negotiated settlements were as important as, if not more important than, adjudicated outcomes. He further stated that all societies had some form of negotiation, but only some had adjudication in addition. In establishing his case, he raised a fundamental question that challenged the 'legal norms' arguments of both Gluckman and Habermas. He questioned

whether norms were always determinative; stating that the rules (or legal concepts) did not decide negotiated settlements. He further argued that in negotiated outcomes (as opposed to judicial decisions) the relative power of, or capacity to mobilise social support by, the protagonists had much to do with producing a particular mutual compromise. Gulliver (1979:60) also argued that the particular social context at the time of confrontation played a part in the outcome.

A parallel debate also emerged regarding the ability of dispute settlement mechanisms in restoring harmony in community. From his study of Lozi jurisprudence, Gluckman (1965) found out that judges were primarily interested in establishing reconciliation among contenders by creating an opportunity for amity rather than justice or some other outcome. Turner (1969) supported Gluckman's view. For him, rituals, including those in moots and courts, are aimed at maintaining social homogeneity or what he termed as *Communitas*. In his view, dispute settlement mechanisms are ways of repairing ruptured social relationships thereby creating a sense of oneness among disputants. Jurgen Habermas (cited in Moore 1995:12-15) took an extreme position stating that debate is a potential path towards agreement about what is factually true and what is morally right. His theory of communicative action incorporates the concept of "ideal-speech situation" by which he emphasised the suppression of self-interest, a state of openness and sincerity among disputants without a trace of coercion or any intention to mislead.

Gulliver was uncomfortable about the use of the phrase dispute settlement. From his Arusha and Ndendeuli materials, he admitted that even in cases involving negotiation rather than

arbitration, antagonisms and sometimes bitter hostilities persist after some kind of a deal is ultimately made (Moore, 1995:17). In a similar fashion Colson (1960) contended that appeal to court among the Gwembe Tonga was aimed at seeking remedies for their ills rather than smoothening ruptured relationships or restoring friendship. Many scholars (e.g. Fallers, 1977, Kopytoff, 1980) also wrote in favour of this view.

Conflict studies in inter-ethnic (inter-tribal) contexts have focused on causes. For some psychologists and physical anthropologists (see Freud, 1960 cited in Ferguson, 1984, Ardrey, 1977) conflicts emanate from an innate human tendency to act aggressively. They assert that the tendency of people to defend their territories instinctively is a universal phenomenon about which nothing can be done to eliminate. But this generalisation was rejected by other scholars (e.g. Pilbeam, 1972; Montagu, 1978 cited in Taddesse, 1988:3) who presented evidence from hunting-gathering societies such as the !Kung San of the Kalahari desert, Copper Eskimos, Mbuti Pygmies of the Ituri forest, Dorobo of Kenya and the Tikopia where issues of warfare and territoriality are not known.

Within anthropology, several writers (e.g. Simmel, 1964; Coser, 1967; Epstein, 1975) interpreted the view on individual psychology in social terms. They explained how frustrations emerging in daily life can act as emotional fuel for external conflict and war while reinforcing the internal solidarity of a group. For example, Fukui (1979:17) stated that the Bodi people have a very strong attachment to their cattle and they feel strongly disappointed whenever their favourite animals are sick. As a result, they perform an animal sacrifice or go and murder a member of a neighbouring group so that the animal (Morare)

will recover. Fukui held the view that the sickness or death of a person's beloved animal is the main factor in raiding neighbouring groups. As to the continuity of warfare, he asserted that as long as cattle continue to die for one reason or another, the Bodi people would go on raiding the Mursi or other highlanders in the area.

However, the view that hostilities and frustrations within a group can be redirected to outsiders was rejected by other writers (see for example Hallpike, 1973). The works of Fukui in particular came under heavy criticism from more recent research works. For example, Strecker (1994), who rejected Fukui's contention as stereotypical, shallow, and pessimistic, stated that it is illogical to consider particular fancy beliefs as the prime factors for an action of this type. Strecker considered as an example the expression of love for animals by pastoral groups in Southern Ethiopia and Northern Kenya: "When they were threatened by others, the Warriors would drive their favourite oxen towards the enemy, singing the praise of these animals and showing that they were ready to die for them if the enemy would dare to touch them" (1994: 303). The main point stressed by Strecker is that while people may initiate expeditions with the only motive of killing others and capturing their trophies, the sickness or death of favourite animal is often not a real driving force but is rather used as an excuse for raiding.

Abbink (1994:1-7) commended Strecker's efforts toward a critical theory of warfare and stimulating a meaningful conversation regarding general issues of fighting and peace making in small scale societies. He nevertheless criticised Strecker for the failure to see the 'tribal' groups within the context of the larger political regional set up. According to him, this

larger system has elements that contribute to violence and tension between ethnic groups. He also stressed that these elements may not be prevented by members of the groups even if they wanted to. He stated that factors such as crop failure, drought and insecurity, political and economic marginalisation by the government and highland encroachment and the resultant competition over resources have to be seriously considered. Previous studies dealt with such issues under economic or ecological factors (see Ember and Ember, 1971; Divale, 1974 cited in Ferguson ed, 1984). Besides, Abbink also states that another factor contributing to peace and cooperation between traditionally hostile groups is the "military balance between them." He illustrates this point by showing how a change in the balance of power between the Nyangatom and Mursi caused the killings of hundreds of Mursi as a result of the acquisition, from Sudan, of firearms by the former (1994:5).

Colson (1953), Gluckman (1959) and Divale (1976 cited in Ferguson, 1984), among others, saw conflict and warfare in relation to the social structure with particular reference to patterns of descent, marriage, and post-marital residence. The essence of their argument is that war is a cooperative male activity. Within a society, loyalties of men may be divided by different social institutions ("conflicting loyalties" or "cross cutting ties") and this reduces the possibility that men will use force to resolve conflicts (Ferguson, 1984:16). In other words, relationships established as a result of intermarriage and social integration restrict people from using violent means of resolving differences.

Other scholars (e.g. Hallpike, 1973; Schlee, 1997) adopted a different view of the consequences of divided loyalties, and argued that cross-cutting ties serve as factors for

conflict escalation. According to them, due to the territorial dispersal of decent groups, individuals from one group may be easily reached for reprisal killing by others with whom their group developed enmity. Affines are likely targets in such inter-ethnic conflicts. Such reprisal killings may result in a vicious circle of revenge and counter-revenge. Lang (quoted in Schlee, 1997) has emphasised this dimension of cross-cutting ties by quoting the proverb that “those whom we marry are those whom we fight”.

## **2.2. Studies on Indigenous Knowledge of Peace-making in Africa**

Quite recently, a new model of conflict resolution called Alternative Dispute Resolution (ADR) has entered into the anthropological literature. ‘Alternative’ in the ADR context refers to alternatives to courts. In relation to this Burton (1993: 61) wrote that:

Indeed, institutionally many ADR practices are an adjunct of courts and sometimes required by courts before cases are referred to them. The assumption is that if disputes cannot be arbitrated or mediated then they must be adjudicated ... All situations can be managed by reference to legal norms or by some forms of negotiation.

Though not many, some writers have ventured to study indigenous ways of handling disputes in different African societies under different contexts.

At the micro level, anthropologists studied the role of traditional leaders in resolving conflict arising between community members. For example, Marco Bassi (1992:50-54) studied institutional forgiveness in traditional assemblies among the Boorana of northern Kenya. He observed that offenders were punished with a fine the amount of which is fixed in the context of such assemblies in line with traditional law. Though the Boorana did not have a

mechanism for enforcing decisions (adjudication), people abided by the laws and respected the authority of elders. Government administrator allowed and encouraged local mediation efforts as long as they did not hurt the interest of the central power. Bassi documented a case in which a traditional leader imposed authoritative decision upon a leader of the Peasant Association(PA)\* for treating a particular conflict case beyond his concern. This authority of traditional leadership was based on the ability of elders to exercise social sanctions including exclusion from co-operation (Helland, 1990, Bassi, 1992). In some cases, such sanctions are only symbolic; they are pronounced but not necessarily put into effect (Pankhurst, 1992:79).

From his study of the Boorana traditional assemblies, Bassi concluded that the aim of the Boorana judicial system was not punishment per se but rather the reduction of social tension and resentment (Bassi, 1992:53). Among the Garrimero Somali, the establishment of peace and social relationship between disputing parties is further strengthened through affinity achieved by marriage between the kinsmen of both sides (Gezahegh and Yigzaw, 1994). However, Helland (1990:173) contrasts the *Nagaya Boorana* ("the peace of the Borana") with the Somali situation by stating that in the case of the latter the old men under the tree can only maintain the internal peace within much smaller groups among which access to both water and pasture is a matter of belligerence and force.

Other writers have gone far from mere description of traditional judicial structure. Shack (1967) has provided an outline of the Gurage judicial structure and related it to the theory of African political systems. According to Shack (1967:92) the emergence of Yajoka, the "high

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\* A Peasant Association(PA) is the lowest state administrative unit below the *Wereda*.

court" in Gurage land, over a century and a half ago had a bearing not only on the legal framework but also on the political relationship among the Gurage. Yajoka minimized the socio-legal gap among different Gurages differentiated by wealth or the relative position of one's clan vis-à-vis other clans of the tribe. In view of this legally formed judicial system "Gurage law was politically enforced, and law was applied equally to chiefs, headmen, and the commoners".

Scholars have also studied indigenous mechanisms for resolution of inter-ethnic (inter-tribal) conflict. Examples of research at this level include maintenance of peace between the Bodi and the Dime (Todd, 1979), the Hamar and Bume (Strecker, 1994), Nuer and Dinka (Ayub, 1999) and Turkana and their neighbours (Kona, 1999).

## Chapter Three

### Economy and Social Organisation of Ab'ala Afar

This chapter is on the economy and social organization of the Ab'ala Afar. But before going specifically into the situation among the northern Afar, a general overview of key issues in east African pastoral system including the Afar will be addressed. These specific topics are the ecological features, political pressures, drought, and land use system. Then, a background to issues of land tenure among the northern Afar are discussed. Particular reference is made to changes in their traditional communal land use system and how the changes affected social relationships among the Afar and with neighbouring highlanders. I will also consider aspects of their social organisations such as kinship and property relations, which are relevant to dispute settlement

#### 3.1. A General Overview of East African Pastoralism

A considerable part (about 60%) of the African continent can be categorised as arid or semi arid areas (Helland 1990:167). These areas are characterised by high temperature, low, unreliable and variable rainfall distribution (both temporally and spatially), environmental degradation and recurrent droughts and famines.

The persistence of pastoralism in East Africa for nearly 7,000 years is considered indicative of its status as the most viable production system under arid and semi-arid ecological conditions (Helland, 1990:168). Indeed, pastoral land use systems have been impressively successful in supporting large populations in some of the most inhospitable environments and in supplying pastoralists with a standard of living which, in terms of nutrition and health,

often exceeded that of their agricultural neighbours (ibid. 176).

However, another view which has had a tremendous impact on government policy and development activities in Africa is that pastoralism is a deviant form of land use system. Early writers (for example, Belfield, 1914 cited in Fratkin ed, 1994: 47; Herskovits, 1926) have described pastoralists as "inefficient" and "wasteful" people having an "irrational" attachment to their livestock with little or no concern for their environment.

The negative view of pastoralism has been popularised by Hardin, 1968 (cited in Barfield, 1993: 214) who articulated the thesis of the "tragedy of the commons". According to Hardin, in a situation of communal land ownership and private ownership of livestock, the disaster caused to the environment is both imperative and immense.

Even today, policy makers seem to command little knowledge about pastoralists and their environment. There are several misconceptions regarding the mobility and lack of crop cultivation by pastoral nomads. The most prominent misconceptions include the view that the pastoralist lacks knowledge of cultivation, that he does not farm and is reluctant to settle down in one place. As far as pastoral social organisation and defensive actions are concerned, there is a common assumption that pastoral nomads are devoid of any rationality concerning outsiders, that they attack the latter without good cause. It is also commonly believed that the area held by the pastoral nomads is suitable for crop production and can be used for this purpose without affecting the people, hence the belief that pastoralists can only be developed by settling them (Fekadu, 1990:206).

At present, pastoralists face ecological and socio-economic crises due to desertification and encroachment by peasant farming, mechanised farming, and game reserves. The pastoral nomads are being increasingly marginalised in their social, economic and political standing in the larger national systems in which they live.

Pastoralists are currently influenced, encouraged or even forced by factors outside the pastoral system to take up sedentary cultivation. In some cases, the pressure comes from governments ostensibly seeking to make pastoralists benefit from social services such as education, health, and veterinary services'. However as Toulmin (1983:66) pointed out forcible sedentarisation of pastoralists by governments is often aimed at gaining greater political and economic control over them.

Whatever the causes may be, the process of sedentarisation has some consequences to social relationships within the pastoral system and with neighbours who derive their subsistence from cultivation. Baxter (1975:224), for example, pointed out that sedentarisation narrows the range and alters the texture of social relationships within a given pastoral system. He further stated that this process tends to generally sharpen differences in wealth and life style and decreases any homestead's range of effective social relationships. However, as far as relations with neighbouring cultivating groups are concerned, the situation varies. With sedentarisation, Baxter argues, contact between pastoralists and cultivators becomes more permanent, often leading to a high level of integration between the two groups.

The Afar have experienced a similar situation. To begin with, the interior parts of Afar land were largely inaccessible to outsiders until the early 1970s. Studies conducted prior to that period were largely based on data collected from the fringes of their areas. Lack of easy access resulted in the misrepresentation of the Afar in the earlier writings. Many reports by early travelers produced a more or less biased literature on the Afar. For example Nesbitt (1934:79) reported that "The Danakil kill any stranger at sight. The taking of life has become a habit of their nature". Another traveller, Thesiger (1935:25) commented that, "I found it disconcerting to be stared at by a Danakil feeling that he was probably assessing my value as a trophy". In a similar fashion, Trimmingham, a missionary, (1952:176) stated that:

The Afar do not hold God in any great awe. They think of him as an omnipotent king, his powers are obviously limited, but rather as a great shaikh worthy of following if he shows qualities of leadership and generosity. Since he shows little of either he is not taken into account very much

Easy penetration into Afar land in the 1970s has allowed researchers and travellers to gain first hand experience of the Afar people. This contributed to more objective writings. For example, Parker (1971:219) who toured the area as a missionary wrote that:

Hardy, lithe, intelligent, fine featured, up right, energetic and yet easygoing, the Afar as a whole tend to be much misunderstood by others. One who is accepted as a friend and live amongst them will find them interesting, friendly, determined and remarkable for their strong tribal loyalties and selfless hospitality.

Research reports contend that the Afar had until recently been outside Ethiopian state administrative control. prior to their political incorporation into the Ethiopian state was accomplished in 1905, the Afar are said to have lived in self-contained and self-supporting communities (Getachew, 1997:441). Afar land remained outside the effective control of the

Ethiopian State until 1944. In fact, Ethiopia as a whole did not have a centralised administration before the end of Italian rule in 1941, when attempts were made to set up a civil and military bureaucracy (Gamaledin, 1993).

Incorporation of Afar into the Ethiopian state coincided with the introduction of agricultural reforms to consolidate the position of the newly established bureaucracy, a class that formed an alliance with the local aristocracy, which was the junior partner. Bureaucrats also presided over the introduction of agrarian capitalism (Markakis and Nega, 1978). One consequence this new mode of production took was the promotion of wholesale commercialisation of land in the Awash Valley, which involved foreign capital and management.

After 1941, the Ethiopian government began to recognise the political and economic importance of Afar territory due to its location at the entrance to the Red Sea and its agricultural potential in the Awash Valley (Pastner, 1979 cited in Gamaledin 1993). In 1962, the Awash Valley Authority (AVA) was created with the responsibility of managing development activities in the area, including large scale mechanised enterprises run mainly by foreign investors in collaboration with the state (Ali, 1994:2). The formation of the Awash Valley Authority was followed by the establishment, in the Middle Awash, of a National Park in 1966 and the construction of the Koka Dam in the Upper Valley. These developments constituted the first initiatives in a consistent process by which Afar started to experience a dramatic reduction in the size of pasturelands available to their herds.

The loss of grazing land by the Afar pastoralists was exacerbated when the Derg came to power in 1974. The Derg promoted a rapid expansion in state-run irrigation schemes, which brought under crop vast tracts of range land. The demise of the Sultanate of Aussa also led to the weakening of the political strength of the Afar (Helland, 1980:80).

The changes in natural resource use in Afar territory have had negative implications for the pastoral mode of production and culminated in resource use conflict (Ali, 1994: 2). These changes have contributed considerably to the vulnerability of the Afar to drought and famine and the resultant human and livestock losses. In the great famine of 1973/74 alone, the Afar have lost a fourth of their livestock. A third of their population is believed to have perished. Drought frequently affects Afar land and occurs every few years (Helland, 1980; ILCA, 1981; Ayele, 1991).

Drought also had another effect on the Afar pastoral economy. It disrupted the balance of trade between pastoralism and agriculture. During such periods of disaster, the Afar had to sell their drought affected livestock instead of allowing them to die - a situation which created more supply than demand on the local market and hence a fall in the price of livestock (Ali, 1997)

The change in state policies in the Awash Valley did not only create conflict and confrontation between the Afar and state bodies, but it also adversely affected inter-clan relations, particularly Afar relations with neighbouring ethnic groups. On the social and cultural dimensions, the growth of small urban centers largely inhabited by highland migrant

workers has had a serious impact on traditional mode of living. Town life undermined clan solidarity and cultural integration (*Ibid*).

