

**AFRICAN'S INDIGENOUS KNOWLEDGE SYSTEM AND INSTITUTION
IN DISPUTE RESOLUTION: THE CASE OF 'BORANA' OF ETHIOPIA
AND 'GABRA' OF KENYA ETHNIC GROUPS IN AFRICA**

WAKJIRA REBUMA

JUNE, 2022

ADDIS ABABA UNIVERSITY, ADDIS ABABA



Addis Ababa University
College of social sciences
Center for African and Asian Studies

**A Thesis Submitted to College of Social Sciences, Center for African and
Asian Studies, Addis Ababa University**

**In Partial Fulfillment of the Requirements for the Degree in
Master of art in Intellectual History and Cultural study in Africa**

Wakjira Rebuma

June, 2022

ADDIS ABABA UNIVERSITY
COLLEGE OF SOCIAL SCIENCES
CENTER FOR AFRICAN AND ASIAN STUDIES

This is to certify that the thesis entitled “The Dynamics of African’s Indigenous Knowledge System and Institution in Dispute Resolution: The case of ‘Borana’ of Ethiopia and 'Gabra' of Kenya Ethnic Groups in Africa ” prepared by Wakjira Rebuma and submitted to Center for African and Asian Studies in partial fulfillment of the requirements for Master of Art Degree in Intellectual History and Cultural Studies in African, complies with the regulations of the University and meets the accepted standards with respect to Originality and Quality.

Signed by the Examining Committee:

Name	Signature	Date
_____	_____	_____
Advisor		
_____	_____	_____
Internal Examiner		
_____	_____	_____
External Examiner		
_____	_____	_____

June, 2022

STATEMENT OF THE AUTHOR

I, the undersigned, declare that this thesis is my original work, has not been presented in any other university and that all sources of materials used for this thesis have been duly acknowledged.

Name: Wakjira Rebuma

Signature: _____

Date: _____

Center: For African and Asian Studies

ACKNOWLEDGMENT

First and foremost, I thank the Almighty God who is the base and the source of every success! Next, I would like to express my heartfelt thanks to my Advisor Dr. Getachew Kassa, whose constructive was at my disposal whenever I needed it, and without him this paper would have been impossible. Also, my gratitude goes to associate workers of the center of African and Asian studies Instructors and cleric those who taught and helped me.

Last but not least, my thanks are due to all participants of interview and FGD, from both Borana and Gabra communities and my colleagues who supported me throughout advising and providing me materials.

TABLE OF CONTENTS

Title	Page
STATEMENT OF THE AUTHOR	VI
ACKNOWLEDGMENT	VII
ABSTRACT	XI
1. INTRODUCTION	1
1.1. Background of the Study	2
1.2. STATEMENT OF THE PROBLEM	3
1.3. OBJECTIVE OF THE STUDY	5
1.3.1. General objective	5
1.3.2. Specific objective	5
1.4. Research Questions	5
1.5. SCOPE OF THE STUDY	6
1.6. SIGNIFICANCE OF THE STUDY	6
1.7. OPERATIONAL DEFINITIONS	7
2. LITERATURE REVIEW	8
2.1. Ethnographic and Historical Background of ‘Gabra and Borana’	8
2.2. Kinship system and social organization of Gabra and Borana	10
2.3. THE GADA SYSTEM	15
2.4. THE STRUCTURE OF THE GADAA SYSTEM AMONG BORANA AND GABRA	18
2.6. INDIGENOUS KNOWLEDGE	21

2.7. CONCEPTUALIZATION OF INDIGENOUS KNOWLEDGE	24
2.8. ROLES OF INDIGENOUS KNOWLEDGE IN DISPUTES RESOLUTION	26
2.9. THEORETICAL FRAMEWORK	28
2.10. CONCEPTUAL FRAMEWORK	29
METHODOLOGY	30
3.2. THE STUDY AREA	31
3.3. Target Population	33
3.4. Sample Size	33
3.5. Sampling Techniques	33
3.6. Data Collection Instruments	35
3.7. Data Collection Techniques and Procedures	35
3.8. Data Analysis	36
3.9. Ethical Considerations	37
4. ANALYSIS AND INTERPRETATION	38
4.1. Socio-Demographics of the Respondents	38
4.2. BACKGROUND INFORMATION OF BORANA AND GABRA COMMUNITIES	38
5. SUMMARY AND CONCLUSION	56
5.1. Principal Findings of the Study	56
5.2. Recommendation with Their Practical Implications	59
5.3. Suggestions for Further Research	61
REFERENCES	62

List of Figure and Tables

Figure	Page
Figure 2.1. Subdivision of Gabra Moieties and Phratry	10
Figure 2.2. Subdivision of Borana Moieties and Phratry	12
Figure 4.2. Modern hierarchical legal system of civil matters	43
Figure 4.3. Borana community's Hierarchical Dispute Resolution Organs	44
Figure 4.4. Gabra community's Hierarchical Dispute Resolution Organs	50

Table	Page
Table 2.1. Subdivision of each six drums	11
Table 2.2. Structure of the Gadaa system among Borana and Gabra	18
Table 3.1: Sample Size for the FGDs	35
Table 3.2. Sample Size for semi structured Interviews	35

Map

Map 3.1. Borana and Gabra, the study location map	33
---	----

ABSTRACT

The dispute becomes a normal part of people's or communities' lives, resulting in large numbers of fatalities and a path of property devastation that triggers natural disasters. The primary focus of the study is on the function of native dispute handling and resolution procedures among the Horn of Africa's Borana and Gabra peoples. This is also consistent with the viewpoint that is currently being promoted by the nations of African intellectuals and the AU's 'African Solution to African Problems'. Additionally, the study was driven by three goals: the methods used for resolving disputes in the communities, the legitimacy of justice in dispute resolution using the indigenous knowledge system and institutions, and the study's contribution to good governance and peaceful coexistence between the communities of Borana and Gabra. On the other hand the study used Purposive sampling technique to identify the area or district where the units of observation met the criteria, as well as to conduct convenient sampling, which is helpful when the researcher gathers data from the population that is ready and prepared to provide information. Secondary information is obtained from books, journals, Medias, online sources and newspapers. The finding also revealed that the patterns of dispute resolution by using indigenous knowledge system and institution is different among Borana and Gabra's communities, but it is effective and acceptable procedures in resolving dispute. Finally, the study advised that concerned stakeholders support indigenous knowledge-based dispute resolution methods used by the Borana and Gabra communities, which go through various levels of dispute organs and promote peaceful coexistence among Horn of Africa communities

1. INTRODUCTION

The current Horn of Africa and Africa as a whole have highly centralized conflict resolution processes with an overemphasis on the functions of the Western European Jurisprudence led "modern" Justice Court system. Even yet, these systems might not be able to resolve inter- and intercommunal conflicts over the use of cultural, economic, social, and territorial resources. The effectiveness of traditional or indigenous dispute/conflict settlement and peacemaking institutions and mechanisms has been reported in several recent studies on indigenous African knowledge systems, indigenous governance and dispute settlement mechanisms, and many others, as opposed to the imported western model justice system and other alien imposed mechanisms.