The continued growth of the human population is believed to have increased competition for natural resources, particularly land, in recent decades (Helland, 1980). Population growth in the agricultural areas forced people to migrate into marginal lands which are often key grazing areas for nomadic herds. As a result large areas of natural grasslands have been converted into arable lands and settlements. The case of the Afar is neither unique nor isolated. Throughout dryland Africa, herders have lost prime grazing lands, particularly in low-lying areas, to make room for flood recession and irrigated agriculture. Population pressure, recurrent drought, ill conceived development policies, encroachment of cultivation and subsequent disruption of traditional institutions are some of the causes of pressure on the Afar pastoral system in Ethiopia (Helland, 1980; Ayele, 1991; Ali, 1995).

### **3.2. Labour, Livestock and Land**

In discussing the economy in a non-urban context, the issues of land tenure and land use stand high on the agenda. This is because they largely determine the viability and sustainability of rural production systems. For example, nomadic pastoralism can only be viable in a situation where a communal form of land ownership prevails, while crop cultivation requires a more privatised or individualised type of land use system as it entails a more sedentary form of life.

The land use pattern in Ab'ala has exhibited a significant change over time. In the "good old days" especially at the time of Emperor Yohannes and earlier, the Ab'ala Afar relied on "pure" nomadic pastoralism for their livelihood. This production system was founded on the pastoral philosophy of individual ownership of livestock in communal land. This enabled pastoralists to move freely in the different ecological subzones in different seasons. This, in turn, guaranteed an optimum use of the temporally and spatially variable resources.

Afar elders assert that at the time of Emperor Yohannes all Ab'ala households enjoyed the ownership of adequate or more than adequate number of livestock and had a strong economic and social set-ups. There was sharing and transfer of resources on different occasions. Transactions were largely made through the medium of livestock. But ownership of large herd did not determine a man's social status in the society.

Towards the time of Emperor Haile Selassie, the elders explained, the conditions began to change. This in particular occurred when the Tigrayan nobility and a few immigrants from the highlands cleared large tracts of the lowlands for cultivation thereby introducing a new land use system. The magnitude of land alienation by the nobility appears considerable, and an elderly Afar recalled the unfolding of the process:

Look over there. Do you see that mountain? When Mengesha first came to this area he gathered us there to tell us that much of this land belonged to him by law. A small portion was given to us. Only a small portion. He, then, brought some peasants from the highlands to work for him as tenants. When Mengesha was gone, the tenants benefited a lot because they persevered the plots of land."

However, in the earlier phases of these changes, the pastoral mode of production was still dominant. A majority of the pastoralists continued to adhere to their traditional production system and the values associated with it. Persistence of their production system during that early period was possible due to the absence of strong ecological, political and economic pressures to opt for otherwise.

In the past, Ab'ala was characterised by favourable range resources. In fact Ab'ala literally means the land of grass. Before the introduction of commercial farming, the Ab'ala Afar had already developed complex adjustment techniques to minimise the risk of being driven out of the pastoral mode of living. One of these was the ownership of large multi-species herd. Both the diversification and size maximisation of herds were forms of traditional resource management designed to minimise risk in an environment where insecurity was the biggest problem.

Herd diversification provided a means for efficient utilisation of available range resources. As the different species have different feeding habits, severe degradation was avoided by maintaining a relatively low grazing density. Diversification was also economically advantageous because the different species were utilised for different purposes. Camels were mainly used for milk while cattle were raised for milk and their skin was used in the making of bed (*Oloiyta*). Goats were used for similar purposes: milk, sale and the processing of their skin for making water containers (locally called *Sara*). As will be discussed in more detail in Chapter Four, some animals were also used in certain important social events, particularly in dispute settlement.

In addition to herd maximisation and diversification, other strategies for maintaining Afar pastoral way of life included establishment of extensive support networks. The networks were formed through both granting livestock as gift to impoverished kinsmen and forging of political and military alliances against neighbouring highlanders.

The 1975 Land Proclamation promoted individualised land usufruct rights. It abolished the feudal land tenure system and gave land to the users. The government encouraged agriculture rather than livestock husbandry. Therefore, a significant proportion of the pastoral land continued to be lost to cultivation. Land allocation for these purposes continued on a large scale and there was more clearing to prepare farmland. During the Derg military regime, the state was declared the sole owner of land while granting every farmer the right to farm. There were, however, restrictions on the sale and transfer of land which was not legally defined as an object of transaction.

In the course of time, due to ecological changes and a decline in the resource base, it became increasingly difficult for northern Afar to adhere to old adjustment techniques and began to devise new coping strategies. These strategies include increasing the numbers of drought resistant livestock such as camel and goat, sedentary life and wider adoption of cultivation.

The strategies adopted by northern Afar seem to follow trends observed among other pastoral groups. Hogg (1987:106), for example, indicated that changes in the settlement pattern among the Somali pastoralists in southern Ethiopia had implications for land use.

Constant mobility gave way to permanent settlement leading to the emergence of a new attitude toward land ownership and territoriality. In a similar fashion the Afar seem to compete to maximise their arable land holdings through different strategies including their power in local politics. This often leads to instability and social unrest. In the Afar settlements, some individuals seem to exercise their authority derived from affiliations with the government as local administrators, to have more control over resources. For example, more land may be claimed by such individuals in times of land redistribution. Such claims ultimately leads to conflict between different people in the neighbourhoods. Since disputes over such important resources as land and water affect the lives of several kinship groups, the scope of the conflict extends beyond the individuals directly involved.

Even under the harsh ecological conditions in which they currently live, the Afar now seem increasingly inclined towards agriculture as a means of subsistence. They produce barely, maize, sorghum and other cereals. Flood diversion during the main rainy season (*Karma*) is used to grow crops. In this regard they benefit from rains that fall in the highland and come as flood to the their lowlands. Much of the flood is carried by Ab'ala River near the town, Mai Shugala River near Adiharemeli and Murga far north of the town. Ab'ala and Murga Rivers dry up during the hottest months of the year, May and June (*Hagai*). Murga often dries up completely a bit earlier and pastoralists in the area find it necessary to water their animals at Ab'ala River. Pressure on the latter has induced conflict as individuals start to maximise their rights to water use.

Today, owing to ecological stress and the resultant vulnerability to drought and famine, livestock husbandry is greatly threatened in northern Afar though the people still prefer livestock husbandry to cultivation. This is evident in their allocation of labour whereby adult male labour is engaged more in activities related to livestock. It is thus often the case that Afar with agricultural plots invite Tigrayan peasants for sharecropping. The Tigrayan farmer prepares the land and ploughs it with his oxen and undertakes the sowing. His Afar partner may help in weeding and harvesting. The produce is then shared. The Tigrayan might take half or a fourth of the produce depending on his input. This clearly reveals that the inclination towards agriculture and settled life among the northern Afar is dictated by external pressures rather than by a free choice of the people themselves.

What is not in doubt, however, is that the Afar are losing confidence in their traditional pastoral production system, at least due to the significant decline in herd size as a result of drought and epidemics. Their neighbouring highlanders also share this decline in livestock holding. The following table shows the decline in average household livestock holding of the Afar and Tigray over a period of twenty years.

Table 3: Comparative Average Livestock Holdings of the Ab'ala Afar and their Tigrayan Neighbours in 1977 and 1997

Animal Type	Afar		Tigray	
	1977	1997	1977	1997
Cattle	38	13	14	7
Sheep	37	17	9	5
Goats	125	53	22	10
Camel	27	9	-	-
Donkey	1	1	1	2

Source: Dires (1999)

The Afar now prefer to engage more on goat husbandry because of their better adaptability. Goats are also preferred because they can be easily converted into cash and have high rate of reproduction. Nevertheless, goats require more attention to protect them from wild beasts and thieves.

Under conditions of scarcity in pastoral resources and shortage of human food supply, the Afar utilise varied strategies for resource management. They, for example, sell or slaughter newly born (up to a week old) male kids and lambs (*Bekef*) in order to avoid competition over depleting fodder with adult livestock as well as over milk with humans. This is widely practised all over Afar region (Gebremariam 1991 cited in Dires, 1999: 48). Subsistence farming, small-scale trade and migration to other countries (Saudi Arabia and Djibouti in particular) are also prominent strategies to augment the ever-declining pastoral economy.

Furthermore, the recent expansion of Ab'ala town availed new opportunities for economic and social provisions. A significant number of rural Afar have thus moved into the town seeking wage employment (Getachew, 1997). But entry into the government employment sector seems extremely difficult since most of the Afar in this region are illiterate. In the case of the Ab'ala Afar, the movement of people into the town have had an impact on their attitudes toward old value systems. This is mainly the result of the influence from the non-Afar including Tigrayans living in Ab'ala town. I have seen two Afar people arguing about some of their values and norms. One of them had the following to say: "Our region is lagging behind others. Look at the highlands. They are in a far better position than us. As long as this sentiment of 'clanship' exists, the problem is likely to persist." The other responded by saying that the remark didn't come from the bottom of his heart and added, "even though you say so, you will be the first to take revenge if I was killed "

It has been pointed out by observers that the decrease in the availability of grazing and water can also be the result of ill conceived development policies by governments (ILCA, 1981, Hjort, 1982; Baxter, 1990, Ali, 1997.) However, unlike the situation in the southern part of the Afar region, particularly the Awash Valley, government intervention is not a big problem in this area as there are no large projects competing for land. But the Afar are unable to utilise the rangelands in the remoter parts of their territory because of the presence of local bandits (*Egugumo*) who in effect restricted pastoral movement and induced sedentary life.

In addition, social services such as schools, health and veterinary services have attracted people to the towns. In October, 1999 Ab'ala town has witnessed a new development, which can push this urbanisation process further and affect cultural life, power supply.

### **3.3. Kinship and Marriage**

#### **3.3.1. Clans and Clan Solidarity**

Among the Ab'ala Afar, decent and affinal ties play a significant role in social organization. Decent is traced patrilineally. Based on decent, a person belongs to a particular clan (*mela*). Clan identity is important in social, economic and political terms. Clan members are expected to share resources and help each other on emergencies. The Afar have a saying related to this: "*Sagage 'ri nama lakal masa*" (Literally: a cow's tail is equidistant from both its legs. Meaning, Those belonging to the same group share and share equally, both the good and bad.)"

Afar clans do not have specific individual territories. Accordingly there is no perfect match between the clan and composition of settlements. Nevertheless, each settlement area is identified with a major clan. Some of my informants in Shiket often mentioned their area of origin when I asked them about their clan identity. So, residents either belong to the same clan or are affinal relatives. But in each settlement there are also local groups since movement into and out of these settlement areas is more or less free. The tendency of individuals to align with clan members territorially seems to relate to their interest in having easy access to clan members to benefit from their social, economic and political support. Such support becomes practically difficult to claim when members of a kinship group or a

particular clan are far apart. The current dispersion of Afar over distant areas within and outside Ethiopia in search for wage employment is thus considered by many Ab'ala as a setback to clan solidarity in many respects, including dispute settlement.

In Ab'ala there are several clans of which the dominant are Seka, Damohita, Dahimella, and Hadarmo. Each clan is divided into several sub-clans (*keddo*) and lineages (*Affa*). Clans are represented by clan heads, who access leadership status based on their age, strength in decision-making and overall credibility in the society. Leadership positions are sometimes accessed through inheritance. Upon the death of a clan head, his sons will be considered for the position but if they lack the necessary quality of leadership, an election may be arranged. Clan heads are entrusted with the responsibility of regulating the behaviours of clan members. They are also expected to mobilise clan members for some positive pursuits, including co-operation in certain domestic activities and raising money for compensation. They make sure that every clan member is socially, economically and politically secure. As a result of this burden, it is not uncommon for people to reject proposals for heading a clan. This also signifies that loyalty to clan leaders should be maintained at all cost. The Afar express this through a proverb: "*Essi Amoita Hamita Mella Ke Daar Akak Maki Me Garbo Aysuk Matayssa* (A forest through which a river has ceased to run, and a clan even slightly unfaithful to its leader are both on the decline.)"

In terms of size, the Seka clan is largest. In fact it is said that Ab'ala Town is also named Shiket because it is largely inhabited by members of the Seka clan. Members of this clan are believed to have religious power. Politically, however, the Damohita clan is dominant and

can be considered aristocratic. For these reasons the Damohita and Seka clans play significant roles in dispute settlement processes as ritual leaders.

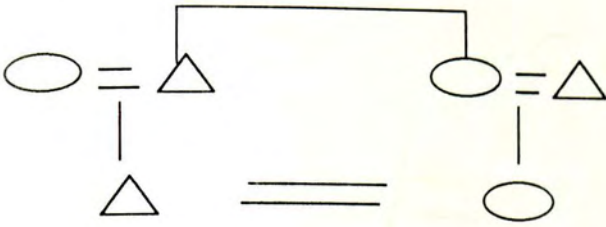
### 3.3.2. Marriage

Marriage alliances are important among the Ab'ala Afar who practise both endogamy and exogamy. However, it is common that a man tends to marry in his mother's clan. The fact that the Afar often marry a relative from the same local community or the same territory has an adaptive value. It makes it easier to get help when sub-clan members are nearby. In line with Islamic laws, polygamy is practised. A man is normally entitled to have up to four wives. Due mainly to economic reasons, however, most Afar men tend to have one or two and rarely three marriage partners.

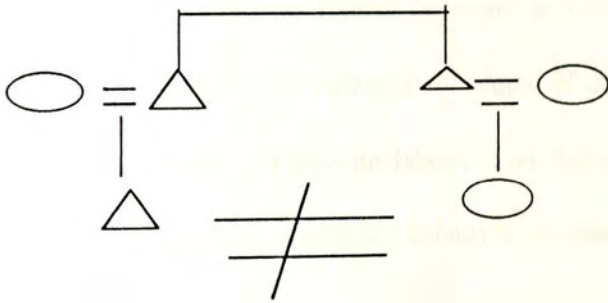
Marriage among the Ab'ala takes several forms. The most common is cross-cousin marriage in which a man marries his father-sister's daughter (*Absuma*). Upon domestic quarrel and misunderstanding, the wife usually appeals to her husband's father, i.e. her uncle instead of the members of her clan. In the southern part of the Afar region fierce fighting may occur when a woman marries other than her mother-brother's son. This, however, does not occur in Ab'ala. A woman is asked and begged to marry her mother-brother's son but is free to decide whom to marry

Simonsen (1996:28), reported that in Wossama locality, which is found in the present Ab'ala Wereda administration, the Afar can marry their parallel cousins. This, however, does not hold true among the Ab'ala Afar in my research sites. One of my informants said, "even

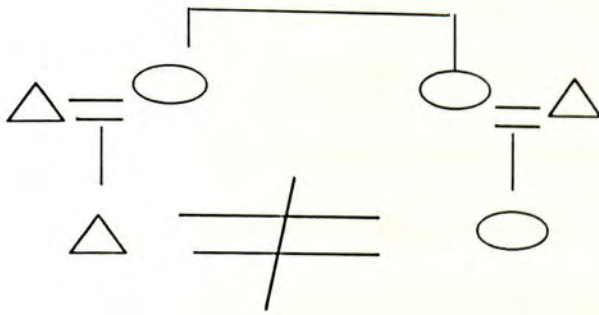
though this [parallel cousin marriage] is not completely forbidden (*haram*) in religious terms, our *Ada* [custom] does not allow us to exercise it.” There is, of course, an explanation for this. A person cannot marry his father-brother’s daughter because ideally these children belong to one father. Father-brother may, upon the death of father, may replace the biological father and marry the widow of his deceased brother. The same applies for the mother-sister’s children. In short, father- brother and the mother-sister are potential fathers and mothers. If we are to designate this by a kinship diagram, it will look like the following:



Cross cousin Marriage, *Absuma*



Marriage Restricted by Afar *Ada*



Marriage Restricted by Afar *Ada*

It is apparent that in Ab'ala, perhaps more than in the southern part of Afar Region, people adopt serorate and levirate marriage arrangements. A man is forced to marry his brother's widow. Similarly, A woman must replace her sister as a wife when the latter passes away. This practice is said to be for the sake of the children of the widow (*Gubna*) or that of the widowed (*Ardiglu*). In accordance with Islamic laws, for about four months and ten days after the death of her husband, a widow (*Gubna*) is expected to exhibit some self-punishing behaviours including avoiding luxury things such as delicious food, perfume and so on.

Child betrothal is quite common among the Ab'ala Afar. But actual marriage takes place when the girl reaches the age of 15 or 16 years. The marriage procedure is generally as follows: The boy notifies his family about his prospective marriage partner. Then, his family, notably his father, mother and father-brother ask the girl's family. The girl's father decides first. Then, he tells them to ask his brothers and her mother. When all agree to the marriage proposal, the boy's family arranges a betrothal (*Errer*) upon a payment of some money. In the past it was only 3 birr. Now the payment is 20 birr. This is an assurance that the girl is

secured. Unless such an arrangement is made, verbal agreement alone is not considered binding.