Indigenous dispute resolution procedures are beneficial for managing and resolving conflicts in many communities in Africa in general and in Ethiopia, Kenya, and the Horn of Africa region in particular, according to Ayittey (1999, 2004). According to reports, the Gada (of Borana and Gabra), the Gada council, as well as leaders at the clan, village, and elder levels, have demonstrated a greater capacity to adapt the socioeconomic culture of the areas under consideration. However, among the Borana and Gabra communities of Ethiopia and Kenya, the roles of indigenous institutions such as the Gada and elders; councils and tribunals in handling and settling disputes have been overlooked. Instead of settling and resolving the issues, using a top-down strategy that ignores the local people' actual conditions and lived experiences as well as their traditional indigenous institutions and procedures could and might lead to further escalation of the dispute.

Borana and Gabra communities, like several other pastoral groups in the Horn of Africa, are found in Ethiopia, Kenya, and other Horn of Africa countries, just like in other African countries. Countries have historically been and continue to be among the most marginalized populations, living in conditions of extreme poverty and insecurity with little to no control over the changes that affect or have an impact on their way of life, livelihoods, and security. The 'Borana and Gabra', like the other pastoralists nearby, rely heavily on their natural resources and animal herds and flocks for their existence, reduction and deterioration of these resources, especially the land and the water. These rural communities are under a lot of pressure and stress, and they are having

to battle more and more for survival. As a result, there is competition and conflict, which results in the death of people and livestock, destruction of property, and loss of life.

1.1. Background of the Study

The study discussed dispute resolution mechanism in 'Borana' of Ethiopia and 'Gabra' of Kenya. Furthermore, the Borana peoples, also known as the "Boran," are a subethnic group of the Oromo people who live in southern Ethiopia of Oromia region whereas the Gabras, are a nomadic tribe of peoples, live in northeastern Kenya along both sides of its border with Ethiopia. Both Gabra and Borana communities are the prominent of the Cushitic speaking groups of people in Africa. The Borana, Gabra, and Sakuye peoples are sub-ethnic groups of the Oromo people who speak the same language and have a similar culture, according to the Atlas of Humanity 2019 report. In terms of their economy the Gabra and Sakuye focused on camel keeping, whilst the Borana are experts in cattle husbandry. And also they live together and have commonly share pastoral way of life.

Additionally, the Gadaa system, which is developed by the Borana and the Gabra, is an egalitarian and democratic form of sociocultural and political organization that enables them to manage their rangeland sustainably, coexist with other tribes, and keep social cohesiveness within their society (Legesse 1973, 2000; Bassi 2005, 2010). These communities and their neighbors, the majority of whom share comparable models of socio-political organization, are able to cohabit thanks to the Gadaa system, which provides a solid institutional foundation. However, over the past few decades, these traditional organizations have tended to draw distinctions along ethnic lines rather than acting as mediators and advancing shared beliefs and customs.

The study's showed the importance of the dispute resolution and management techniques employed by African communities' of Borana and Gabra using their indigenous knowledge systems for dealing and resolving interpersonal disputes. This is so that can fairly reflect the sociopolitical views of Africans. Indigenous knowledge systems are able to address all interpersonal, societal, political, and economic disputes. As a result, it created a set of guidelines that are great for resolving disputes. For instance, in 'Borana and Gabra', Gadaa system the 'Hayyuu / Jaarsaa' or council of elders among both communities used to act as an arbitral forum and as a mediator. These elders and institutions are accessible to the populace and their decisions

is respected. In incorporating the age classification system, 'Gadaa' is similar to age-sets practiced by both Gabra and Borana pastoralists. Therefore the study showed dispute resolution mechanism of 'Borana' and 'Gabra' communities used by 'Hayyuu/Jaarsaa' [Elders-council] of Gabra and Borana, in disputes management today.

1.2. Statement of the Problem

Most African societies, such as Ethiopian and Kenyan groups, are still grappling with dispute resolution and peacebuilding processes since they are attempting to adopt western modalities rather than relying on their own indigenous institutions. A misconception of the African communal way of life, dispute resolution institutions and prejudice against their traditional way of life see the Europeans ideals of justice which are not based on political negotiations and reconciliation.

The court system is the main dispute settlement mechanism in both Ethiopia and Kenya today. High costs, complicated rules of procedure, the location of courts in areas that do not reflect the demographics, cultural norms, economic, or sociopolitical orientation of the society, a lack of financial independence, corruption, and the selective application of laws are just a few of the obstacles that people face when trying to access justice through the legal system.

Most African communities struggle to bring peace and security to their socio-economic and political performance as a result of the aforementioned bureaucratic issues, such as corruption, the dependence of courts on politics, the financial dependence of courts, and other related factors, instead engaging in dispute among themselves on various issues. And also the disputants are helps to solve their own problems and conduct their affairs in more appropriate ways.

However, throughout time, these significant institutions' contribution to dispute resolution has diminished. As a result, the study assessed indigenous strategies for managing and resolving rangeland disputes among the ethnic communities of the Borana and Gabra in Kenya and Ethiopia. Concerning this, arguments have negative repercussions on people's life and means of subsistence, as well as the economy of the nation. Thus, alternative dispute resolution mechanisms as well as indigenous customary institutions that regulate resource access and utilization were observed in the work. The study compared the western philosophy known as contemporary democracy with the practices that the Elder's councils of the Borana and Gabra tribes use to ensure peace and

security for their communities, which results from by killing one another, gender discrimination, thievery, denial, and other behaviors that react in the community.

Indeed, various empirical researches have been conducted regarding the importance of indigenous knowledge system in dispute resolution both locally and abroad. To begin Habtamu (2017) States that Indigenous Knowledge and Practices of Leaders and Leadership Development in the Gadaa System of Borana Oromo Community of Ethiopia at Addis Ababa University. Moreover, his findings showed that the Leadership affects almost all aspects of human group activities, and it is determinant factor to achieve collective goals. And also he recommended leadership should encourage society's customs, values and practice to develop and shares with others. Furthermore Yattani Isacko (2015) examine inter-ethnic conflicts between the Gabra and Dassenetch communities of Marsabit County at kenyatta university. And his finding showed that the frequent cause of conflict between the Gabra and the Dassenetch are competition for scarce natural resources, mostly water and pasture, weak socio-cultural capital have also come into play in escalating the violence. For the finding he recommended the communities leaders need to assist people come up with alternative economic activities as stop over-reliance on pastoralism.

Additionally, Fekadu (2007) states that Negotiating Identity: Politics of Identification among the Borana, Gabra and Garri around the Oromo-Somali demarcation in Southern Ethiopia at Martin-Luther University of Germany. His finding indicated that the claims include water, tracts of land and pasture, ritual sites and towns. And he suggested the responsible body should be undertake referendum to determine the fate of the contested territories by majority vote further intertwined ethnic belonging with resources.

Similarly, a significant number of foreign studies have been undertaken on the role of indigenous knowledge as a dispute resolution tool in communities. Besides, Ajayi. A. (2014) 'Methods of Conflict Resolution in African Traditional Society' at Ekiti State University of Nigeria. His finding showed that the advent of the slave traders and colonial masters to Africa, that adulterated, and in some areas, wipe out the Africans 'methods of monitoring, preventing, managing and resolving conflicts. And he recommended as all Africans should be mined themselves to promote, develops and preserve their truth way of indigenous conflict resolution mechanism among their communities. Also, Kwaku, (2012) conducted his work on Indigenous knowledge of Conflict Resolution in Africa: The Case of Ghana and Botswana at Botswana University. His finding

indicated that the arbitration and substantially informal procedures which are less intimidating, and understood by the local people.

And also he suggested that both communities (Akans and Tswana) of Ghana and Botswana use and practice their indigenous knowledge of conflict resolution mechanism. However, none of them considered studying the mechanism of dispute resolution in 'Borana' of Ethiopia and 'Gabra' of Kenya in the horn of Africa.

1.3. Objective of the Study

1.3.1. General objective

The purpose of the study is to assess dispute resolution mechanism of 'Borana' of Ethiopia and 'Gabra' of Kenya

1.3.2. Specific objective

The specific objectives of the study are:

1. To describe the procedures apply for resolving disputes in Borana and Gabra communities
- 2 To illustrate justice applicability in dispute resolution between the communities of Borana and Gabra.
3. To show indigenous knowledge's' system contribution to good governance and peaceful coexistence among Borana and Gabra communities.

1.4. Research Questions

- A. How can dispute be resolved in Borana and Gabra communities?
- B. How do the Borana and Gabra communities realize justice through their indigenous institutions in dispute resolution process?
- C. What dispute resolution based on indigenous knowledge system and institution can contribute to effective government and peaceful coexistence?

1.5. Scope of the Study

The study mainly focused to show the dispute resolution system among Borana and Gabra ethnic group of Africa. However it was manageable if other communities' indigenous mechanism in disputes resolution were included in the study in time and finance the study requires. In addition the researcher believes that it might be difficult to see the indigenous practice in Dispute Resolution of Gari, Sakuye, Massai, Samburu, Rendille, and etc of African ethnic groups' at a time. As a result, the focus of the study was limited to evaluate the Borana and Gabra ethnic of African communities' dispute resolution mechanism using indigenous knowledge system and institutions.

1.6. Significance of the Study

The aim of the researcher's study was showed the dynamicity of African's Indigenous Knowledge system and Institutions among Borana and Gabra ethnic group in Dispute Resolution for the purposes to peaceful coexistence, political, economic, and social growth. In the assumption of the successful completion of the study, different group of peoples are benefit from the findings of the research work. These individuals include researchers who will conduct research on the indigenous wisdom disputes resolution, African leaders, regional administrative in different section of Africa's, legislative and executive bodies in Africa, African union, Intergovernmental Authority on Development (IGAD), Federal government of Ethiopia, Kenyan Rulers, communities and others.

1.7. Operational Definitions

Dispute: Is a disagreement, argument, or controversy, often one that gives rise to a legal proceeding (such as arbitration, mediation, or a lawsuit).

Hadha Sinqee: Hadha is mother in oromo language, whereas Sinqee is a stick (Ulee) symbolizing a socially sanctioned set of rights exercised by women.

Hayyu/Jaarsa: Council of elders among Oromo ethnic group and the organ resolve the dispute.

Indigenous knowledge: A body of knowledge built up, by a group of people through generations of living in close contact with nature.

Institution: an established law or practice used in indigenous knowledge to resolve dispute.

Moieties: Form of social organization characterized by the division of society into two complementary parts.

System: a set of principles or procedures according to which dispute resolution is done.

Phratry: An exogamous subdivision of the tribe, constituting two or more related clans.

2. LITERATURE REVIEW

This section gives a broad overview of the topic of indigenous knowledge (IK), defining about 'Borana and Gabra' ethnic group of Africa, defining key concepts, describing the view of different scholars on IK, showing the importance of IK in conflict resolution and discussing the validity as well as the impact of IK in socio-economic and political development.

2.1. Ethnographic and Historical Background of 'Gabra and Borana'

According to Stiles (1983) there is one common myth of origin among Gabra and Borana's that goes as follows:

A man had three sons. The first born was named Wata, the second Borana, and the third Gabra. When the father was old he was walking one day assisted by his sons, and then he bumbled and fell. Wata, the first born, passed over his father and stood laughing at him from a distance. Gabra, the second' born, covered his eyes. Borana took hold of his father and helped him to rise. The father then gave to Gabra, his timid son, the camel, the strong animal. To Borana who helped him and was strong, he gave a weak animal, the cow. And to Wata who laughed he cursed him and his children and said that all offspring of Wata would have no animal of their own, but that they would have to live from wild animals, a laughable thing. That day the three sons separated to take up the pursuits that the father had given them.

Currently, as the myth suggested that the Boranas are more of cattle herders and the Gabras are camel pastoralists, as the tale indicated. On the other hand the Borana people, also known as the Boran, are a subethnic class of the Oromo people who live in southern Ethiopia's Oromia region, whereas the Gabra are related to the larger Oromo people in the Horn of Africa and live primarily in northern Kenya's Moyale and Marsabit regions and southern Ethiopia's highlands. Furthermore, according to Kassam (1995), the Gabra occupied land east of Lake Turkana in Kenya, along the border of the Chalbi Desert, and as far as Ethiopia, Marsabit and Kalacha, located in the Chalbi Desert's center where the Gabras live, are used as watering holes. The territory north of Marsabit becomes more arid, with volcanic stones and sand cover throughout the landscape. Two rainy

seasons are differentiated by a hot, dry season and a short, cool one. It is during the two rainy seasons that the Gabra live most self-sufficiently and ritual ceremonies bristle. The cyclical weather pattern, in alignment with the pasture needs of the Gabra's herds, largely determine migrations, birthing patterns, and the timing of creation rites. Furthermore the Borana and Gabra speak Oromo language, which is category of the Cushitic branch of the Afro-Asiatic large languages family and they mostly practice Islam and Christianity as religion but maintain compulsory cultural practice. The name Borana means 'free', in reference to their nomadic nature, whereas the Gabra are airless allies of the Oromo and the Borana Communities (Robinson 1985; Tablino, 1999) and the name "Gabra" has its roots from the word "gabaro" which basically means a "vassal". "However the two ethnic groups developed a rich culture stemming from the severe environment in which they live.