As the wedding day (*Digbi*) approaches, the girl's father again receives a bride-wealth (*Alekum*) of about 1000-2000 Birr in addition to some gifts in kind to certain relatives of the prospective bride (e.g., the bride's father-brother receives a rifle). The amount to be paid in bride-wealth varies from family to family as it is ultimately decided, in negotiations, by the girl's father. The paid money is partly spent on the purchase of some food items and material for establishing Afar mat house (*Senan Ari*) for the new couple..

The wedding ceremony takes place in the house of the bride's family where friends and relatives enjoy their porridge. Upon marriage, residence is normally patrilocal and the couple may stay there until the bride gives birth to a child. If the husband wants to take his wife, he has to pay 30-50 Birr to her family. This money is actually used for buying butter (*subah*) and wheat flour for the newly married couple. This is done on one market day (Thursdays). A few days later, the boy's father brings two camels, loads them with the butter (*subah*), wheat flour and mat (*Senan*) and takes the couple to the place where they will construct their own house. The wife's mother usually accompany the couple to help them construct their house and returns home after three days. When the wife gets pregnant, she is usually taken by the husband back to her family for delivery. The husband would then dismantle the mat house (*senan Ari*). After a period of up to four months following delivery, sometimes after a whole year, the couple return to their home which they would have to re-erect. The same procedure is commonly followed at the second and third pregnancies. Depending on the capacity and willingness of the husband to support his wife economically and socially, a

wife may continue to deliver at her parents' home even after the fourth child. In this regard the Ab'ala Afar incline to have as many children as possible. One justification for this is that children are viewed as a strategy to diversify the sources of income for the parents. Numerous children may engage in a variety of activities, such as trade, salt caravans, labour migration and herding thereby averting the consequences of a decline in income from any one particular activity. In the early years of marriage, however, the birth of many children may constitute a burden on the husband. One common solution is migration by the husband to Saudi Arabia or Djibouti in which instance the wife and children move to live with the wife's parents.

#### **3.4. Social Status, Household Property Relations and the Role of Women**

In a typical Afar family, the father is the head of household. He is generally accepted as an authority figure and has the greatest share of rights over property and children. In fact, the father does not only have rights over his children but also over his grand children. When a married son takes his wife to her parents following pregnancy, his son might prefer to stay with his grand parents. In such instances, even when the father disagrees, the grand father will have the final decision and may allow the grand child to stay with him.

The household head also decides on such matters as mobility and sale of livestock, although in the latter case he may consult beforehand with his wife. Nevertheless, the husband has the ultimate say.

have full membership rights. During divorce, the woman is allowed to take only that which she brought from her family.

For disputes arising at the local community level, women are not allowed to participate in the negotiations (*Mablo*) and decision making process. The reason given for such exclusion is that according to the Quran women were not created equally with men. But on the cultural ground, it seems evident that women are considered weaker than men, as they cannot retaliate for their dead. One of my informants related this with reference to a legend popular among the Afar of his locality, concerning the failure of 40 hungry women to slaughter and eat the meat of a single cow given to them for free.

According to the Afar gender division of labour, the husband undertakes the herding, milking and selling of animals (following discussion with his wife). The wife, in contrast, fetches water, grinds grains, and prepares food in the house. She also sells milk (*Eta*) and ropes (*Aketa*). Children assume a prominent role in herding and related activities.

### **3.5. Summary: Economy and Social Organisation of the Ab'ala Afar**

According to some writers, east African pastoralism has experienced a series of challenges over the past few decades. Based on data mainly from the southern Afar, many writers have also depicted that the Afar's economy has been declining from time to time.

The Ab'ala Afar had a more comfortable economic position in the past than the present. They evaluate nomadic pastoralism as superior to cultivation and from their own point of

In principle, livestock of a household are owned individually. Even children have their own livestock. When a child is born, he/she is given female goats or a camel to "see his/ her luck". When the animal reproduces and survives hazards, the child is considered lucky. This provision of animals to a child often takes place on some social occasions associated with the new-born child, including the tying up of the baby's umbilical cord and circumcision. Females often get fewer animals than males. First-born babies also have the advantage of getting more animals. In practice, however, livestock belong to the entire household.

Simonsen (Ibid: 37) states that Afar women of the Wossama locality are given full membership rights and function on an equal basis with the men in the local community. This does not seem to be the case for Afar women in Ab'ala. On the contrary, the lower status of the latter is reflected in several social events. Right from the outset, boys and girls do not receive equal number of goats upon birth. When the head of the family dies, moreover, daughters do not inherit property on an equal basis with sons. In accordance with Islamic rules of inheritance, sons are entitled to twice the share of daughters. Should the children of the deceased father be females only, the father's close agnatic kins (especially the father's-brother) will have a share in the inheritance.

Another area in which the lower status of women is reflected is dispute settlement. The witness account gained from a male and a female are never given the same weight. In fact, two women are equated with a single man as witnesses in settling disputes. In a similar fashion, the blood price for a deceased woman is said to be half that of a man while male children are equally treated with adults as far as compensation is concerned. In fact, it is not customary among the Afar to disregard children in important family discussions and they

view those years during which they relied on nomadic pastoralism have been the most enjoyable in economic, social and political terms.

Currently, demographic, ecological and environmental factors are increasingly having an adverse effect on Ab'ala Afar's mode of life. As a result of such pressures, they have not been performing well in their pastoral production system.

The Ab'ala Afar are forced to undergo a series of changes in their land use system to maintain survival. The shift has generally been from nomadic pastoralism to semi-sedentary life. Other means also had to be explored to diversify the sources of income. One of these is wage labour migration.

Generally, these changes in the economic subsistence have had an implication to other aspects of their social organization:

- Settling in permanent centers has facilitated urbanization along with the value systems dictated by it. The Afar had to redefine principles guiding their social relationships both within their system and their neighbours

- Increased involvement in cultivation means a development of an individualized form of land ownership and hence the emergence of social tension as a result of competition over resources.

- Increased frequency of out-migration means weakening of the old pastoral values such as kinship obligations. Clan integrity becomes highly challenged.

- With increased urbanisation, traditional pattern of power and authority became significantly challenged. For example, power of husbands over wives and elders over juniors is disrupted.

## **Chapter Four**

### **Disputes and Dispute settlement**

This chapter discusses the types and nature of conflict among Ab'ala Afar at both the intra and inter-clan levels. It seeks to highlight different aspects and dimensions of conflict, including the institutions and people involved and the conflict resolution mechanisms adopted.

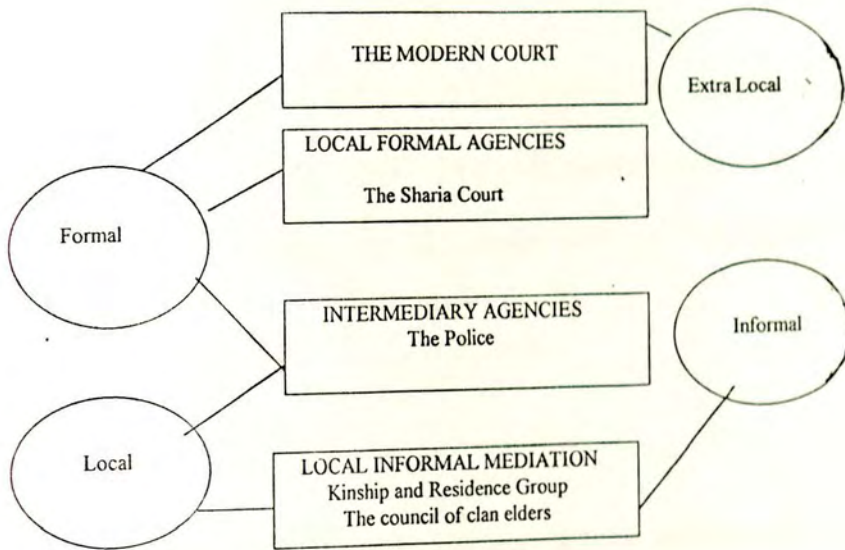
#### **4.1. Levels of Dispute Settlement**

Since the end of the Nineteenth Century, the Ethiopian State introduced numerous changes into the Afar land. The increased state intervention culminated in the transformation of many aspects of the traditional way of life in Ab'ala, including a change in the institutional context within which the legal system operated. At present, dispute settlement in Ab'ala takes place at different levels depending on the nature of the dispute and the social characteristics of the people involved. The institutions and persons involved in settling disputes at each level are indicated in Figure 1.

#### **Intra-Clan Conflict**

At the first level of the overall legal system in Ab'ala, there are local groups who resolve conflict informally through mediation. The informal mediators do not have a direct connection with the modern governmental legal institutions. Their status is based on pre-existing Afar customary laws and their resolutions are enforced through diffuse social sanctions. This system of conflict resolution can take place at two levels: Intra-clan and inter-clan conflicts.

Figure 1. The structure of the overall legal system in Ab'ala



At the intra-clan level, disputes may arise between individuals in the neighbourhood or between persons related through kinship and marriage. When a dispute breaks out in a settlement, the relatives, neighbours and friends of the disputants are likely to be promptly conscious of the case. Whether invited or not, the latter intervene. They try to cool down emotions, ask about the source of the dispute and suggest some remedies. At times, these informal mediators act on the basis of prior social obligations. For instance, people who played an active role in marriage arrangements feel a sense of responsibility to resolve problems arising between the partners whose marriage they arranged.

Furthermore, upon inception of conflict, it is not uncommon in Ab'ala to invite individuals in the neighbourhood who are believed to have proven ability to handle disputes efficiently and impartially. Such individuals are generally reputed to have a good deal of acceptance for their good character. At Adi Haremeli, for example, there are three persons who are accepted by the community as authorities in dispute settlement in the neighbourhood.

Local elders are also called upon to act as mediators. Among the Ab'ala Afar, elders are highly respected, considered the basis of community life and their views and practices are regarded instrumental in the continuity of Afar custom (*Ada*) from one generation to the next.

### **Inter-Clan Conflict**

The second form of dispute settlement within the local informal category concerns conflict involving members of two or more settlement areas belonging to different clans. In such inter-clan conflict, a council consisting of the respective clan heads (*Mekabana*) of the disputants and their representative as well as a group of judges (*Mekabon*) is immediately formed to look into the case and find a solution for it. In matters which are very simple, clan heads of the plaintiff and defendant may on their own initiate and execute the settlement process. In serious disputes involving homicide, stealing of camel and heavy physical injury, however, the council of elders has to convene in order to thoroughly investigate the matter before settlement can be reached. Disputes involving camel in particular are never considered simple not only because camel is economically important, but also because it has

a significant social value. This characterisation is integral to the origins of creation in Afar cosmology. Afar believe that at the outset the earth was flat and empty. Gradually, some part of the flat land began to swell and mountains were formed. Then it was camel, which came to the face of the earth. It is in this connection that the Afar have a saying: *Gali Del'uu Galiab Del'uu* (handling matters related to camel and facing a mountain is always never simple).

### **The Police Force**

The next level in the overall legal system in the study area is the police force. This is part of the formal modern state institutions even though it acts locally. It can be labelled as an intermediary agent whose prime task is to channel dispute cases to appropriate higher agency in the formal legal structure.

### **The Sharia Courts**

At the third level, we find a system that is run by local persons but nevertheless part and parcel of the formal legal machinery. This is the *Sharia* court whose tentacles extend up to the *kebele* (settlement) level. Marital disputes that could not be resolved by informal moots are often referred to the *Sharia* courts where the disputants face a statement of verdict given by the religious judges (*Qadi*). This structure has some links to the government court at the *woreda* level. Its decisions are approved and implemented by the other formal legal and administrative bodies at the higher level. But the *sharia* court works independently of the modern court and does not look into cases being handled by the latter.

## The Modern Court

Lastly, the fourth level relates to the formal state judiciary system that may be viewed as external to the community with regard to both its principles and procedures, viz., the modern court established at *woreda* level. This court handles both civil and criminal cases. The parties to a court case are typically unrelated through kinship or marriage, though in recent years disputes among kinsmen showed some increase.

Except in cases of grave physical injury, local disputants who bring their cases to the modern court are advised to settle their differences through informal means. This is particularly true in cases where the disputants are related by kinship and marriage. As explained earlier, members of a settlement in Ab'ala are often related through either descent or affinity. In effect the modern court encourages related disputants to resolve their case outside the formal state system.

Until recently, it was uncommon to bring marital disputes to the *Woreda* Court. Over the last two years, however, they reached 18 cases. Most of these cases related to claims on family property upon divorce.

**Table 4: Dispute Cases Handled by the Ab'ala Court in the Last Six Years**

Types of Dispute	Years					
	1994	1995	1996	1997	1998	1999
Land	6	3	9	3	32	8
Property	14	13	26	26	46	7
Marital	-	-	-	-	15	3

Source : Ab'ala *Woreda* Court

At the inter-clan level, there seems to be very weak links between the modern *woreda* court and the indigenous council of conflict resolution. Generally, the council makes no appeal to the court. Rarely, individual disputants may, on their own accord, take their cases to the court. However, they are usually told by the court officials (almost to the point of forcing them) to go to their respective clan heads in order to allow intervention by the indigenous council. It has now become an established fact in Ab'ala that this is the only solution as far as inter-clan disputes are concerned. Past experience shows that the modern court is not effective in handling such disputes; and resolutions made at this level have generally failed to bring long lasting peace to the community. In this connection Cossins (1972:32ff) has reported that, in general, government involvement in inter-clan conflicts was confined to returning raided animals from other groups and bringing murderers to justice when the victims are non-Afar. Beyond such government involvement, the Afar were quite free to settle their internal affairs without much government intervention.

Only in incidents inducing chaos and feud would the government administrative and military organs intervene to prevent further escalation of conflict and avoid destruction to property and human lives. Once relative peace is restored, however, the government police and military units hand over the case to the council and prepare the necessary ground for settlement of the dispute according to customary law (*Mad'aa*).

#### 4.2. Afar Customary Law (*Mad'aa*)

Afar elders strongly emphasise that all Afar are governed by the same *Ada* irrespective of their clan membership, area of residence or changes in national politics. This, of course, may be a reflection of the new Afar ethnic identity formation, or is probably meant to indicate that differences in clan identity and residential features within the Afar are no longer important. Indeed, the new federal system of administration in Ethiopia has given ethnicity a new impetus as a result of which the Afar now see themselves as a national group.

The Ab'ala Afar believe that all disputes within their ethnic group should be settled peacefully and according to the long standing customary laws (*Mad'aa*). *Mad'aa* consists of specified guidelines and rules on how to handle dispute cases. This is a tradition followed from the time of Hamadu Sirat, whom informants identified as their apical ancestor and the father of all Afar.

Once a dispute case is in the hands of elders, there can be very little room for an individual to further his interests by force. This seems to be the norm no matter how long it takes the elders to process the dispute and reach a settlement. In this regard the modern legal principle that 'justice delayed is justice denied' does not hold true among the Afar. Once I saw a group of elders gathered behind the small houses near Ab'ala market. An old man explained the reason for the gathering by stating that it was just an episode in a five-year old inter-clan dispute processing drama. That particular conflict occurred in a place called Teru where members of the Damohita and Hadarmo clans clashed over territorial rights.

In hearing a dispute case, no one is allowed to show contempt to the judges (*Mekabon*). Failure to have patience and tolerance will lead to an immediate fine. The Afar have a proverb to denounce such a disrespectful act: "*Amo Ara'ba yot Ane Wana'ya Agi'rauk manani'yo Enta Eyan* (All trouble comes from the tongue. "If the tongue was not in me", the head said, "I would not have been cut off". It is required that proceedings take place in good order with persons talking only when asked to. In an informal moot case, however, such regulations are not strictly observed. In fact, the plaintiff may often be interrupted and opposed by the defendant, particularly when the former is sufficiently articulate enough to capture the attention of the mediators.

Offence against another member of the Afar community is usually resolved upon the payment of a certain compensation both in livestock and cash. In this regard, an entire clan or sub-clan is said to be responsible for a crime committed by one or some of its members. The money and livestock to be paid in compensation is thus usually contributed by clan members regardless of their place of residence.

According to Afar customary law, the amount of compensation depends on the type of the offence and its context. In case of a minor wound, there are special steps to follow before reconciliation can be achieved through the involvement of clan leaders. A wound is considered minor by a traditional healer if the bones are not exposed. In such a case, the person who caused the injury has to give the wounded a goat in order to "wash his blood." Then after a day or two he again takes another to "heal the wound". This payment is called *Maldino*. Finally, there will be a compensation payment (*Morrusso*) ranging from 12 Birr to

a camel depending on the seriousness of the injury.

The fine and compensation payment related to bodily injury depend on which part of the body was harmed. In finger injuries, for example, the Afar consider a damage caused to the little finger, pointing finger, and ring finger as serious. This is because the first is considered the most peaceful, the second viewed as important for indicating locations, and the third regarded essential for marriage. The front and back parts of the body are also never given the same value. For example, a damage caused to the forehead is considered grave because it is easily exposed to onlookers whereby the victim may be liable to constant humiliation.

The laws regarding compensation payment are elaborate and detailed. Virtually every offence has a corresponding compensation payment. Even nail injury has its specified compensation. An exhaustive list of all the provisions of Afar customary law concerning compensation is virtually untenable. Table 4 presents only a few of these provisions.