The Gabra and Borana are commonly share strong economic, social and cultural alliances, emanating from their links in the past, which are often carried in ritual terms. However, in Kenya a number of reasons have led to the evolution of the Gabra and Boranas two interrelated but distinct ethnic groups. The processes involved in this evident of fragmentation are too complex to be examined in detail here (Robinson, 1985; Schlee, 1985; Sobania, 1980; Turton, 1969) but they were partly of an economic nature. The Gabra probably formed and fused on the basis of their specialized camel economy, while the Borana continued primarily cattle-keeping people. This demanded their occupation of different ecological niches in Kenya, a separation which was to become a territorial one for the administrative purposes of the British colonial government. The adoption of the camel by the Gabra also introduced a new set of religious, cultural and linguistic exercise, associated to the Islamic world, which were not shared by the Borana. However, despite these divergences, which time and history have super enforced on the original Gabra-Borana relationship, the conceptual inequalities, as well as the deep ritual bonds underlying the relationship, are still periodically expressed through the mutual interaction of the two groups.

In Kenya and Ethiopia as the Gabra and Borana were relatively apart until recent times from the impact of modern civilization, they led a way of life deeply engrafted in the past. Although their way of life is changing, they still maintain and practice age-old usages common to many other Oromo peoples, which continue to play an important role in their daily lives. As in other Oromo

societies myth and ritual are closely interconnected, and their rich stock of oral traditions cannot be dissociated from other aspects of their culture.

2.2. Kinship system and social organization of Gabra and Borana

As mentioned earlier, both Gabra and Borana are Oromo-speaking pastoralists in southern Ethiopia and northern Kenya. They advance cattle, sheep, goats, horses, donkeys, mules, and camels; specially cattle and camels have the greatest value. In recent years, the Borana and Gabra have also cultivated crops. Their settlements are semi-sedentary, with the number of households varying from a few to hundreds. In the dry season, younger members of the communities move to satellite camps to seek pastures and water for their livestock. After the rainy season begins, they come back to their settlements. The Borana are compiled of exogamous moieties called Sabbo and Goona. A moiety comprise of clans (gosa), and a clan is divided into several sub-clans (mana). Thus, a moiety consists of clan's segmented into sub-clans. Whereas, as Ibrahim Aliyow (2014) the Gabra community is largely divided into two subgroups or moieties. The first one is the lowland Gabra also natively known as the Gabra Malbe. They are situated on the Kenyan side of the northern border. The second group is located in the highland area which is locally known as the Gabra Miigo (mainly found in Ethiopia). This particular subgroup is situated in Ethiopian. For Stiles (1983) & Tablino (1999) also other number of anthropological and missionary works mentioned the Gabra society can be further subdivided into other smaller groups known as the "five drums". They are locally known as the Dibbee shanaan. Besides, Ibrahim Aliyow (2014) who has the Gabra ethnic background and recently wrote the book in oromo language "Sirna Gadaa Gabra" suggested that there is six phratries, or sub-tribes of Gabra called: Migo, Gara, Galbo, Algana, Sharbana and Odhola.

He expressed in his book of Oromic version by saying “yaa’ii Gabra dibbee jaha of keessaa qaba. Isaanis:-

- yaa’aa Miigoo
- Yaa’aa Gaaraa
- Yaa’aa Galboo
- Yaa’aa Shaarbanaa
- Yaa’a Oddoolaa fi
- Yaa’a Algaannaa jechuun yaamamu”.

And also he stressed as many scholars and missionaries who wrote about Gabra’s communities forget the six drums who live in Ethiopia called Gabra Migo and mainly focus on the Gabra of five drums who only lives in Kenya. Accordingly the researcher try to show the six drums and it’s sub-division of Gabra’s by referring different scholars who wrote on Gabra’s community as the figure and table below. Comparatively, Borana’s Moieties also presented.

Figure 2.1. Subdivision of Gabra Moieties and Phratry

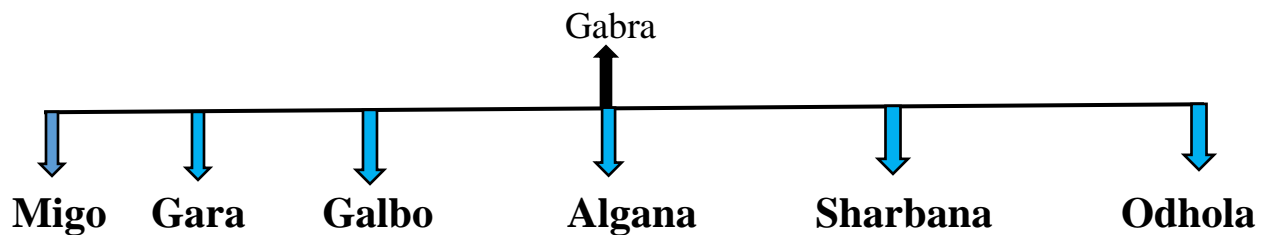


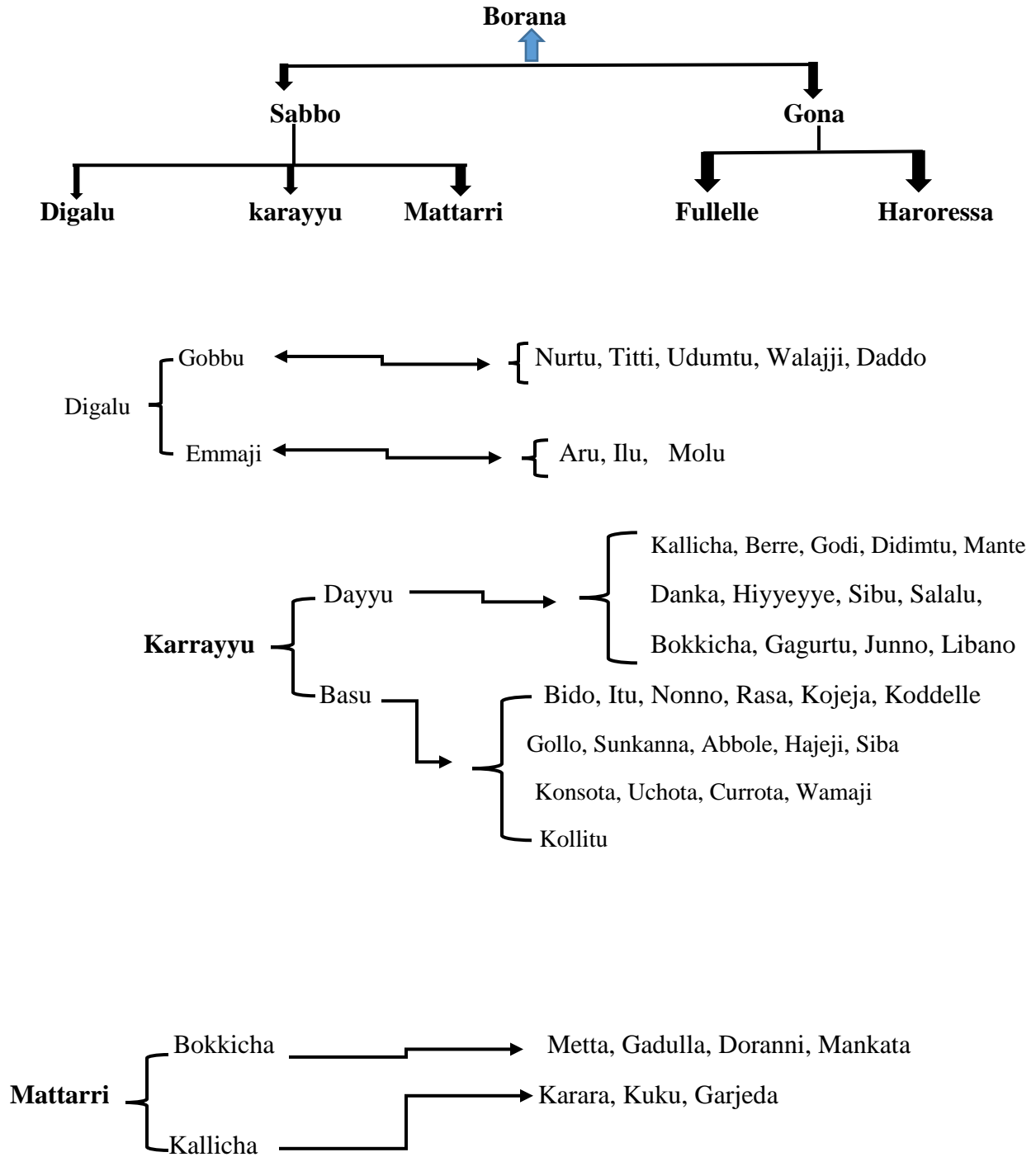
Table 2.1. Subdivision of each six drums