**Table 5: Compensation Payments in an Inter-clan Dispute Settlement**

No	Type of offence	Payment	Remark
1	Murder	100 camels	50 camels when the victim is female
2	Injury inflicted on body with knife (not leading to loss of organs or parts)	30 goats + 30 Birr	40 goats if injury is by perpendicular piercing of body
3	Loss of a whole finger (each finger is divided into 3 compartments)	3x3 = 9 camels	More is paid for the 3 fingers described above
4	Biting (e.g. With 4 teeth marks traced on the body)	4x 10 = 40 goats or an equivalent pregnant camel	The number of tooth marks found matters a lot.
5	Rape	2 cows or 40 goats	
6	Stealing of a goat	3 goats + 4.5 Birr	
7	Stealing of a camel	90 goats + 2 camels	+ 10 goats if plunder
8	Stealing of a cow/ ox	3 cows + 3 goats or 15 goats + 45 Birr	

**Source:** Afar elders in Ab'ala

In principle, the Afar claim that all compensation payments are fixed by customary law. In practice, however, payments are negotiable. For example, according to the law, the payment for murder is 100 heads of camel; but following bargaining less than 50 may be paid.

Furthermore, Afar customary laws are said to be dynamic. They not only undergo some changes over time, but also vary from place to place. The Afar claim that payments have shown significant decline over time and cash is gradually replacing compensation in kind (mainly livestock). In addition, in areas where nomadic life is still preserved, payments are believed to be much higher.

### **4.3. Dispute Processing**

#### **4.3.1. The Judicial Procedure**

I have indicated earlier that indigenous ways of settling disputes are guided by specific rules and procedures. In an inter-clan context, the procedures to follow are claimed to be well established. An example of how inter-clan disputes are settled at the community level is given below:

In cases of inter-clan homicide, the judges (*Mekabon*) summon the leaders of the concerned clans as soon as the identities of both the murderer and the deceased are identified. The judges (*Mekabon*) are often drawn from clans other than those involved in the conflict. Traditionally, the *Mekabons* are composed of leaders of the *Damohita* and *Seka* Clans. As the meeting is convened, a cow or camel is sacrificed. This is said to be an important step and a pre-condition for the commencement of the actual dispute settlement procedures. The

Afar claim that the victim would not be buried before that sacrificing an animal (*Waidal*).

Once sacrifice and burial are carried out, further investigation proceeds. The final verdict depends on the nature of the murder, i.e. how the incident took place, the type of weapon used, and whether or not it was intentional. A period of forty days (*Morotem*) is given to finalise investigation of the murder case. In the mean time, clan and family members of the deceased remain under oath that they will not attempt to retaliate. After the *Morotem* period is over, people gather for the final judgement, which always takes place according to pre-existing rules. The family of the victim is asked whether it seeks capital punishment to be meted on the murderer. Its response is usually negative so that the community would not be divided in blood feud. Therefore there is always a tendency for institutional forgiveness. Once the offender is forgiven, a specified time is fixed for the transfer of compensation or blood money. The blood money is contributed by affluent clan members. When the time comes, about 40 heads of camel are given to the family and clan members of the deceased. It is important that all livestock be healthy and in good condition. Disagreement over the condition of animals is believed to lead to further complication of the conflict as offering unhealthy animals is considered a gesture of contempt. The clan leader of the deceased receives one camel (*Loinalah*).

The final procedure in the achievement of reconciliation involves slaughtering a sheep in the presence of the judges (*mekabons*) who, as stated earlier, are composed of elders from the *Damohita* and *Seka* clans. The *Damohita* elders recite verses from the Quaran (*Fatiha*) to signify the conclusion of reconciliation, whereas the *Seka* elders give their blessings (*Doa*).

This final sacrifice (*Sola*) usually takes place along trodden roads so that passers-by may draw lessons in forgiveness and thereby contribute to the persistence of the tradition. The animal is roasted on fire lit on a collection of black stones, which are not supposed to be removed from the area for years after the ritual. Plate 7 is a photograph at the site of one such occasion, at Adiharemeli. The site is near a government elementary school which, according to informants, was chosen so that the school children may learn the Afar tradition of forgiveness (*Afu*) in addition to the formal education they attend.

Virtually all cases of inter-ethnic homicide end up in reconciliation. In some cases, relatives of victim may decline to offer forgiveness at the inception of procedures, refuse mediation and threaten to take revenge. Upon such intransigence, some members of the murderer's clan killer may go and assemble at the house of the leader of victim's clan (*Loina*, which literally means sheep herd) to exercise further begging (*Dubarti*). The clan leader would then normally seek to exert pressure to influence the person(s) threatening to take revenge. A person who resorts to retaliation in spite of all these cultural procedures is doomed to denial of clan membership and recognition. He would be an outcast. This ostracisation is reflected in many social and economic activities.

In rare instances, some murder cases may obstinately lead to reprisal killings and close agnates of the murderer may come under attack. The potential victims of retaliation may extend up to the 7 generations in the genealogical order. In principle, only a few members of the patrilineage should be affected but, in practice, the clan leader or any other person with high respect and prestige in the clan may also be targeted.

Sometimes women entice men to retaliate. For instance, a man whose brother died in a fight may decide not to take revenge. Nevertheless, he may have to feel a moral obligation to retaliate under pressure from his sister-in-law. A widow often voices her grievances by making such remarks as "That's all right... fine, they killed my husband because they know that I am a woman and helpless".

It is a conspicuous feature in proceedings that the disputing parties never blow up their cases by telling details to everybody. They are rather expected to have a reasonable degree of confidentiality. On the other hand, although private consultations among the judges are usually carried out before a final decision on the case is reached, the initial investigations are conducted openly in the presence of all persons wishing to attend. Even clan members not directly affected by the conflict can participate in the thorough discussions and share opinion.

#### **4.3.2. The Pattern of Dispute Settlement in Moots**

Disputes arising between neighbours and marital partners are normally addressed within the local community. It is uncommon in such cases to make an appeal to an external authority at the inception of a dispute except in certain exceptional instances. Many factors seem to contribute to that effect. Firstly, the local people view the court personnel as alien to both the people and their culture. Secondly, considerable distances may be involved in reaching the *Woreda* Court at Shiket, and added difficulties may be incurred to bring the defendants before the judge. Thirdly, resort to court is also often declined because modern court

exercises force and authority to enforce justice. According to Ab'ala Afar, this feature of modern courts does not take into account the complex kinship and neighbourly relations existing in the local community. Though court verdict may alleviate injustice inflicted on a person, the Afar contend that concern and anxiety over future peace among community members may persist when disputes are settled by court intervention. They are in effect discouraged by socio-cultural considerations to resort to courts.

Within their respective settlements, the Ab'ala Afar often discuss issues of concern to the community on different occasions. Discussion may take place between individuals or in a group. The Afar have an elaborate system of information exchange called *Dagu* that promote such discussion. Through *Dagu* people exchange news about the grazing areas, water points and community social affairs. It may take place anywhere: at markets, in wedding and mourning ceremonies, or wherever persons meet. Invariably, news of recent disputes are exchanged through *Dagu*.

Disputes among Ab'ala Afar are formally brought into the public arena when a group of people assemble in *Mablo*. *Mablo* has features of moots, but the term is loosely used to refer to a meeting held to solve a particular problem or discuss a particular issue of public concern. In marital disputes, a neutral individual linked to the disputants in some way is selected to act as an arbitrator. In most cases both parties submit to the decision made by arbitrator.

In disputes arising between neighbours from the same clan, the clan leader plays an important role in the mediation and arbitration processes. As soon as the dispute breaks out, one of the principal disputants or a close and concerned neighbour who heard the news would inform the clan leader in order to allow the convention of a *Mablo*. In such a moot, the principal disputants bring their supporters to confront their opponents and discuss the matter of contention. The assembly may be held at any suitable place excluding that owned by either of the contestants or their supporters. Sometimes one or both of the disputants may be represented in the proceedings by close relatives.

In *Mablo*, the disputants along with their supporters would typically sit down on opposite sides with the arbitrator(s) in the middle. At the beginning, the arbitrator opens the moot with a few words of disappointment and requests the parties to speak nothing but the truth and to think in terms of reaching a settlement. The parties are then allowed to make a brief speech on turn, the plaintiff being the first to speak. A speech from the principal disputants is almost always followed by a question or two at intervals by the judges. With the unfolding of the proceedings, however, the parties may become emotional and start to interrupt each other as the discussion becomes heated. Two or more persons may speak simultaneously and the judges may at times find it difficult to follow the discussions. Towards the end, the mediators forward a proposed solution. The principal disputants and their supporters withdraw a short distance from the assembly to consider whether or not to accept the proposal. When both parties agree to the proposed solution, the moot will end there. Otherwise, the statement of arbitration is taken as an option. Informants claimed that disputants often submit to the decision of arbitrators. However they also noted that there is

always a chance of rejecting the decision and taking the case to other dispute settlement. Such chance is said to be ridden with unease and particularly uncomfortable in cases where the disputants are related through kinship or marriage.

#### **4.4. Some Dispute cases in Ab'ala**

##### **4.4.1. Family Disputes**

Most family disputes involve marriage partners. They often concern adultery or economic and social neglect especially by husbands. Disputes also occur as a result of competition over domestic authority between the spouses.

#### **Case 1: A marital dispute: A Woman appeals for Divorce**

Date: 15 September 1999

Place: Ab'ala

Disputants: 1. Husband: Aydahis Mohammad (Age, 38)  
2. Wife: Fatima Ahmed (age 32)

Judge : Sheikh Abdella Muhammo (Age, 69)

Aydahis lives at Adi-haremeli and has two wives, one at Adi-haremeli and the other in Shiket. The latter, Fatima Ahmed, was married in 1989. She bore him two sons (5 and 8 years). Relations between Fatima and Aydahis strained over time, and Fatima finally sued him for divorce. She made an appeal to a notable old man at Shiket who has good relations with the family and is known for his successful mediation. Following is a full text of the moot, which was convened at the old person's house.

**Judge :** Is it true that you want a divorce? I just couldn't imagine that?

**Fatima:** I thought we would be together forever. But now, I don't like what I see. Since he doesn't want me I don't want to trouble him any longer.

**Judge:** It is you who is filing the charges. You see, my daughter, you have lived with him for quite a long time now. Besides, you have two sons together. After all that why is that you want a divorce?

**Fatima:** It is enough, I cannot tolerate him any more. I wouldn't have dared to abandon my children like this. Even a chicken wouldn't do that (Weeping)

**Judge** (nodding his head): Tell me everything, there is no need to cry. Only the weak do cry?

**Husband:** (interrupting) what more does she have to say? She has said enough lies. All lies... (Getting Furious)

**Fatima:** I want a divorce. He never cares for me. He never did. He doesn't consider me like his wife but like a housemaid. How would he consider me so, in the presence of his real wives with whom he spend much of his time? He just comes to me after a long time. There were times when he came home after a week or two.

**Judge:** That won't help us for the moment!

**Wife:** (Weeping) I don't really know what to do. Had he considered me like others, he wouldn't have bought that dirty, old cloth for me. He brought it last week after a long time of disappearance just to deceive me. (As an excuse)....

**Husband:** (interrupting and addressing her) That's a lie... That's a lie. You liar. Bring the cloth now.... Yes, bring it and show it to our father. That will testify who is right and wrong.

**Judge:** (interrupting the husband impatiently) Enough... enough. Let her finish first. You will speak later.

**Wife:** As if that was not enough! He brought one of his ladies to my house and told me she was his relative. (Addressing her husband) You brought her to get rid of me. Wasn't that all what you needed.

**Husband:** (Rising from his seat and waving his hands): This is another evidence of your cruelty. As a guest, you should have treated her well!

**Wife:** (interrupting) let your beloved wives treat her well!

**Husband:** In fact, I should have been the one to file charges against you. It was foolish of me to keep everything in my stomach. When I come home, there is hardly anything to eat and whenever I ask why you never fall short of excuses.

**Wife:** (interrupting and shouting): How could I feed you if you spend all your money elsewhere. I cannot possibly bring the food items for a smile.

**Judge:** Calm down... calm down, daughter. This is not peculiar to you. It happens all the time and everywhere. Look how Abdu and his wife turned into good partners after all that quarrel and chaos. Say yes to me! A divorce is not a solution. Think also of your children....

**Wife** (Weeping): He doesn't care for them any way.

**Husband:** Look, watch this woman. She has been advising the kids to hate their father. What kind of a wife is she? For Allah's sake is this what she was supposed to do as a wife? Who else have done this in our neighbourhood?

**Judge:** That's enough ... That's enough! Now let us forget the past. You are both speaking the same language. It is good that you both like your hut [to mean the family]. That means no body wants divorce. Very good! I hope you both respect me and won't therefore let me down. Aydahis, my son!

**Husband:** Yes father!

**Judge:** You see, your wife is correct in needing you at home. You are the father of her children and should be at home every other day. Is it possible for a hut to stand without a pole?

**Husband:** No! How come!

**Judge:** Very good. Likewise, a family without the man won't stand.

**Judge:** (turning to wife) Look, my daughter, I am urging you to drop this for Allah's sake. He will compensate for what he has done before.  
[There was a moment of silence as if every one was lost in his/her own thoughts.]

**Judge:** Aydahis!

**Husband:** Yes!

**Judge:** Don't enter that house without buying a cloth for your wife.

**Aydahis:** As you said.

With Aydahis positive response laughter from the audience followed, and soon later the group started to discuss other things. It was rather surprising that the husband and wife occasionally addressed and responded to each other in the course of these subsequent discussions. Finally, after a coffee ceremony, the judge offered his blessings to the couple.

## **Case 2: A Divorce was Granted to A woman**

Place : Ab'ala Town.

Date: Nov, 1999.

Disputants: 1. Awliato Abraham, age 42  
2. Duda Esmael, age 32

Judge: Dawd Dahrissa Age 47

Awliato and Duda lived in a place called Megalle far south of Ab'ala before moving to Ab'ala town eight years ago. Awliato, the husband, contended that their movement to the town was due to "security reasons". The couple own a small butchery house in the town. They had four children, three of whom died at early age when they were still at Megalle. The oldest, a daughter 11 years old, lives with them. Two sisters of the wife, Duda, also live in the town.

At Megalle domestic quarrels between the couple were less prevalent. As they came to Ab'ala, however, their relations started to become strained. Serious quarrel erupted at home one evening and concerned neighbours asked one respected person, Dawd Dahrissa, to intervene. A moot was arranged in the house of another respectable man in the neighbourhood. Dawd started the proceedings by asking, in turn, the wife and husband about the cause of the quarrel. The following is the full text of the proceedings:

**Dawd Dahrissa:** Bad news spread easily but good news don't. I am sure even the highlanders knew about it. (laughter)

**Awliato:** Especially when wives begin to revolt against their husbands. It's not her fault. Her relatives are behind all this. She has been advised to do so.

**Zeineb Esmael (Duda's sister):** If you don't respect her as a wife then leave her.

**Dawd:** wait! wait! let Duda speak for herself. I thought you came to try your best to reconcile them. Let's us not add fuel to the fire.

**Zeineb:** Reconcile! That's impossible. She won't accept this if she is sane.

**Duda:** I want a divorce now. If not, I will go to the court.  
(There was murmuring in the room for a while)

**Awliato:** Do you have to ask for a divorce just because I prevented you from fetching firewood? I am your husband and I am the father. It is my job to decide how things should be done under my roof.

**Duda:** Who said so? I am also the wife and the mother! If you don't allow me to fetch firewood then go and fetch yourself. Don't you also remember what you have been saying to me when I told you that everything need not be done by myself.

**Awliato:** But I overlooked whatever you said to me. Yes, you said it because I asked .

you to set free the little camel to feed itself. You refused. The other day you hit my daughter hard just because she dropped a cup of milk. When I asked you why, you said it was none of my business. Of course, it was and is my responsibility to have control over what happens in this house.

**Duda:** She is my daughter too. Yes, why don't you tell them the whole story? Was it also your responsibility to insult me when I asked permission to go out to collect firewood? I have to go to the court so that they prove whether I am a prostitute or not. I am not your slave, and shouldn't be hit until my face is covered with bruises.

(The verbal confrontation continued for some hours but the theme of the dispute never changed. Finally, the judge made a remark).

**Dawd:** We have heard enough of your complaints from each other. It is not surprising for a woman to ask a divorce if she is not considered a human being. I do not have to tell you that it isn't good to mistreat your own wife. I mean she could have been hurt. This would have meant remorse for you and for us alike. It would have been better if you two worked for peace in your household. If she insists, may be Abdella (the *Woreda Qadi*) will help, but we are here to help if the case is returned to us.

Two of the neighbours urged Duda to drop her appeal for divorce by making comments such as "had your daughter grown up, it would have been easy to go for divorce. Poor Hawa what is to become of her. At least wait until she becomes independent". The judge however didn't seem to support this effort and insisted on referring the case to the *Qadi* (religious judge). So, the case was reported to the *Sharia* Court. But the Sheria court stated that it would have been easy to decide on the matter according to the rules but didn't want the marriage to end and asked Ato Dawd (the local mediator) to give it another try. Duda reluctantly accepted their request but was apparently sympathetic to the wish of the wife to have divorce. He in effect exerted little effort towards reconciliation and finally granted the wife the divorce she sought.

Though the decision of the mediator was accepted as just and based on the facts of the case, some informants indicated that the mediator could have been influenced by other considerations. The arbitrator seemed to have good reason for punishing the defendant by using the law as a cover. The story goes as follows:

Dawd is the son of a prominent man who had served as leader of the Hadarmo sub-

clan of Damohita. When the father died a decade ago, Dawd was to succeed his father as leader. However some clan members demanded that two other persons also be considered for the office. Awliato was one of the nominees. Though he personally showed little interest in becoming leader, his supporters were able to persuade others to choose Awliato. Though Dawd eventually assumed office, he is claimed to have been disappointed with the whole affair. Many believe that Dawd always viewed Awliato as an enemy though relations between the two were never overtly strained. They thus contended that the latent feeling of hatred which explain the reluctance by Dawd to pursue efforts to reconcile the couple. Their view is that the dispute settlement forum availed to Dawd an opportunity to use the norms and values to decide against his political enemy.

#### 4.4.2. Intra-clan Disputes

According to informants, conflicts in general and intra-clan conflicts in particular were less common when the Afar were exercising their traditional pastoral mode of production. At present, however, conflicts and confrontations have become more frequent. Whenever they occur, intra-clan disputes often relate to land, flood water rights and dishonest behaviour, especially regarding debt payments. The following cases show the main types of dispute that have become dominant as the Afar shifted from pastoralism to cultivation.

##### Case 1: "Stealing of land"

Place: Adi-Haremeli

Date: February, 1976

Disputants: 1. Hassen Gabdegis, 34 represented by his elder brother Ali, 38.  
2. Haji Mohammed Gogolo, age 42

Following the Land Proclamation of 1975, land in Ab'ala, as in other parts of Ethiopia, was allocated to farmers. The disputants received adjacent plots of land with a common boundary. In 1976, Haji Mohammed was elected to be chairman of the *Kebele*. By virtue of his position, he sought to acquire more land and allegedly

expanded his plot by including part of Hassen's farm. Hassen informed his elder brother, Ali, of the incident. Ali was offended by the act and filed a charge against Haji Mohammed. He made the appeal to Sheik Ibrahim, a renowned authority figure in the area at that time. Haji Mohammed was summoned and the settlement process began. Ali insisted that the situation be reversed while Haji claimed he had not taken any part of Hassen's plot. After some negotiations, Ali was asked to drop his request and take another plot in compensation. Ali agreed to accept this settlement on condition that the new plot be twice the area of the original plot. The Sheik agreed to arrange for that request, but Ali quickly added another condition whereby the new land was to be cleared by his opponent. The sheik decided that Haji Mohammed was to pay 100 Birr to cover the cost of labour. Initially, Ali refused to accept the decision stating that it even had cost him 200 Birr to clear the previous land which was by far smaller. Haji Mohammed refused to pay more. Upon continued pressure by the judge, Ali finally accepted the decision.

## **Case 2: Hassen in contempt of local elders**

Place: Erkudi

Date: 25 January, 1999

Disputants: 1) Hassen Bashir, Age, 39

2) Mustafa Yassin, age, 41

Mediators: Clan elders in the neighbourhood

Hassen and Mustafa were close friends and neighbours for quite a long time. They helped each other in time of trouble and enjoyed days of happiness together. A day before one feast, Hassen asked Mustafa 260 Birr in order to buy some clothes for his three children and a wife. He promised to sell one of his cows a week or so later to repay his debt. Mustafa gladly lent his friend the money. As time passed, Mustafa repeatedly asked his friend for the money but received no favourable response. He reported the case to local elders accusing his friend of "eating up his money". He was told to prepare his witnesses for the show down to be held on one Friday after prayer time. On the specified date and time, Mustafa appeared alone stating to the elders that his two witnesses could not come. One of his witnesses had told him that he could not attend as he had to visit a sick relative. The other neighbour, Ali, could not also come because two of his camels were reportedly missing and had to look for them. The elders, however, realised that the defendant had not come either. The meeting was postponed to another date. Hassen again refused to come in spite of continued efforts to influence him. He always gave several reasons for not appearing

before the elders. Discussions were held around this matter. As he spoke, Mustafa himself made little reference to the loan affair. He rather emphasised Hassen's refusal to come stating that it is very shameful to degrade the dignity of elders. By then, there were already several neighbours interested in the matter and showing sympathy to Mustafa. One man blamed the defendant for several other reasons some of which included the defendant's repeated act of breaking ditches and intentional cattle tress-passing into other people's farm land.

The elders were particularly offended by Hassen's stiffness and contempt. Almost everyone in the gathering stated one after the other that he had been behaving against the principles of Afar custom (*Ada*) and he would be a bad example to others unless people avoided his company. In the mean time, Mustafa was told not to retaliate for if he had patience he would get his money or even more from God. The process ended there and no progress was made as far as the return of Mustafa's money was concerned. However, informants claimed that relations between Hassen and his neighbours became strained. No one wanted to appear with him and his two children had to graze their cattle alone. Eventually Hassen had to reach the mediators in order to apologise and so that a new dispute settlement process be organised.

#### 4.4.3. Inter-clan Conflict Cases

Inter-clan disputes are much more intense and tend to worry the Afar considerably. Elders of the involved clans usually become restless and anxious. Informants contended that until the more formal proceedings begin, the concerned elders may spend the whole day discussing the issue so that it gets the right channel to the council mediation. Two old men may be seen standing by the side of a street but slightly leaning on their sticks and staying there for hours without moving in an attempt to facilitate council intervention.

Inter-clan disputes are often about theft, homicide and rape. The following represent some of these common dispute cases in the research sites.

### Case 1: A Case of Theft

Members of the Dahimella clan at the Wossama locality accused members of the Seka clan in Assangola of stealing and slaughtering a male camel (*Lah*.) The latter rejected the accusation stating that they have not stolen any camel while admitting that they slaughtered a camel bought from a man called Mohammed who belongs to the Hadarmo clan. The man was asked and said that the camel, which he sold, did not belong to the Dahimella clan as it had a different clan symbol or mark (*Kauti*.) Members of the Seka clan insisted on denying. Clan leaders gathered and held a series of discussions (*Mablo*). Then a sharp division erupted among the judges. Some said that the clan symbol or mark appearing on the camel should have been properly identified before buying and slaughtering it. Others argued that it was indeed difficult for them to verify this because the camel could not be inspected to determine the mark. Finally, it was decided that the one who sold the camel should pay. However, the Dahimella clan members refused to accept the decision indicating that it was unfair to punish the innocent while the criminal was set free. "We want our camel from the Seka clan members for they are the ones who took it." This led to fierce rivalry between the two. The leader (*Mekabantu*) of the Seka Clan said that "I was ready to pay you back the camel but my son wouldn't allow me to do so." When this news reached members of the Dahimella Clan, they knew that the issue is turning into obstinacy. Shortly afterwards, two pregnant camels belonging to the Seka Clan were reported missing. Close investigation later revealed that they were taken by members of the Dahimella Clan in retaliation for theirs. News reached the Seka Clan that one of the two camels had already been slaughtered. The retaliatory measures continued and members of the Seka robbed camels belonging to their opponents. Open fighting broke out and there was wailing and shouting everywhere in Ab'ala. The Police Force intervened by reversing the last incident of robbery carried out by the Seka. The leaders of the two clans were consulted and it was finally decided that the conflict was to be solved by the indigenous means according

to the customary laws. The Dahimela were asked to bring back the camel still alive and compensate for the slaughtered. While accepting the former proposal, they immediately rejected the latter arguing that they ought to be compensated first. Later they agreed to the proposal because they were reminded of an article in their customary law, which states that the crime, which was fresher, ought to be handled promptly. It was finally decided that the compensation be either one pregnant camel as a replacement and a fine of 30 goats or 3 camels. The Dahimella brought a camel, which the Seka refused to accept on the ground that it was of small value compared to theirs. Later, they paid 1,400 Birr and the dispute was settled.

#### **4.5. Summary: Intra-Afar Conflicts and Their Resolutions**

This chapter sought to describe and discuss the main types of intra-Afar conflicts and the mechanisms adopted in their resolution. The account on intra-Afar conflicts was pursued at three, though often related, levels: family, intra-clan and inter-clan disputes. In any dispute, it was maintained, an Afar has two main options for resolution and settlement: resort to the modern system of state courts or recourse to the indigenous Afar institutions of conflict resolution. Most Afar, however, seem to opt for the latter option. The purpose of this section is to recapitulate the main findings of the account in the preceding sections to highlight aspects of the dynamic of the persistence of the Afar tendency to resolve conflicts within the Afar community through customary law.

The first level of intra-Afar conflict concern family disputes. Conjugal conflicts comprise the most frequent cases of family disputes in Ab'ala. They are often prompted by feelings of social and economic insecurity on the part of wives. In some cases, such disputes may be instigated by husbands resenting assertive wives attempting to compete for power within the household.

The second and third levels of intra-Afar conflict are predominantly conflicts between males. The former level concerns intra-clan disputes which, more often than not, relate to dishonest behaviour and the need to maximise control over agricultural resources. The third level of conflict among Afar concerns inter-clan conflict. Disputes at this level typically take the form of plunder and physical assault.

Though resort to court to settle disputes is, in principle, open to Afar, most cases of intra-Afar conflicts in Ab'ala are resolved outside courts. Afar Ab'ala generally tend to channel disputes to local mediation where conflicts are addressed in a less rigid manner, compared to the modern court where adjudication is based on largely standardised and uncontested rules. *Mablo* is an important indigenous Afar Ab'ala institution promoting local mediation in conflict resolution.

Resolutions by local mediators may take the form of negotiation or arbitration and are generally reached with reference to Afar norms and values. Nevertheless, proceedings of mediation may be subject to manipulation by the different parties, including the arbitrators. This is particularly true in conjugal conflict. At the inter-clan level, however, such manipulation seems severely constrained by the elaborate and meticulous provisions of Afar customary law (*Ma'ada*). As soon as guilt is proven (murder, injury or theft), the customary law provides guidelines for the amount of compensation or fine to be paid. Nevertheless, negotiations between the involved clans may result in payments lower than what is stipulated by the Afar law.

It is conspicuous in inter-clan conflicts that once the proceedings for dispute settlement by the indigenous system commence, possibilities for referring the case to the state court become minimal. In general, the state itself does not seem eager to be involved in intra-Afar disputes. The only instances of state intervention thus are confined to situations of escalated inter-clan disputes involving reprisal killing and counter-raiding of herds. Even in such intervention, the state seems to target restoration of relative peace conditions in order to enable Afar clan leaders and elders to resolve the dispute through customary law. Thus only when an Afar disagrees to the decision of local elders in a family or intra-clan dispute and takes the case to the modern court that the state apparatus may find it imperative to intervene. Such cases of disagreement are rather uncommon, and even when appeals to the modern court are made court officials often tend to encourage recourse to the indigenous system.

Over the decades, the Ab'ala Afar have experienced progressive incorporation into the Ethiopian state administrative system, including the establishment of peasant associations and modern courts. Nevertheless, their indigenous institutions for the resolution of intra-Afar conflict have demonstrated resilience and persistence. Several factors, both internal and external to Ab'ala Afar, seem to contribute to that resilience.

The most important internal factor is that the indigenous institutions acquire their status of authority and power from Afar normative frameworks. The indigenous institutions do not seek mere restitution and lifting of injustice. They simultaneously strive to avert ruptures in social relations and to create conditions conducive to peace in future. Another internal

factor is that the persons intervening to resolve disputes (clan leaders, elders and local mediators) are generally well known to, and respected by, the disputants. The disputants thus know both the procedures and the involved personnel beforehand. In other words, the system seems quite transparent and at the grassroots in particular offers a high degree of local participation. These features contribute to the consolidation of confidence and trust in its resolutions and, by implication, to its persistence. Last but not least, social sanctions by the wider society on individuals rejecting resort to the indigenous system, or disagreeing to its resolutions, also play a role in the apparent resilience and persistence of the system.

The external factors contributing to the persistence of Afar institutions of conflict may be analysed at two levels: the general attitude of the Woreda Court officials (implying a *de facto* state policy) towards intra-Afar conflicts and certain features of state institutions, particularly of the judiciary.

At the first level of the external factors, earlier it was explained that the state does not seem keen to intervene in intra-Afar disputes. Two factors seem to contribute to that effect. Firstly, intra-Afar disputes seem numerous, albeit often trivial to jurists, and may demand greater resources on the part of state courts to handle them. Afar customary law in this respect provides the state, represented in *Woreda* Court, with virtually a free mechanism to maintain law and order. Secondly, and perhaps more importantly, experience has demonstrated that decisions by state courts were not generally successful or effective in resolving conflicts or restoring peace in the manner achieved by the Afar indigenous system. In recognition of this fact, the state seems to adopt a *de facto* policy of encouraging Afar to

settle disputes on their own. These two considerations seem sufficiently credible. For the first consideration, corroboration may be sought in the consistent tendency of *Woreda* Court officials to refer minor cases to local mediation. For the second, evidence is indicated in instances of serious inter-clan conflicts prompting intervention by regular forces but only to restore relative peace. The resolution of the escalated conflict is invariably left for clan leaders and elders.

The second level of the external factors pertains to characteristics of the procedures, the standards and the personnel of the *Woreda* Court. Unlike the case in the indigenous system, both the procedures and the standards of the court are not readily comprehensible to the Afar. The laws and regulations are promulgated by a higher central body that could not be sensitive to Afar customary law and values (not least due to the multi-national composition of Ethiopia itself). The modern court is thus far from transparent to ordinary Afar, and this may entice lack of confidence in its resolutions. Additionally, court verdicts do not normally take into account the extra-judicial context of Ab'ala, where concern over stable and amicable social relations is often paramount. Lastly, as the court personnel itself is largely composed of outsiders, it is often the case that Afar decline to disclose to "strangers" sensitive matters pertaining to their families or property.

Through the interplay of internal and external factors, Afar indigenous institutions for the settlement of intra-Afar conflict seem to persist. However it is also important to underline the fact that this persistence is not in a context of competition with state courts. As it is by now amply demonstrated, the indigenous system and the state institutions seem to work on

complimentary and often symbiotic bases. The indigenous system provides subsidies to the state, by handling minor cases. It also avails an effective mechanism for the peaceful resolution of serious inter-clan conflicts. The state, on its turn, supports the indigenous system in addressing serious conflicts by creating conditions favourable to local mediation.

## Chapter Five

### Afar Relations with Tigrayan highlanders

The preceding chapter dealt with intra-Afar conflicts. But disputes in the study area are not exclusively among members of Afar community. The Afar have varied and complex social and economic relations with non-Afar, among whom the Tigrayan Highlanders are the single largest and most important group. The purpose of this chapter is to account for aspects of Afar-Tigrayan Highlanders relations, the forms of their interaction and the types and causes of conflict between them. Particular attention will be accorded in the chapter to the mechanisms for the resolution of inter-ethnic conflict.\*

A cautionary note as to the identity of the Tigrayan Highlanders referred to in the chapter is in order at the outset of the discussion. In Ab'ala Woreda, a sector of the resident population consists of Tigrayans. In some settlements, such as Hidmo Peasant Association, the entire population seems to consist exclusively of Tigrayans. Relations between Ab'ala Afar and this group of Tigrayans are generally amicable and largely friendly. When conflicts between Afar and these Tigrayan settlers occur, they usually constitute disputes between individual and do not involve their respective larger groups. In discussing Afar-Tigrayan conflict and conflict resolution, therefore, the settlers are not included among the Tigrayans with whom Afar, as a group, develop enmity. The Tigrayans discussed with reference to inter-ethnic conflict are those who live in the Tigrayan highlands and are referred to as highlanders.

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\* Barth (1969) has defined an Ethnic Group as a biologically self perpetuated population sharing common cultural values with a field of communication and interaction.

The Afar trace the settlement of Tigrayans in Ab'ala to the time of Mengesha Seyoum, the then Governor of Tigray Province. Before then, Ab'ala was inhabited exclusively by the Afar. In the 1960s, the Tigrayan nobility developed interest in exploiting resources in the lowlands of Ab'ala. Accordingly Mengesha oversaw the construction of a dry weather road connecting Ab'ala with the highlands. He also sent peasants from the highlands in order to transport charcoal. Some peasants later established families and permanently settled with their children. For all intents and purposes, they are considered part of the local population (if not the local community as well).

Afar relations with the Tigrayan highlanders are multifaceted. Their substance ranges from prejudice, enmity and feud to a symbiosis involving mutual support, integration and peaceful co-existence. Generally speaking, Afar relations with Tigrayan highlanders tend to grow unfavourable and hostile as one moves southwards across the ethnic boundary.

Afar relations with the Tigrayan highlanders take several forms. These can be discussed under trade and exchange, friendship, kinship and intermarriage, resource sharing and management and conflict and conflict management. A brief account, illustrated by cases where necessary, is given for each of these forms.

### **5.1. Trade and Exchange**

Prior to the downfall of the Derg in 1991, Ab'ala and much of the northern parts of the

present Afar Regional State were part of the Tigray Province. This administrative unity facilitated the free movement of ordinary Tigrayans into the area and created conditions fostering social ties between the latter and Afar.