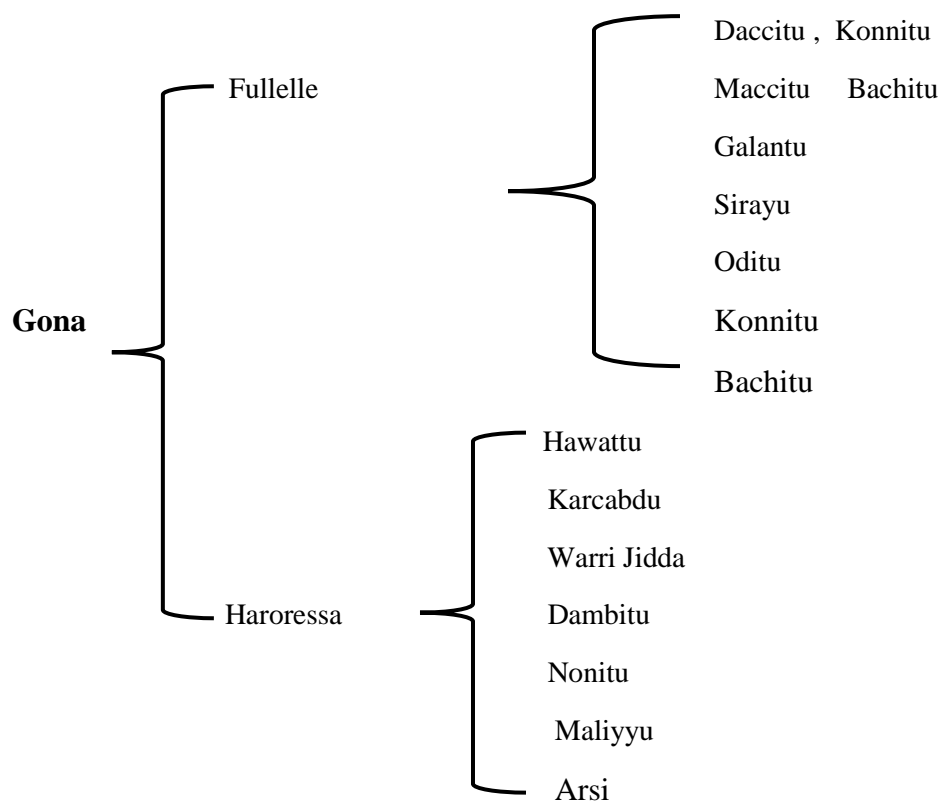
MIGO		GARA		GALBO		ALGANA	
Jiblo	Lossa	Jiblo	Lossa	Jiblo	Lossa	Jiblo	Lossa
Doliyo-sukubtire	Kalula	Karbayu	Ulee	Massa	Barawa-dimtu	Halano	Koyoti
Darawa	Kalmasa	Bere	Igaris	Chako		Sora ali	Gadara
Jiruwa	Erwede	Gedi	Aluf	Golole	Barawa-gurati	Ada	Elmale
	Tubadi	Gidale	Bokorsa	Irile		lame	Dissa
	Serkalem	Ali afti	Gelemale		Ali umar	Gura	
	Maklana		Kamasa		Bule	Udo	
	Deyle		Uchota		fute		
	Bursuni		Boride		Kuyali		
	Osowa		Irafa		Buroti		
			Dismala				

SHARBANA		ODHOLA	
Jiblo	Lossa	Jiblo	Lossa
Bahayi gurati	Omo	Guba Dertu	Gubagababdu
Bahayi dimtu	Matarba	Nuure	Keynan
Konte	Wara geyi	Kalaya	Tubadi
Ilo		Bursumi	Rer muga
Matabale			

Adapted from Ibrahim Aliyow 2014

Figure 2.2. Subdivision of Borana Moieties and Phratry





Adapted from Asmrom Legesse, 1973

According to Tablino (1999) and as shown above Phratry is vital to the Gabras community. Every phratry is contained in a different territory (Torry, 1976). Most of the Gabra interact with the members of their phratries. Nearly all marriages are controlled within a phratry. By reciprocity a person experiencing a problem or difficult can expect help from their clan members (milo). Everyone has an assumption to help their milo when they are in need, because it is believed that the problems which affect a milo ultimately affect everyone. For this reason, every Gabra member is closely attached to his or her clan. Each clan is divided into moiety; Lossa and Jiblo. A half of the moiety picks a leader who is referred to as Hayu. There are two Hayus for all clans. Each clan has a unique ear-cut mark on their livestock. (ibid.)

‘Koraa’ is a traditional institution known to the Gabra. ‘Koraa’ are meetings that are held at the various levels of social organizations. One of the important relationships in the (Koraa’s) are meeting held as and when needed at various levels of social organization arises, from the individual

nomadic camp, to the cluster of the camps, to an entire 'Arda'. An Arda is an area where there is a permanent water source or some other lasting features such as a permanent settlement. Clans in Arda's can also be organized or coordinated along ancestry lines. Sometimes, koraa meetings can be held for individual 'Millos'. It is mainly through koraa meetings that contact to pasture and water-place is organized and managed. Decisions about traditional restocking are also made in the 'koraa' meetings.