Trade relations between Afar and Tigrayans, however, predate the incorporation of Afar into the modern Ethiopian polity. According to Abir (cited in Assefa, 1995:117), the beginning of salt trade in the Afar depression was a historic moment in the establishment of highland-lowland interaction. At present, the Tigrayans living in the western plateau of Amentilla, Akeza and Milazat are the main trading partners of Ab'ala Afar. Informants claimed that Tigrayan traders from areas as remote as Wukro and Adigrat in northern Tigray come to Ab'ala market.

In Ab'ala market, the Tigrayans sell cereals, sugar, tea, clothes, and some manufactured goods such as radio receivers and flashlights to the Afar. The Afar on their part sell butter, honey, salt, sheep, goats and camels to the Tigrayans. There are no communication barriers between the two groups. The Ab'ala Afar are predominantly bilingual, speaking Tigrigna as well. The Tigrayan traders who live within Afar region also speak Afar language. Bilingualism has promoted personal and social ties and contributed to mutual feelings of trust and friendship between members of the two ethnic groups. This state of relations is expressed in several ways. When an Afar notes that the price of livestock is declining in the Ab'ala market, he often turns to his Tigrayan friends in the highlands for assistance. Many Afar send livestock to their closest Tigrayan friends, who market the animals in their own villages and bring or send the proceeds on the following market day (Thursday).

Ab'ala market is also a centre for information exchange (*Dagu*.) The Afar discuss with the Tigrayans about rains, crops and livestock conditions in the highlands. As will later be explained with reference to resource sharing and management, this exchange of news in the course of trading transactions is particularly significant for Afar pastoralists.

## 5.2. Friendship

The Tigrayans living in Ab'ala town tend to develop close friendship with neighbouring Afar. Friendship often binds together families from the two ethnic groups. Mutual support is common in such relations, particularly through mediation in conjugal conflicts as the following case illustrates.

Assli Mehari, 32 and Taddelle Medhin, 43 are Tigrayan spouses who lived together in Ab'ala town for about 16 years. One day, a quarrel suddenly erupted between the couple and ended in divorce as demanded by Assli. Taddelle went to the close family friend and neighbour, Ali, an Afar, and sadly told him about the divorce. Ali resolved to convince Assli to return to the conjugal home and drew a plan to that effect. He asked Taddelle to find another woman who was willing to stay with him at the disrupted conjugal home. Taddelle did as was told. No sooner than the new woman appeared that Assli took her turn to forward a complaint to Ali. She told him that it was so appalling and disgusting that her ex-husband brought another wife. Ali told her he would never allow Taddelle to marry if she promised to go back to his house and re-marry him. She accepted the proposal. Taddelle, apparently in pretence, initially refused to desert his new woman and argued that Assli had to be punished for what she had done. Eventually he conceded and gave his alleged new fiancée 100 Birr in compensation. Ali consulted a priest to re-establish the original marriage. Assli and Taddelle now live in harmony.

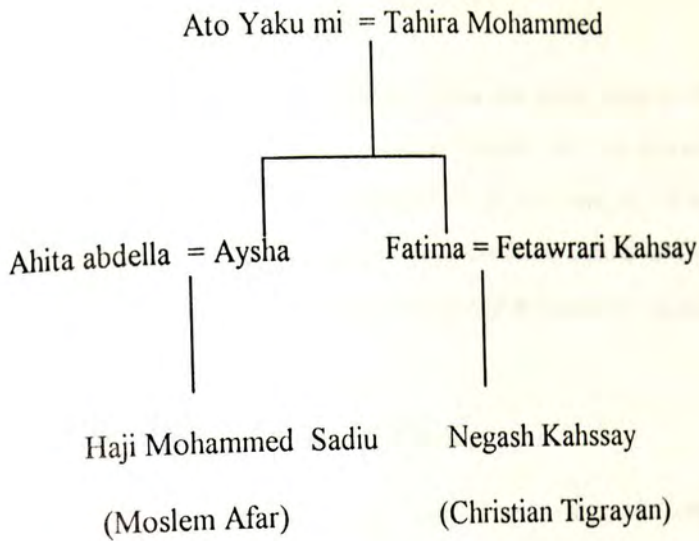
Furthermore, it is also common that Afar name their sons after their Tigrayan friends. This is often in recognition of the role of Tigrayan friends in Afar wedding ceremonies. Many informants indicated that when an Afar man marries, it is often the case that a Tigrayan friend act as best man (*Alige*). The following is a case in point.

Dawa Elama was married to Amiya Yassin in 1998. Dawa's best man in the wedding was his Tigrayan friend (*Fikur*), Hagos Gerechael. The marriage ceremony was conducted in a perfect order and Dawa was pleased by the performance of his friend. When Amiya gave birth to their first child, a son, the couple named him Hagos.

### 5.3. Kinship and Intermarriage

Intermarriage between Afar and Tigrayans seems to have a long history. Some prominent Tigrayan kings and notables are believed to have had "Afar blood" Emperor Yohannes and Sebagadis of Agame are cases in point. At present, trade relations and friendship in instances develop into marital and kinship ties strengthening the bonds between individual members of the two ethnic groups.

In principle, intermarriage between Afar and Tigrayans is claimed to be constrained by religious restrictions. In practice, however, there are several instances of such intermarriage. This is not a new phenomenon in the area and was practised even by the Tigrayan nobility in the distant past. One of my informants told me that Emperor Yohannes was married to and had a child from Dato, an Afar woman who lived in Erkudi. As in the following case, among the residents of Ab'ala are many parallel cousins who belong to different ethnic groups and religious creeds.



Another example of how intermarriage works in the area is illustrated below:

Idris Mohammed Hassen lives in Ab'ala with his wife, Murra Duri, and daughter Nuriya. As trader, Idris often had to travel to the Wajirat highlands to procure for sale at Ab'ala market. One of his main suppliers was a Tigrayan woman trader, Akeza Abebe, from whom he frequently bought honey. In return, Akeza occasionally brought coffee beans as a gift for Idris. Gradually, their trade relations developed into a kind of bond-friendship (*Fikur*). This kind of friendship may be consummated by persons of the same or different genders. Eventually Idris proposed marriage, and Akeza accepted. One Monday she came to the market in Debub and never returned to her parents. Idris took her to Ab'ala where they now reside together with their daughter, Aysha. In spite of her marriage to a Muslim, Akeza remained Christian.

Obviously the cases of intermarriage between Afar and Tigrayans are not prompted solely by trade or friendship ties as sentimental feelings may develop in a variety of contexts. The case of Hussien Abdella illustrates this point.

Hussien Abdella lives in Ab'ala but often goes to Mekelle for government related task. On one of his visits to Mekelle, he met a young Tigrayan lady, Letesslassie, who was government employee. In due time, he fell in love with her. He married and brought her to Ab'ala. They now have a child and own a teahouse in the town. He also earns some money as a driver in Assaiyta, capital of the Afar Regional State.

#### **5.4. Resource Sharing and Management**

Administratively, Tigray and Afar Regions are two separate regional states within Federal Ethiopia. The transitional zone along the borders of the two regions constitutes a shared territory in which Afar and Tigrayans are involved in both intensive and extensive interaction. The transitional zone extends from Ab'ala in Afar to the Didiba-Dirgajen area in Tigray.

The resources of the transitional zone are shared by the local communities of the two ethnic groups. During the wet season, numerous Tigrayans descend to Afar territory for a variety of reasons. Peasant highlanders in Milazat, Akeza and Amentilla move to the lowland areas for cultivation. Like Tigrayans permanently settled in Afar territory, some peasants living in highlands were beneficiaries of past government land allocation programmes. Additionally, population density in the highlands forces some more Tigrayans to move to the lowlands, work for the Afar and share the produce. Share-cropping further strengthens economic and social ties between members of the two groups. Peasants from highland areas also move to the lowland plains of Ab'ala to chop acacia tree to be used as firewood. The firewood is transported for sale in places as far as Quiha and Mekelle towns in Tigray.

In the dry season, Afar pastoralists take their herds to the highlands for pasture. Initially, government authorities in the area seemed weary of the uncertain consequences of this movement. Officials once suggested that grazing land be demarcated to prevent competition over the same resource and to avoid possible future conflict between the two ethnic groups. Their proposal, however, was adamantly rejected by the local communities on both sides of the territory. Both groups preferred joint use of available resources in harmony.

Even in the areas south west of Ab'ala where the Afar's traditional enemies, the Wajirat people live, it is not uncommon to observe this practice of joint utilisation of resources. Since both exploit a fragile environment, there is occasional movement into each other's territory. For example, in July, 1999, a group of Afar from *Kalla* and *Gallaesso* experiencing food shortage moved to *Gonka* and *Senale* localities in the Wajirat administration to fall back on *Beles* (the fruit of Cactus tree). No conflict was reported. This happened in the rainy season when the Wajirat people, themselves vulnerable to drought and famine, had to rely on other sources of food including *Beles*. What is conspicuous in this particular case of resource sharing is that Afar-Wajirat relations are far from amicable. As will be discussed later, incidents of inter-ethnic homicide are common on this side of the border.

Both the Tigrayans and Afar have their respective rules for resource management that are generally respected by the other group. For example, the highlands of Tigray adjacent to Ab'ala are closed for grazing in order to allow the vegetation to regenerate. Likewise, the

highland areas of Ab'ala contain areas restricted for dry-season grazing. There are other Afar rules concerning the management of natural resources also accepted by the Tigrayans. One such rule is that during the wet season no herder is allowed to drive his livestock into these areas. A small part of the restricted area may, however, exceptionally be opened for grazing by oxen. This is in recognition by Afar that oxen are used in ploughing and should not be made to move long distances for grazing ("The ox's tongue should not be restricted").

The rules pertaining to resource management are communicated to the public in different ways. Among the Afar, *Dagu* is one efficient institution for constant exchange of news as explained earlier. Among the Christian highlanders, news are communicated in the churches. A group of Afar youth (*Ado*) is deployed there to see to it that such regulations are obeyed. The leader (*Ado Haba*) oversee observation of the rules and anyone who violates the rules is penalised. In addition to the fines, a goat is sacrificed for the Afar youth when such incidents occur. It does not matter whether the animal stayed in the restricted area for a short or long time; whether it had actually consumed grass or not. A person whose goat, donkey, sheep or camel throws her front legs into such areas is subject to a fine. As soon as sheep or goats steps into such restricted areas, they are driven off and taken away to another area where the animals remain secluded and without feed. The owner has to pay a stated amount of money in order to get them back. He cannot and should not spend too much time hesitating as he wouldn't allow his own animals to starve to death. When such restricted areas (*Hizaeti*) are declared open for grazing (*Fishih*), members of the two ethnic groups jointly use the resources. This practice of resource management is not new. It dates back to the

time when the Ab'ala Afar used to pursue their traditional nomadic pastoral way of life. Though pastoralists are often accused of mismanaging their environment, Afar resource management provides further corroboration of the length pastoralists go to in caring for their resources.

## **5.5. Conflict and Conflict management**

In this section, attempts are made to discuss the types of conflict the Afar have been experiencing with the Tigrayan highlanders and how they managed to resolve them in historical perspective. This two major themes are presented in close sequence.

### **5.5.1. The Nature of Inter-ethnic Conflict**

In assessing inter-ethnic conflict between the Tigrayan highlanders and the Ab'ala Afar, it is important to draw a distinction between two groups of highlanders: the Didibadergagen Tigrayans to the north-west of Ab'ala and the Wajirat to the Southwest. Afar relations with the former have generally been good and many informants could not remember any significant tensions between them and Afar. Relations with Wajirat, in contrast, have historically been conflict-ridden.

During the 20<sup>th</sup> Century, particularly in the period prior to the Italian occupation, the Afar experienced a series of raids from the Tigrayan highlanders generally and the Wajirat people in particular. In what they locally called the *Gas* expedition, the Tigrayans mobilised hundreds of villagers for the raid. This resulted in considerable loss of Afar lives and property. Informants claim that one of the reasons for such highland-lowland conflict was

economic. The Afar had more cattle than the highlanders and hence the latter raided the former whenever they encountered losses. In fact, in addition to drought and epidemics, the Afar also ascribe the significant decline in their herds to these raids. In the raids, the Tigrayans used daggers, swords, and out-dated rifles.

Inter-group raids before the establishment of an effective Ethiopian central administration were not unique to Afar-Tigrayan relations. Other pastoral and non-pastoral groups in Ethiopia also carried out raids for social prestige and status (see for example, Tadesse, 1988). However raiding by Wajirat is claimed to have been particularly vicious. Upon a raid, the Wajirat not only indiscriminately killed any Afar on their way, but also took away large numbers of livestock. Sometimes, they even killed the livestock on the spot. Gebru (1991:94) states that the attitude of the Wajirat is indicative that the main motive for such raids was not only economic but also ritualistic. Raids were thus regarded important social events in which young men demonstrated their qualities as warriors and potential ceremonial leaders. Courage and physical strength were measured in terms of involvement in these campaigns, which enhanced the prospects of young men for marriage and political office.

Afar elders now refer to Wajirat raids to trace age. The prominent raids witnessed by elderly informants were six: the Ab'ala Raid, the Wa-elu raid, the Deratekna Raid, the Sasso Raid, the Wagari Raid and the Farro Raid

The Afar also blamed the Wajirat people who, especially during the imperial period, used socially stigmatising terms to refer to Afar. One such term is 'Teltal', which means nude and

uncivilised. After causing heavy destruction to Afar lives and property upon a raid, the Wajirat were said to return home and enjoy their local beer (*sewa* and *Tej*) telling the local singers to praise their deeds by saying: "Have you heard of the new hero, have you witnessed one Wajiretay [a person of Wajirat identity] who killed thousands of Taltal and never threw one of his bullets on the ground"

Historically, there were also times in which the Afar raided the Tigrayans. But Afar raids were less frequent as most highland areas enjoyed a concentration of government units and perhaps a natural protection as well. Savard (1965) has documented some songs and poems in praise of Afar warlords. The following is an example:

I am Ali Bokattu, from the Ma'a Sarra, the real Ma'a Sarra. I was the first to kill during the battle. People asked: "who killed"? And somebody answered, "it was Ali Bokattu". I killed a second time and people asked again: "Who killed"? They were answered "Ali Bokattu". I killed a third time and they asked again: "Who killed"? Still the answer was "Ali Bokattu" Then I killed a fourth man and those who asked, "Who killed" were answered: "The one who killed all the others".

In recent decades raids were severely constrained by the institution of effective government administration. Changes in Afar modes of livelihood, with the gradual adoption of agriculture, seem to result in changed patterns of land use with a considerable decline in pastoral movement towards the highlands. The pastures in the Afar lowland territories seem to suffice, in normal years, the substantially reduced Afar herds. Increased sedentarisation of the Afar is also believed to have bridged the cleavage between the two ethnic groups as by engaging in settled agriculture more and more Afar have started to adopt values and practices similar to those of the Tigrayan peasants.

Changes in the Southwest Highlands are related to the political organisation. In the past, the Wajirat people had their own traditional administrative and judiciary system. At that time, the Wajirat administration had 20 *kebeles* each of which was represented in and governed by a central council of elders. Their traditional political organisation operated on the basis of fusion and fission processes. In simple terms, these processes meant that internal conflict often divided the community into smaller social groups but when any part of the Wajirat land was threatened by an outsider, all Wajirat formed a single political group to defend the land, arrange raids and retaliate.

One of the important social institutions among the Wajirat was *Demer*. It was composed of elders representing each of the 20 *kebeles* in the Wajirat administration locally called *Imba*. Election of the elders was based on their acceptance in their respective locality. These elders ran a council whose prime mandate was to look into disputes within their administration as well as to pass resolutions on how to handle their conflict with their Afar neighbours. Resolutions regarding the latter were almost always directed towards mobilisation of *Wajirat* highlanders for a raid against the Afar.

According to Wajirat *Demer* tradition, a territorial or ethnic group is responsible for a crime committed in their land. For an instance, when a man of Sebebera settlement in the Wajirat administration is suspected of robbery or murder but remains unidentified, all the people of that locality must take the responsibility of identifying the culprit, tracking him down, and bringing him to justice. Failure to do so will end up in economic and social sanctions against the whole group.

In the past the *Demer* council was effective in mobilising Wajirat peasantry for a raid against the Afar whenever relations with them grew rough. But that effectiveness was gradually undermined as a result of Ethiopian government intervention, particularly during the reign of Emperor Haile Selassie. Gebru (1991) explained the reasons for intervention with reference to the mobilising capacities of *Demer*. On the one hand, through *Demer* the poor Tigrayan farmers raised issues of taxation. On the other, the institution was suspected of assuming a significant role in mobilising the peasantry against the central Ethiopian government. It is common knowledge that the Tigrayan People Liberation Front (TPLF) had its initial base among Wajirat. During the *Derg* period, the institution was virtually undermined. Today, it is replaced by semi-governmental structure called *Baito* that functions in a decentralised way. Each administrative unit in Wajirat has its own *Baito* which is independent of all others. In effect, it has now become relatively difficult to mobilise all Wajirat for a common purpose.

Furthermore, the balance of power between the two ethnic groups has changed in recent years. For one thing, the Afar have become more effectively incorporated into the Ethiopian national administration. Under the present federal arrangement, they now have their own regional administration, a development that encouraged Afar to re-define their identity. Clan differences became less important and they now see themselves as a group. Equally significant, however, is that in recent decades the Afar have gained access to fire arms, particularly through purchase from the disintegrating *Derg* army. This access broke the former military superiority which the highlanders enjoyed over Afar. The highlanders seem

to have realised this change in the balance of power, and are generally now more restrained in acting against the Afar.

Over the last decade, there were only occasional incidents of inter-ethnic killings and reprisals. Shortly after the fall of the *Derg* one serious incident was reported. Though the Wajirat highlanders often raise issues of boundary (*Deka*) with Afar, they do not express it in open conflict and armed confrontation. But even in the absence of intensive competition over resources and the cessation of group armed confrontations, hostility between the two groups seems to persist. This persistence, for all intents and purposes, seems a reflection of a mutual bad history.

Conflicts involving individual Afar and Tigrayans of course continue to take place, but they generally do not lead to clashes between their respective groups. Fights between individual herders and small groups of Tigrayan peasants take place from time to time. With the decline of Afar pastoralism, moreover, a few pastoralists have joined the local banditry (*Egugumo*) and engaged themselves in robbery and murder. In instances, Tigrayan highlanders travelling from Ab'ala market after sunset are often ambushed. In one such incident, two Wajirat persons on their way back from Ab'ala market were killed at Wosmaelle by a group of bandits (believed to be Afar). As the news reached Wajirat area, a group of Wajirat came to Ab'ala and killed three Afar and five camels. However the incident was soon contained by elders of the two groups. Though at present the incidents involve individuals rather than the two ethnic groups as a whole, reports of the incidents tend to stress the ethnic cleavage through the use of expressions such as "An Afar has been

beaten (or killed) by a 'Kistan' (Christian)" or "A Wajirati was killed by Teltal!". The containment of these individual conflicts is promoted by *Gereb*, a peculiar inter-ethnic institution for conflict resolution adopted by both Afar and Tigrayan Wajirat.

### 5.5.2. The *Gereb*: An Institution of Inter-ethnic Conflict Resolution

Through history, the Afar have shown varied reactions to their conflicts with Tigrayans. One reaction was engagement in raids and counter-raids as discussed earlier. Another response was relocation. Afar mobility was not only a reaction to the ecology and changes in the physical environment but also a response to pressures by Tigrayans. Some informants in Ab'ala town stated that they used to live in areas bordering the southern highlands, Kalla, Gallaeso and Megalle, before they moved into the interior. Their change of residence was dictated by frequent conflicts with the highlanders. But in all Afar-Tigrayan conflicts, including the bloody confrontations in Wajirat raids, peace was eventually restored by non-violent means of conflict resolution, particularly through *Gereb*.

*Gereb* differs from the Afar institutions for the resolution of intra-clan conflict in that from time immemorial it is based on rules written in Tigrigna. These rules are drafted with the mutual consent of elders from both Afar and Wajirat groups and are under constant revision to accommodate new realities.

The *Gereb* consists of councils composed of representatives of both ethnic groups. There are two such councils: one for Afar disputes with Tigrayans along the border with Didiba-Dergajen, the other for Afar-Wajirat conflict. It is generally claimed that the former council always managed to resolve conflicts speedily and easily. In contrast, the Afar-Wajirat *Gereb*

said to face numerous difficulties in resolving disputes.

The mandate of *Gereb* is confined to serious cases. There are some minor inter-ethnic conflicts in which the *Gereb* does not intervene. Minor cases often relate to disputes over the shares between Tigrayan farmers and their Afar partners who own the land. In such circumstances, elders related to the disputants may suffice to settle the dispute. Only when such a dispute leads to physical offence does the *Gereb* intervene.

*Gereb* council members (*Abo Gereb*) are elected by their respective groups on the basis of their proven abilities in sound decision making, impartiality and honesty. They hold regular monthly meetings to review conditions in their joint territories. Under emergencies they assemble twice a month. The gathering is held at varying places. When an offence is committed by a Tigrayan, the Tigrayans have to send their representatives (*Abo Gereb*) to Ab'ala for the meeting. If the crime is committed by an Afar, the meeting will be held in a Tigrayan locality.

The *Gereb*, like other local institutions of conflict resolution, functions according to well established guidelines, rules (*Sirit*) and procedures. In an offence involving murder, the procedures are typically as follows: the family and relatives of the victim appeal to the *Abo Gereb* of their group. The entire *Gereb* council would then be called for an assembly in the locality of the victim. At the assembly the accused murderer is brought before the council wearing a thick black apron (*Gula* in Afar and *Wocho* in Tigrigna). A sharp sickle with its blades pointed at the throat of the accused is tied round his neck. The piece of black cloth

symbolises humiliation for what the person has done. Since this type of clothing is common among women only, a male individual appearing in it is considered feminine. It is one mechanism to punish individuals for their wrongdoing. In fact it is claimed that it is also a mechanism by which the criminal is allowed to appeal for forgiveness since by wearing female clothes he would be considered feminine (ostensibly weak and helpless?). On the other hand the sickle round his neck symbolises that the criminal has now fallen into the hands of the law. It also denotes that he has submitted himself to justice and will accept any verdict including death. The criminal is requested to lie on the ground and the family of the victim is asked whether they wanted him dead right away. The family normally replies negatively, saving the victim's life. A typical response by the family is to state that "we do have children who might in the future do the same by mistake. We don't wish a death sentence to our blood and flesh in case that happens." All relatives of the victim at the assembly would then queue up and say, one after the other, "we forgive you for God's sake". A previously selected *Abo Gereb* would then stand and address the family by saying "It is good for us to learn that you [the family of the deceased] are God's people. From now on, let the bygones be bygones. Let what is of the past be taken away by the winds in the highlands and the floods in the lowlands". To avert reprisal killings before the conclusion of *Gereb* proceedings, all relatives of the victim are required by the council to remain under an oath not to attempt retaliation. The oath is taken by touching the Bible (for Christians) or the Koran or Kitab (for Moslems). Where either the Bible or the Kitab are inaccessible, the oath is performed by touching the ground or grass.

As the initial preliminary procedures are conducted, including oath-taking, a feast is arranged. Often two cows are slaughtered: one for the Christian highlanders and the other for the Muslim Afar. Sometimes up to five goats may be brought along with a cow. Local residents bring bread, *injera*, *sewa* (a local alcoholic drink for Tigrayans) and *Hilwa* (an alcohol free beverage for Afar). All these are consumed together to signify that peace has prevailed in the end. A compensation date is then fixed and payment effected accordingly. Unlike the situation within the Afar themselves, all compensations in an inter-ethnic context are currently paid in cash. The following table gives some of the agreed upon guidelines or rules (*Sirit*) of the *Gereb* regarding compensation payment.

Table 6: Compensation Payments in Afar and Tigrayans

No	Type of offence	Compensation Payment	Remark
1	Goat or Sheep Theft	50 Birr per head	Irrespective of size
2	oxen or cow ( <i>Genzeb</i> ) Theft	500 Birr per head	Irrespective of size
3	Camel Stealing	800 Birr per head	Irrespective of size
4	Murder	5,000 Birr + 100 Birr <i>Megeberia</i> for funeral	Irrespective of Age & sex
5	Physical injury leading to loss of body part	1,500 Birr	Irrespective of Age & sex
6	Physical injury not leading to loss of body parts	500 Birr	Irrespective of Age & sex

Source: *Gereb* Documents in Ab'ala

Restoration of peace conditions through *Gereb* or compensation is not a recent phenomenon. What is rather new, however, is the increased involvement of the state in recent decades in support of the institution. The effectiveness of compensation in the remoter past is described by Hailemichael (1966: 132):

When Dejazmach Tedla Aba Guben was ruling the province of Atsbi, a Danakil [Afar] village by the name of Gahai Mala was raided by a horde of salt miners. Many Danakil [Afar] were killed and much property was looted and destroyed. All the Shum Bahri [coastal chiefs] were summoned and were obliged to compensate for the raid... Each miner who claimed trophies of Danakils [Afar] paid 120 M.T.(Maria Theresa) dollars. Those who plundered but didn't kill any Danakil [Afar] had to pay half this sum. This sum didn't come only from the Enderata miners but also from those of Wajirat, Bora and Selawa.

It is important that each *Abo Gereb* behaves in an acceptable manner. Any council member who disturbs or interrupts the settlement process is liable to a fine of one Birr. If he repeats disturbance, he will be fined 5 Birr. A misbehaviour for the third time will result in dismissal from membership. A member of the *Gereb* who fails to keep a secret is liable to a fine amounting to 50 Birr. If he repeats the same mistake, the fine rises to 100 Birr. A further incident of this type will result in dismissal from *Gereb* council and a fine of 150 Birr.

Informants contend that the *Gereb* does not only punish individuals but also the entire residents of a settlement. Group punishment relates to offences supposedly perpetrated by the entire population, such as giving refuge to a fugitive thief or murderer. The population of the suspected locality may be requested to pay a fine of up to 500 Birr. Failure to pay the fine may result in social and economic sanctions of a higher level. One severe sanction is ban on coming to markets. A group of armed men are often deployed at the outskirts of market towns to enforce *Gereb* resolutions. In recent years, the resolutions have come to be enforced by government bodies as well.

Since 1970 more than 80 inter-ethnic conflict cases were reported to and effectively handled by the *Gereb*. In some of these cases, the *Gereb* experienced considerable stress and strains

before reaching a solution to conflict. As the following case corroborates, a conflict may prove difficult to handle and resolve.

### **Case 1: Incidents of Plunder and Rape**

In 1999, a group of Tigrayans from the Dirg'ajen area invaded a locality near Wossama in Afar. They allegedly plundered about 270 goats from the local Afar residents. Owners of the goats followed the foot marks of their livestock to find out where they had been taken. When they reached a small locality in the highlands, they could no longer trace any foot mark and concluded that the residents of the locality were to be held responsible. They openly told this to the Tigrayan peasants there and returned home. Soon afterwards, the Afar suddenly attacked back and took a number Tigrayan married women as captives. Some of these women were married to priests. As the Afar group moved away from the area, they raped the wives of priests, sparing the others. The group subsequently released the women and disappeared. Upon search by the Police, one of them was arrested at Quiha in the Tigrayan highlands. The Afar protested that it was unfair the Police did little to bring the plunderers to justice. The police soon notified the Afar that the plunder case is still under investigation. Soon, the case was forwarded to the *Gereb*. However, according to the elders, it has become hard to verify the situation and identify the criminals. A Tigrayan *Abo Gereb* contended this case was exceptionally difficult to handle. He remarked, "The Afar are always urging the *Gereb* to facilitate the arrest of the plunderers. It has never been easy for us to fulfil their demand. Unless we do something they [the Afar] might feel that the case has been dropped and hence another cycle of conflict may break out.

Sometimes the cause of a particular conflict might seem utterly absurd as the following case illustrates. This was also an ongoing case being processed by the *Gereb*.

### **Case 2: An inquiry led to loss of life**

One day three Afar herders lost their camels and spent the whole day looking for them. One of them had a gun. They searched from dawn to dusk but in vain. When the night fell, they decided to go back home. As they made their way home, they saw

a flame at a distance near a big mountain. This made the Afar to be optimistic and decided to take this last chance. They went straight to the place where they met about six unarmed Tigrayan herders. The Afar asked the Tigrayans whether they saw their camels. The latter responded furiously stating that they were not thieves. The Afar gave up hope but asked for water telling the Tigrayans that they had been looking for their livestock for long and were feeling thirsty. The Tigrayans were again angry and replied, "We are not your servants!". They rose up and surrounded the Afar and tried to snatch the gun. With that move a shot was fired and one of the Tigrayans was dead. The other Tigrayans ran away and the incident was soon after reported to the police. The murderer stayed under Police custody for a while before the case was delivered to the *Gereb*. The *Gereb* has decided that appropriate compensation be paid according to the existing customary laws. However the Afar were not forthcoming with the compensation. A relative of the murderer attributed the delay to difficulties in collecting contributions from clan members.

### Case 3. Murder involving Three Afar Brothers (Adi Haremeli)

A Tigrayan peasant, Halefom, who lives at Hohele locality in the highlands of Dirgagen has a few Afar bond friends (*Fikur*) in Ab'ala. Tahir, an Afar, was his closest friend to such an extent that they always treated each other as brothers. In 1991 after the collapse of the *Derg*, Tahir and Halefom concluded a transaction involving the sale of Halefom's four rifles. Tahir pledged that he would sell them all at attractive prices. Tahir sold the rifles and gave the proceeds to Halefom after deducting his agreed commission. Later Halefom enquired about rifle prices and discovered that it was much more than what had been claimed by his friend, Tahir. He began to suspect that Tahir had cheated him.

Six months following the transaction, Tahir was consulted by two Afar friends, Ossman and Muhaba, about possibilities of purchasing rifles. Tahir promised them that he would get some very soon. He took them to Halefom. The latter saw the occasion as an opportune time for revenge. He asked them to wait for him at a deserted place far from his village. His justification was to avoid onlookers as it

might lead to imprisonment if the police knew of their deal. The three Afar did as had been told. In the evening, Halefom appeared with a rifle. The Afar were excited at the sight of the rifle which they thought would be sold to them. As he came nearer, he fired at them. All three Afar were killed and he ran away. On hearing gun shots, local residents hurried to the site and found the bodies. They worried a lot and restlessly buried them on the spot for fear that their village might come under attack if the news reached Afar land. But they didn't succeed. News reached Adi Haremeli where Tahir's elder brother lived. A group of armed Afar people marched to Hohle for a reprisal attack (*Hanni*). Before they could reach there, security men blocked the way leading to the village telling them that the murderer is under arrest and would be punished through *Gereb*. A majority of the Afar agreed and returned home. However, Tahir's brother and one other Afar managed to find an alternative route leading to Hohele. At a particular place near the village, they found two Tigrayan herders whom they shot immediately. One was seriously wounded while the other died instantly.

News also reached Tahir's other brother who used to live in Quiha in the Tigray region. As he was going to Adi-haremeli to verify the news, he met a Tigrayan on the mountains near Ab'ala and killed him. By then, villagers in the highland localities knew about the incidents of murder by the Afar. Some Tigrayans were plotting for an organised counter attack when the police told them that it had to be resolved peacefully. The *Gereb* was then called on to intervene.

After a series of deliberations on the matters, the *Gereb* decided that those killed in crossfire, who were not directly involved in the conflict, be compensated first. Clan members of the Afar involved in the conflict contributed money for the three innocent Tigrayans victimised by the conflict.

The relatives of Halefom were ordered to pay for the death of Tahir and his friends. But they were seemingly not in a good financial position to effect the compensation payment which amounted to 15,000 (3x 5000) Birr. They requested help from local residents of Hohele but in vain. People refused to assist because Halefom's act of murder had disrupted their relation with their Afar brothers. This reaction was

particularly so because of a view that the act of killing one's own bond-friend is appallingly shameful. Thus, people decided not to co-operate so that others could draw a lesson from the situation. Halefom's family and close relatives sold some of their household items including livestock to pay the stated amount.

## 5.6. Summary: Inter-ethnic Conflicts and Their Resolution

Inter-ethnic conflicts has coloured the interaction between the Afar and Tigrayans through their long mutual history. When the Afar were nomadic, such conflicts mostly related to competition over resources such as land, cattle and water points. Competition often induced series of raids and counter raids.

With the institution of effective government administration in Ethiopia, conflicts involving large groups of Tigrayans and Afar have become very few and far between. At present, most conflicts take the form of individual incidents of theft, murder and rape. The desire to take revenge is often propelled not only by such incidents occurring at particular times but also by the collective enmity resulting from past history.

In the past the Afar used movement as one of the strategies of dealing with conflict with highlanders. Now, movement is no longer an effective response to disputes. This is because, following the shift to sedentary life, the degree of the Afar-Tigrayan interaction has been increasing. The frequency of inter-ethnic conflict, at individual level, is thus likely to increase as economic interdependence (particularly in share-cropping) deepens involving more Tigrayans and Afar.

Conflicts between the Afar and Tigrayans thus continue to arise. But whether in the distant past when conflict involved large groups, or at present where conflict is confined to individuals, both Afar and Tigrayans seem keen not to prolong hostilities to the point of blowing up all sorts of inter-ethnic relationships and peaceful co-existence. It is in this regard that the long standing *Gereb* has from time immemorial served to contain inter-ethnic conflict.

The apparent effectiveness of *Gereb* stems from the fact that it is based on, and invokes principles and values shared by both Afar and Tigrayans: fair treatment of bond friends, prioritisation of offences (for example, compensation for victims not immediately involved in a conflict first) notions of justice and reason, etc. The resolutions by *Gereb* are thus generally accepted by disputants from both groups. In cases where non-compliance with resolutions occur, social sanctions, traditionally enforced by armed villagers and pastoralists, serve to ensure implementation.

In recent years, enforcement of *Gereb* resolutions is also undertaken by the state. However the role of the state is multifaceted. At present, it may be observed at three stages:

- At the pre-*Gereb* phase, particularly when inter-ethnic conflict escalates and leads to reprisal killings and general chaos. At this phase the state seeks to restore relative order to create an enabling environment for *Gereb* proceedings.
- At the *Gereb* proceedings phase, during which the state provides logistical support to *Abo Gereb* to convene their assembly

• After the *Gereb* arbitration, when resolution are made and have to enforced. The state often assists in enforcing resolutions.