On the other hand as Legesse (1973, 2000) indicated and mentioned above the Borana are composed of exogamous moieties called 'Sabbo and Goona'. A moiety consists of clans (gosa), and a clan is divided into several sub-clans called (mana). Thus, a moiety consists of clans segmented into sub-clans. There are five ritual leaders called 'Qallu', who inherit their positions through patriline. The Kallu (Qallu) of the Karayyu and Oditu clans are politically and ritually superior to others. The Karayyu Kallu has a religious role to perform for Sabbo, and the Oditu one for Goona. For Stiles (1983) the Gabra and Borana maintain their traditional religion wherein they pray to the Sky God, whom they call 'Waaqa'. They have a very strong belief in what to be called 'the fates', and their presence is always remembered. Kinship ties and the establishment of a network or connection of reciprocal debts are used to operate the redistribution system. Recently, Christianity and Islam are expanding among the younger generations in towns.

2.3. The Gada System

The indigenous Gadaa system is centered political, economic, social, cultural, and religious institutions in order to organize, govern and order society (Baissa, 1971, 1993; Legesse, 1973). As different scholars suggested the Gada existed as a complete structure at the start of the sixteenth century. According to Lemmu Baissa (2004: 101), Gadaa government constituted a hierarchy of triple levels of government: the national, the regional and the local. At the pan-Oromo level, the national government is led by an elected 'luba' council (leaders) formed from representatives of the major Oromo moieties, clan families and clans, under the presidency of the Abbaa Gadaa and his two deputies. The national leadership is responsible for such important matters as legislation and enforcement of general laws, handling issues of war and peace and coordinating the nation's defense management of intra-Oromo clan conflicts and dealing with non-Oromo people.

The Gadaa system has the principles of checks and balances (through periodic succession of every eight years), and division of power (among executive, legislative, and judicial branches). And also the balanced opposition (among five parties), and power division between higher and lower administrative organs to prevent power from falling into the hands of despots. Other principles of the system included, balanced representation of all clans, lineages, regions and confederacies, accountability of leaders, the reconciliation of disputes through reconciliation, and the respect for basic rights and liberties (Baissa, 1971, 1993). There have been five ‘miseensas’ (parties) in Gadaa. These parties have different names in different parts of Oromia region as the result of Oromo expansion and the establishment of different autonomous administrative systems (Lepisa, 1975; Ibssa 1992).

The Gadaa system has a strong logical structure, but because of the interlinking of the two concepts of belonging and responsibility at its core. It is not easily accessible at first glance. Many descriptions are offered here. John Hinnant (1978: 213-214) says: ‘Gadaa’ divides the stages of life, from childhood to old age, into a series of formal steps, each distinguished by a transition ceremony defined in terms of both what is permitted and what is forbidden. The aspect of Gadaa, which throws the concept of age grading is the recruitment. A strict age-grade system assumes that an individual’s social passage through life is in tune with his biological development.

An individual enters the system at a specific age and passes through transition rites at intervals allow to the passage from childhood through full adulthood to senility. However, enlisting into the Gadaa system is not based upon biological age, but upon the recruitment that an individual remain exactly five stages below his father’s level. Recruitment is based on the maintenance of one socially defined generation between father and son. Describing how Gadaa currently works in the Borana region of Oromia, Asmiro Legesse (1973: 8) affirms that “[Gadaa] is a system of classes (luba) that succeed each other every eight years is assuming military, economic, political, and ritual responsibilities. Each Gadaa class remains in power during a specific term (Gadaa), which begins and ends with a formal transfer ceremony.” And the society is organized into two distinct but cross-cutting systems of peer group structures.

The one is a system in which the members of each class are enrolled strictly on the basis of chronological age. The other is a system in which the members are entered equally on the basis genealogical generations. The first has no relation with genealogical ties. The second has little to

do. Both types of social groups are made every eight years. Despite the emergence of various autonomous Gadaa administrations after the mid-17th century, the central principles of the system remained inviolate. When establishing these autonomous local governments, the Oromo created alliances, federations, and confederations to maintain their cultural and political solidarity and defend their security and interest from their common enemies (Bulcha, 1996: 50; Etefa, 2008). The possession of institution of Kallu (the spiritual leader) and the common Gadaa government seems to have been what Mohamed Hassen (1990: 9) terms “‘the special mark’ of the Oromo nation.” We have seen that Oromo males are involuntarily enrolled to both age-sets and generation-sets. Male children join age-sets as newly born infants. Males born in the same eight-year period belong to an age-set. But they enter into the system of Gadaa grades at forty years after their fathers. This means one grade is eight years, fathers and sons are five grades apart. Older men mentor or advice young males in teaching rules and rituals, but the former treat the later as equals since there is no status difference between the two groups in a Gadaa class.

In Oromo society, knowledge and information have been mainly transmitted from generation to generation through the family, religion, and Gadaa elders. Young Oromo are expected to learn important things that are necessary for social integration, peace, norms, beliefs and community development from his family, neighbors and elders. They learn basic social behavior, norms and status by joining age-sets and generation-sets. From their families, communities and experts, they learn stories, folk tales, riddles, and other mental games that help to shape their behavior and acquire the knowledge of society. As age-mates, they share a lore because of their ages; members of generation-sets also share many duties and roles because of their membership in grades or classes. At the stage of grade four “the Gadaa classes and the age set come into being as a formal collective group and leaders are elected for both groups. The name of the senior man in each group becomes the name of the group as a whole. The two groups become cross-linked and structural units that operate as complementary institutions so long as they are both represented by living members “ (Legessee, 1973: 58). Between the third and fourth Gadaa grades, boys become adolescent and initiated into taking serious social responsibilities. The ruling group has responsibility to assign senior leaders and experts to teach and council these young men in the importance of leadership, organization, and warfare.

In Borana Oromo community, where many elements of the Gadaa system still exist, the assembly known as Gumi Gayyo (the assembly of multitudes) brings together any type of important living leaders, such as living Abba Gadaas, the qaallus, age-set councilors, clan leaders and Gadaa councilors, and other concerned individuals to make or amend laws and rules every eight years (Huqqaa, 1998).

The Gumi Gayyo assembly has the highest degree of authority than the other assemblies, and other assemblies cannot reverse its decisions (Legessee, 1973: 93). The Abbaa Boku (the father of scepter) is a ‘chairman’ who presided over the assembly. According to Huntingford (1955: 54): “The Abbaa Boku and his two colleagues are chosen from the oldest or the most differentiated families, which are known as ‘families of Hayu.’ The principal function of the Abbaa Boku is to control over the parliament to proclaim the laws, and to act when necessary as ritual expert in the Gadaa-ceremonies.” Abbaa Gadaa is another name for ‘Abbaa Boku’. The Abbaa Duula (the defense minister) is also one of the leading figures in the Gadaa government. He is the leader of Qondala (army) and is elected by the people. His main responsibility included assisting the Abbaa Boku, especially during the time of war. The Abbaa Boku is also supported by a council, known as shanee or salgee, and retired Gadaa officials. Gadaa laws are passed by the ‘caffee’ (assembly) and implemented by officials. And also there is no taxation under the system.