The active state intervention in the inter-ethnic *Gereb* stands in marked contrast to its reluctance to become involved in intra-Afar conflicts. As explained in the previous chapter, the *Woreda* court often refers cases of intra-Afar disputes for local arbitration. The state does not, however, provide either logistical support or regular forces to enforce resolutions passed by the indigenous system. In the next chapter, an attempt is made to shed light on this differential treatment by the state for the different Afar indigenous institutions for conflict resolution.

## Chapter Six

### Conclusion

In the literature it is indicated that every community, though appears an integrated whole, is torn by conflicts between its members. Such conflicts have different sources: infliction of damage to persons and property, violation of rights over land and other forms of property as well as rights over decision making to mention just a few. Concerning the Ab'ala Afar, several factors have facilitated micro-conflicts in the area.

Generally, the pastoral economy of the Afar is declining. This is witnessed by a significant loss of their stock due to drought, epidemics and raids. Hence, the Afar now engage in various activities to augment their ever decreasing income. This is evident from their current inclination toward cultivation and wage labour migration. This, however, is adversely affecting their traditional institutions and value systems. For example, sedentarisation disrupts traditional pastoral property relations. With the emergence of new form of land tenure system based on individualised ownership, the Afar developed a new attitude toward territoriality. This led to competition over productive resources and ultimately to intra-clan conflict within their system. Likewise, the impact of wage labour migration is seen in the gradual weakening of clan solidarity. With urbanisation, the traditional pattern of authority at the household level is adversely affected. As a result, conflicts among family members especially between marriage partners have become frequent as Afar women now realise that they can easily abandon their husbands and move to towns to get better economic and social provisions.

in Ab'ala, even though the causes of all disputes are said to be "unreasonable social behaviour," it is evident that the conflict is a quest for individual benefit. In the headings of each dispute cases, the phrases "eating my money" "stealing my land" etc., indicate that at the outset, complaints are addressed from the point of view of private interests. Later, when such matters are brought to the public they take the form of disputes and disputants would tend to explain them from the point of view of public norms and morality.

As Gulliver (cited in Caplan, 1995:ix) indicated, disputes are not only a mechanism of keeping people apart but also a way of grouping people together. From the foregoing cases we can see that disputants can only be successful if they have the ability to gain support. Success does not as such depend on the disputants' adherence to norms but their strategies to manipulate them for their own benefit. At this juncture, it is worth remembering the major theoretical debate in legal anthropology: The norms versus power debate. According to Philip Gulliver, the outcome of dispute processing depends on the political strength of the contestants. His work among the Arusha of Tanganyika showed that although norms and rules might be quoted or cited at length, they were quite irrelevant to the actual settlement of disputes. (Vincent: 1990: 376.) Max Gluckman asserted the opposite stating that rules, norms and folk categories are more analytically relevant than procedure, action and sequence of events (Ibid: 375). My study of the dispute cases in Ab'ala support Gulliver's argument of the importance of power as opposed to Max Gluckman's normative determinism.

ong Ab'ala Afar, disputants often chose among a number of alternative dispute  
lement forums. The selection is based on careful calculations regarding the cost and  
efits involved in appealing to one forum as opposed to the other.

nerally, family disputes, intra-clan as well as inter-clan conflicts in the area are better  
ndled by local indigenous institutions. This is because notions of what is right and wrong  
the norms and customs are better known to the people at the grassroots. Elders are  
stowed with life-tested experience and wisdom and handle cases in a more transparent  
anner while the court bases itself on rules that are not even known to the ordinary people.

n addition, since litigation in the modern legal structures works according to a fixed code of  
aw, they are unlikely to consider long standing cross-cutting ties among community  
members. As far as the outcomes are concerned, the government legal institutions serve  
justice by ultimately harming the interests of one of the disputants since agreements are  
often imposed. Local dispute settlement involving negotiation, however, can be achieved  
through compromise and is more flexible. The disputants acknowledge that they have  
something to gain and something to lose in the end. Especially in inter-clan dispute cases,  
government legal institutions are regarded auxiliaries to the local mediation involving elders.

On the inter-ethnic level, it has been argued in the literature that conflicts between different  
groups of people become common when either or both of the groups are economically,  
socially, politically insecure. The confrontations that occurred between the Afar and

grayans in the form of raids traditionally emanated from competition over meagre resources, the need to compensate for loss of stock and social prestige. However, the present state of hostility and occasional killings are to be explained by unfavourable past history and a desire to take revenge rather than renewed resource conflict. At present, several factors contribute for the decrease in incidents of raids. These include: 1) a change in the traditional political organisation in the highlands. 2) the emergence of a new "ethnic" identity among the Afar following the establishment of the federal system of administration in Ethiopia. 3) the development of power balance as the Afar began to penetrate into the state system with more active involvement in national politics and representation in the police and defence forces.

Whenever they occurred, conflicts and confrontations between the Afar and the Tigrayans have never led to uncontrollable and long lasting warfare. Cross cutting ties between members of the two ethnic groups set a limit to the extent to which conflicts are expressed in open warfare. These include co-operation in social and economic activities, blood ties and intermarriage. Besides, there have been indigenous mechanisms of redress and peace making since the remote past. The *Gereb* was established to serve these purposes. Like the inter-clan conflict situations, inter-ethnic dispute affairs are believed to be more effectively handled by this indigenous institution than the modern legal set-ups. Nonetheless, by intervening at some stage, government administrative structures seem to show concern for the effective resolution of conflicts involving large group of people such as those observed in the inter-clan and inter-ethnic context as these might ultimately lead to large scale national instability.

Generally, customary laws and traditional dispute settlement among the Ab'ala Afar are so  
amic. Nevertheless, one element seems to have persisted over time: elder men have  
continued to play a central role in mediation. True, though often in an indirect way, women  
also play an active role. They influence their husbands in the decision making process.  
Besides, they are also the ones who prepare the food items for the reconciliation feast  
without which any dispute settlement cannot be considered complete. Quite unfortunately,  
however, due to their lower status, their contribution is often not appreciated. This seems to  
hold true both within the Afar and in the inter-ethnic context.

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## Appendix 1: Name of key Informants

- 1      Mohammo Ya-ed
- 2      Ali Hamfre
- 3      Enhaba Abdu
- 4      Wogrissa Aidahis
- 5      Mustefa Ahmed
- 7      T'ahira Mohammed
- 8      Haji Faya Muddeta
- 9      Sheik Idris Negus
- 10     Mohammed Dawa
- 11     Bilata Enhaba
- 12     Taddele Kiros
- 13     Mohammed Dardar
- 14     Adona Dahrissa
- 15     Esya Ahmed
- 16     Hussien Adam
- 17     Alli Mohammed
- 18     Mairam Seid
- 19     Haji Yassin Aliyu
- 20     Ahmed Aliyu
- 21     Fatuma Hummo

- 22 Elalta Ibrahim
- 23 Halima Mohammed
- 24 Adam Aydahis
- 25 Ali Dawd
- 26 Saddia Ibrahim
- 27 Alli Bal-O
- 28 Fatuma Mohammed
- 29 Zeineb Abdu
- 30 Adbella sibhatu
- 31 Muktar Duri
- 32 Abduruf Alli
- 33 Hussien Ibrahim
- 34 Muktar Silla
- 35 Yassin Reba
- 36 Mohammed Alli
- 37 Mohammed Yahiya
- 38 Hussien Yahiya
- 39 Mohammed Seiko
- 40 Mohammed Seid
- 41 Beshir Negus
- 42 Mohammed Hayat
- 43 Kedir Nur

- 44 Mohammed Nursha
- 45 Zeinu Nur
- 46 Medina Abraham

## Appendix 2. List of Plates

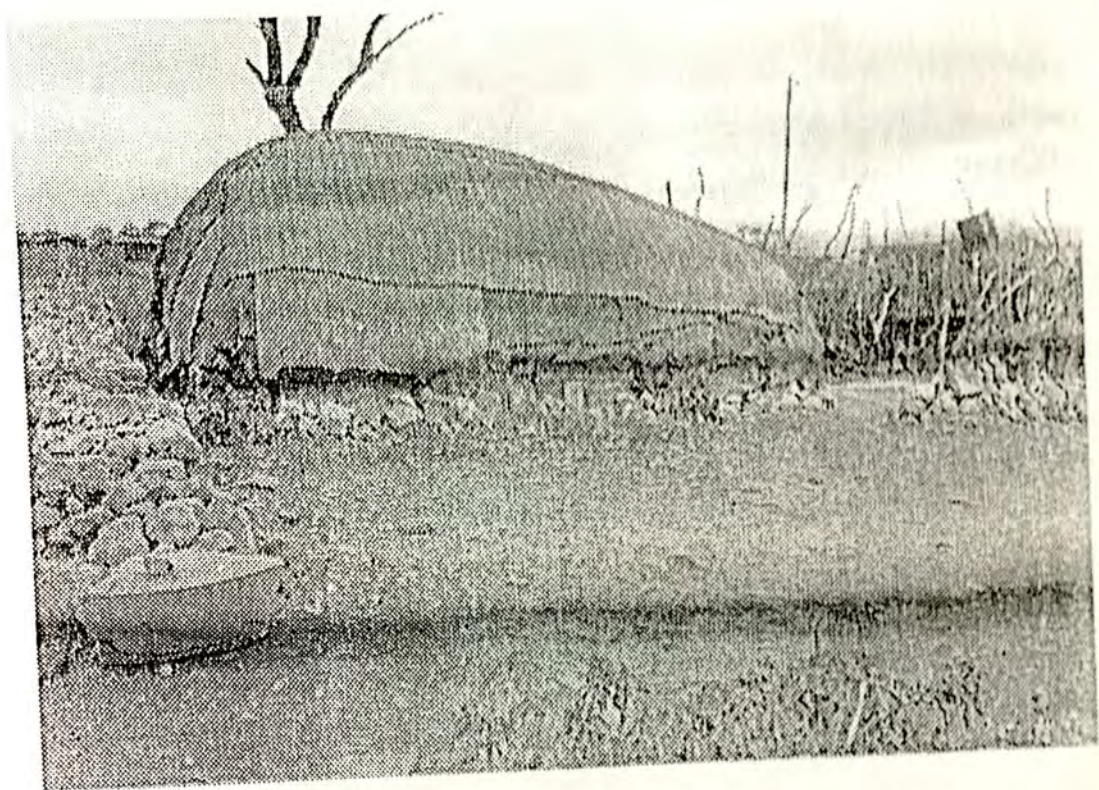
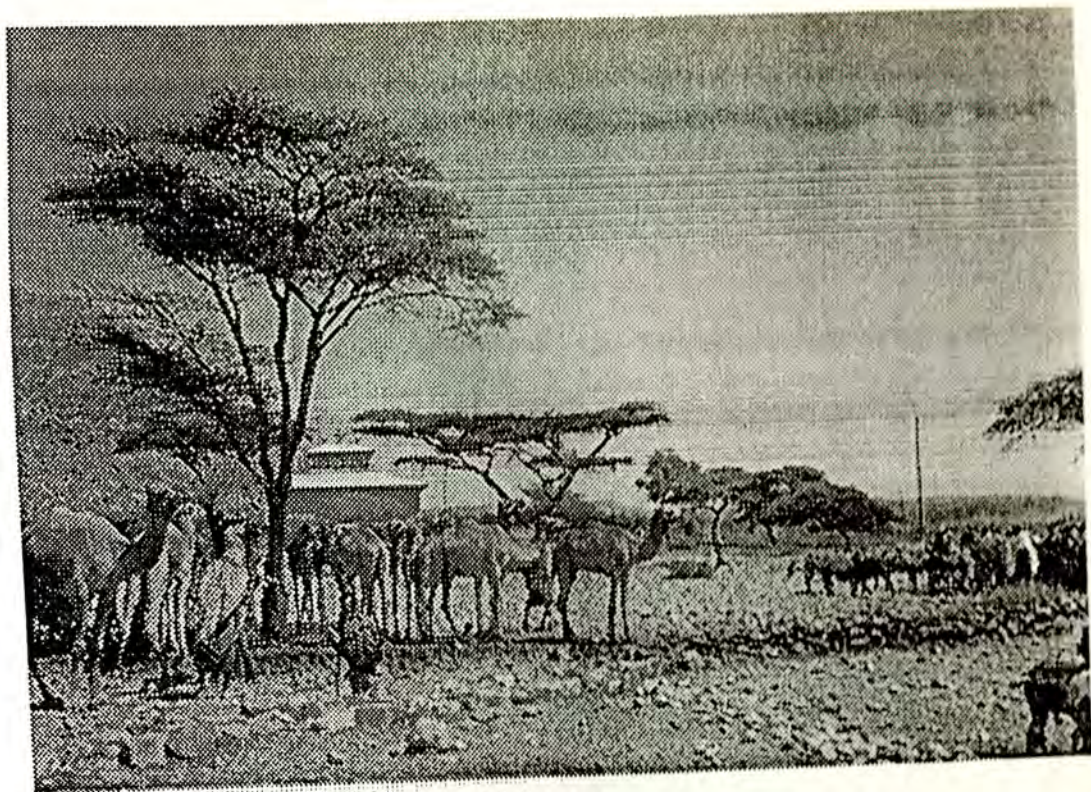


Plate 1: The Afar mat house (Senan Ari)



**Plate 2: The livestock market in Ab'ala**



**Plate 3: The Afar are showing a steady inclination toward cultivation: Their economy is declining**



Plate 4: Dagu: A system of information exchange among the Afar



Plate 5: Neighbours holding a meeting (Mablo) to discuss a marital Dispute (Ab'ala town)



plate 6 : The council of elders holding an assembly to look into an inter-clan dispute case



Plate 7: Sola: A place where a sheep is finally sacrificed to mark reconciliation in an inter-clan



**Plate 8:** The Ab'ala market is a place where the Afar interact with the Tigrayan highlanders



Plate 9: An Afar man selling salt bars in Ab'ala market



Plate 10: Intermarriage between the Afar and Tigrayans

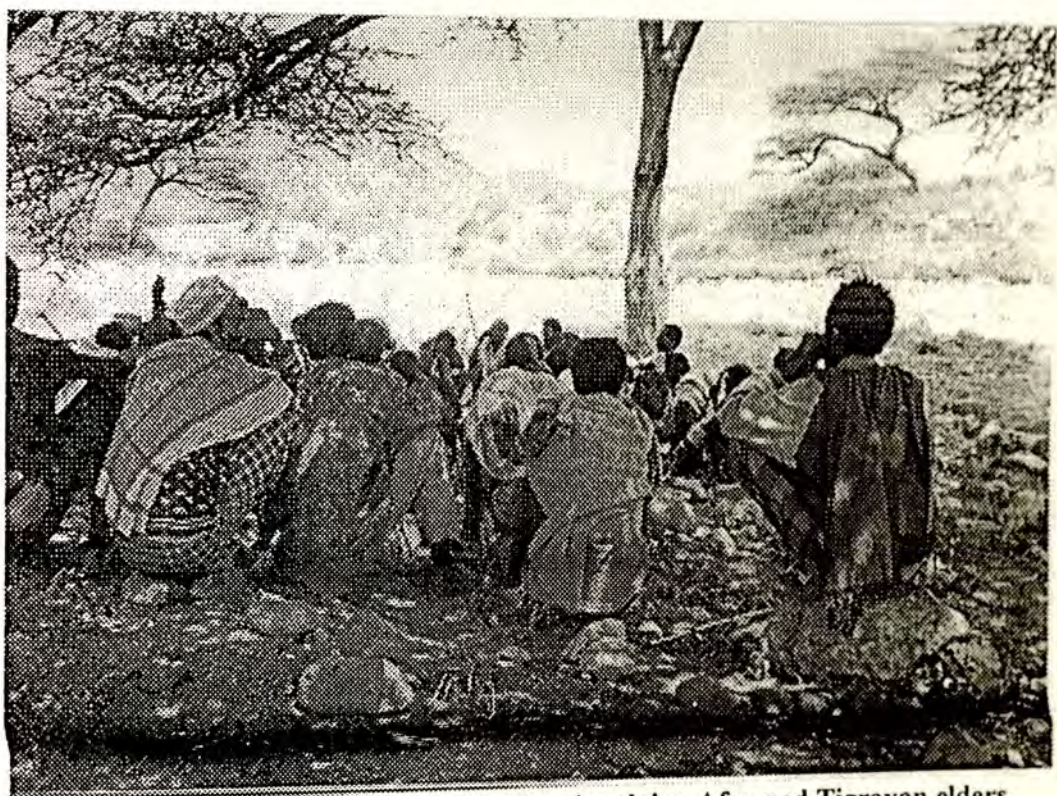
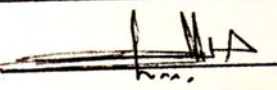
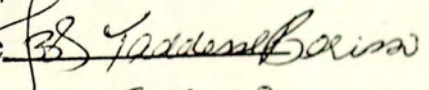


Plate 11: An extra-ordinary Gereb meeting involving Afar and Tigrayan elders.

This thesis has been submitted for examination with my approval as a university advisor

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Signature   
Date 20.5.2000

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## Declaration

I, the undersigned hereby declare that this thesis is my work and that all sources of materials used for the thesis have been duly acknowledged

Name: Kelemework Tafere

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Date of Submission: May, 2000