2.4. The Structure of the Gadaa system among Borana and Gabra

As mentioned earlier, both Gabra and Borana are Oromo-speaking pastoralists in southern Ethiopia and northern Kenya. They raise cattle, sheep, goats, horses, donkeys, mules, and camels have the greatest value. In recent years, as different scholars stated that the two communities have also cultivated crops. Their settlements are semi-sedentary, with the number of households varying from a few to hundreds. On the other hand during dry season, younger members move to satellite camps to seek pastures and water for their livestock. After the rainy season begins, they return to their settlements. The Borana are composed of exogamous moieties called Sabbo and Goona whereas the ‘Gabra’ from ‘Jiblo’ and ‘Lossa’. A moiety consists of clans (gosa), and a clan is divided into several sub-clans (mana). Thus, a moiety consists of clans segmented into sub-clans.

Therefore the Gadaa system is based on eight grades among ‘Borana’ called: ‘Dabballe, Gamme, kuusa, Raaba, Doori, Gadaa, Yuuba, and Gadaamojji’, whereas the ‘Garba Gadaa’ is based on six grades known as: ‘Ilman Musso (or ijolle), K'ero, K'ommicha, Yuuba, Dabela and Jaarsa’. Comparatively the age of each grades are shown in the table below.

Table 2.2. Structure of the Gadaa system among Borana and Gabra

Grades	Years	Grades	Years
Daballee	0-8	Ilman musso (or ijolle)	0-8
Gamme Didika (Junior Gamme)	9-16	K'ero	9-16
Gamme Gurguda (Senior Gamme)	17-24	K'ommicha	16-30
kuusa	25-32	Yuuba	34-50
Raaba Dori	33-40	Dabela	35-60
Gada	41-48	Jaarsa	> 60
Yuuba 1st , Yuuba 2nd , Yuuba 3rd	(48-56), (57-64), (65-72) respectively		
Gadamoojji	73-80		

Adapted from Gen Tagawa, 2017 and Daniel Stiles, 1983.

For ‘Borana and Gabra’ when the members of a generation-set reach these grades, they are called by the names of the grades (for example, in the two communities when the members reach the ‘Raaba and K'ommicha’ grade, they are called ‘Raaba & K'ommicha’ respectively). The length of each grade varies and a generation-set called tuba passes through the eight and six grades via rites of passage. A generation-set officially forms every eight and six years in the kuusa and K'ommicha grades. A generation-set is named after the supreme councilor, in both communities. Before a

generation-set is formally organized, the 'Dabballe, Gamme' of Borana and 'Ilman musso (or ijolle) of Gabra' children's are referred to as "sons of (their fathers') generation-set". All male Borana and Gabra are recruited into the fifth generation-set after their fathers' generation-set. The sons' generation-set, fathers' generation-set, grandfathers' generation-set, and so forth form a generation-set line called 'Gogeesa'. There are five generation set lines {called gogeesa shan) in the Gadaa system, which the Borana often emphasize. The word Gogeesa is compatible with a generation-set whereas for Gabra there is six generation set called Jaarsa in their Gada system.

Therefore, a generation-set is sometimes referred to as a generation-set line. The grades prescribe the rules and regulations of marriage and child bearing. A Borana man cannot marry until his generation-set enters the Raaba grade and for 'Gabra', 'K'ommicha' grade. Gumi Gayo and Arda Jila are well-known locations where many ceremonies relating to Gada concerns are held among the Borana and Gabra's communities, respectively.

The generation-set of the Gadaa grade performs a naming ceremony for their infants, called 'Dabballe and K'ero' in the third year of the Gadaa grade of the two societies. This is also the time immediately after their own fathers' generation-set completes the 'Gadaamojji for Borana' and 'Jaarsa for Gabra' grade. Therefore, the Borana, 'Dabballe' and the Gabra 'Ilmanmusso (or ijolle)' infants do not become formal members of society until their grandfathers' generation-set completes the most senior grade '(Gadaamojji) and (Jaarsa)'. Thus, it is important for the Gadaa system that a generation-set passes through all the grades. The two communities do not have to be born into the 'Dabballe and Ilmanmusso (or ijolle)' but they adapt and passes through all grades in their life. For example if they are still alive after completing the 'Gadaamojji' grade, 'Borana' become "elders" (Jaarsa), while Gabra become, and remain, 'Jaarsa'.

2.6. Indigenous Knowledge

Indigenous knowledge (IK) is, broadly speaking, the knowledge or wisdom used by local people to make a living in a particular environment (Warren, 1991). “Terms used in the field of dispute resolution is to delegate this concept include indigenous technical knowledge, environmental knowledge, rural knowledge, local knowledge and farmer’s or pastoralist’s knowledge” (Kipury, 1983). Furthermore, indigenous knowledge can be defined as “A body of knowledge built up by a group of people through generations of living in close contact with nature” (Johnson, 1992). Generally speaking, such knowledge evolves in the local environment and it is specifically adapted to the requirements of local people and situations. In addition it is creative and experimental, constantly incorporating outside influences and inside innovations to meet new conditions. It is usually a mistake to think of indigenous knowledge system and its institution as ‘old-fashioned,’ ‘backwards,’ ‘static’ or ‘unchanging.’

For a long time, Indigenous Knowledge has been interpreted as being in binary opposition to ‘western’, ‘scientific’ or ‘modern’ knowledge. Eurocentric scholars have often displaced Indigenous Knowledge in the same way they dismissed any socio-political or cultural aspect they did not understand (Battiste 2002). Such scholars have the view that Indigenous knowledge is unsystematic and incapable of addressing the productivity demands of the modern world. Initial studies of indigenous knowledge and its analogues such as ‘traditional’, ‘local’ or ‘practical’ sought to underline its differences from scientific knowledge and its analogues such as ‘western’, ‘rational’, ‘abstract’ or ‘modern’ along a variety of procedural and contextual criteria (Agrawal 2002).

According to Battiste (2002, 33), Eurocentric scholars have taken three main approaches to indigenous knowledge system. First, they have assayed to reduce it to systematic categories that are static over time. Second, they have tried to reduce it to its quantifiably observable elements. Third, they have assumed that Indigenous knowledge system and institution has no validity except in the ‘spiritual’ realm. Battiste further observes that none of these approaches adequately explains the holistic nature of indigenous knowledge system and institution or its fundamental importance to indigenous people. In Eurocentric thought and belief, indigenous knowledge is often formally represented as ‘traditional knowledge’, connoting a body of relatively old information that has

been handed down from generation to generation essentially unchanged, hence dismissed as obsolete.

What is more, indigenous knowledge is often regarded as existing in a local context, grounded on a particular social group in a particular setting at a particular time. Western modern knowledge, on the other hand, is often regarded as stemming from an epistemic framework committed to the search for universal validity (Banuri, 1993). In addition local indigenous knowledge is often “primitive, unscientific and a cultural commodity lacking in objectivity and credibility”, whereas western ‘scientific’ knowledge is seen as “contemporary, objective and universally true hence more credible” (Kaplan, 1982).

For some scholars, the difference between Western (modern) knowledge and indigenous knowledge system and institution is that the former is open, systematic, objective and analytical, advancing by building rigorously on prior achievements. Indigenous knowledge system, on the other hand, is closed, nonsystematic, holistic rather than analytical, and proceeds on the basis of new experiences, rather than on the basis of a deductive logic (Levi-Strauss 1962; Howes & Chamber 1980; Feyerabend 1987; Berkes et. al. 2000). Levi-Strauss (1962, 269) argued that two ways of knowing are two parallel modes of acquiring knowledge about the universe: the two sciences are fundamentally clear-cut in that "the physical world is approached from opposite ends in the two cases: one is supremely concrete (indigenous knowledge), the other supremely abstract (modern science)". Paul F. (1987) also distinguished between these two traditions of thought: abstract traditions (to which scientific ecology belongs) and historical traditions, which include systems of knowledge owned by people outside western science knowledge that often becomes encoded in rituals and in the cultural practices of everyday life.

There are the basic differences between indigenous knowledge system and western scientific knowledge. Indigenous knowledge is recorded and transmitted through oral tradition, whereas western science employs the written word. Indigenous knowledge is also holistic: all elements of nature are seen as interconnected and incomprehensible in isolation, whereas western science is reductionist deliberately breaks down data into smaller factors to understand the whole and complex phenomenon (Johnson 1992, 7). It is for the reasons above indigenous knowledge is often represented as the binary opposite of western science. However, some advocates of indigenous knowledge (Agrawal 1995, Battiste 2002; Cassie 2009) deal that just like colonization, a

Eurocentric attitude to knowledge has conveniently threatened indigenous knowledge. They further advocate that the failure of numerous philosophers of science, including Leibniz, Popper, Carnap and Lakatos, to find satisfactory demarcation criteria between science and non-science. It is perhaps unnecessary to draw clear lines between Western (modern) and Indigenous knowledge systems (Bhola 2002). Instead, each should be treated as valid and practical in its own right, and neither should be treated as inferior to the other.

Moreover, advocates of Indigenous Knowledge system have asserted that it is much more than the binary opposite of western modern knowledge. They have argued that as a concept, Indigenous Knowledge benchmarks is the limits of Eurocentric theory, methodology, evidence and conclusions. It re-conceptualizes the resilience and self-reliance of indigenous people, and underscores the importance of their own philosophies, heritages and education processes (Battiste 2002). Besides, Tangwa (2004), Western science and technology is largely anthropocentric and individualistic unlike traditional ecological worldviews, which regard mankind as inseparable from nature.

For Tangwa, the difference in world views explains why indigenous Africans are more cautious in their attitude to dispute resolution, plants, animals and inanimate things and the various invisible forces in the world. He observes that traditional Africans are more likely to adopt a "live and let live" philosophy. This is in contrast to western ecological knowledge, which aspects the natural environment merely in terms of its potential to meet the needs of mankind. Furthermore, Eurocentric scholars ignore the existence of indigenous cultures' own knowledge workers and holders by discounting the value of indigenous knowledge. They also dominate the fact that indigenous people have their own methods of classifying and transmitting knowledge just as they have individual ways of sustaining their livelihoods from the environment (Battiste, 2002). The bias towards the western idea of truth and objectivity contain indigenous knowledge systems into the western notions of knowledge. This in effect means that the autonomy and diversity of the rich indigenous knowledge systems is lost as they continue to be assigned an inferior status to western-based science and technology (Cassie, 2009).

2.7. Conceptualization of Indigenous Knowledge

As Bhola (2002) indicated that the dialectic between indigenous and modern knowledge system mainly centers on whether indigenous knowledge is credible enough to be consulted or considered in resolving human problems such as environmental degradation, health challenges, food security and dispute resolution, among others. To adequately address the concerns raised about the credibility and viability of indigenous knowledge in contemporary discourse, it would be prudent to answer two key questions:

- * What is knowledge?
- * What does it mean to say that knowledge is indigenous?

In cultural- constructivist theories, to know is to become aware, or have a concept of, something in the mind through seeing and/or hearing and literate societies through reading. The term knowledge has therefore come to have connotations of facticity, certainty and truthfulness (Bhola 2002, 3).

On its part, epistemology refers to the study of theories about the nature and scope of knowledge, the evaluation of the presuppositions and bases of knowledge, and the examination of knowledge claims (Coetzee & Roux 2002). However, the means and bases of knowledge claims vary from culture to culture. For instance, the way a member of an indigenous African community comes to know or claims is differ from the way in which a modern Europeans are claim to know. Besides, African indigenous ways of knowing things are as diverse as the numerous ethnic communities in the continent. Nevertheless, by its very nature, epistemology is universal. It studies knowledge and knowledge systems irrespective of their origins.

The term 'indigenous knowledge' denotes the traditional understanding of a community which is originated, grown and lived in a specific area (WIPO 2001, 23). Indigenous knowledge system is therefore a 'naturally possessed' by a particular community, and its content may be as extensive as human experience: from history, to astronomy, biology, health and agriculture. The process of validation of this form of knowledge is involves its use and usefulness in the real world (Bhola 2002).

Unlike western science, which is knowledge about how to live, a way of life and the actual living of that life (Johnson 1992; Nakashima 1993). According to the World Intellectual Property Organization (WIPO), indigenous knowledge can be defined as follows:

... Tradition based literary, artistic or scientific works, inventions, performances, scientific discoveries, designs, marks, names, symbols, innovations and creations resulting from intellectual activity in the industrial, scientific, literary and artistic fields. Categories of traditional knowledge are include: agricultural knowledge, scientific knowledge, ecological knowledge, medicinal knowledge ... (WIPO 2001, 25)

Indigenous knowledge is an adaptable, dynamic system based on skills, abilities and problem solving techniques that change over time depending on environmental conditions and it is holistic in nature. In this work, the term 'indigenous knowledge' is used to refer to miscellaneous bodies of knowledge, practices and representations that are developed and maintained by peoples with long histories of close interaction with the local natural environment (Owuor 2007). In this sense, the adjective 'indigenous' expresses the idea that such knowledge is typical and belongs to peoples from specific places with common cultural and social binds. Such a definition reflects the uniqueness of ways in which specific community make sense of the world, conceptualize local problems and offer solutions.

On its part, indigenous knowledge includes a system of classification, a set of empirical observations about the local environment, and a system of self- management that governs resource use. Therefore it constitutes an indigenous community's adaptive strategy. With its roots firmly in the past, indigenous ecological knowledge system is cumulative and dynamic, building upon the experiences of earlier generations and adapting to the current technological and socioeconomic realities. An analysis of many Indigenous Knowledge systems shows that there is a component of local observational knowledge of species and other environmental phenomena. A component of practice in the way people carry out their resource activities and a component of belief regarding how people fit into or relate to eco-systems (Berkes et. al. 2000).

The intellectual roots of IK are in ethno science (mainly ethno botany) and human ecology. The field started with the documentation of lists of species used by different indigenous groups and elaborated a science of folk taxonomies of plants and animals, and later the other environmental features such as soils (Berkes 1999). IK is appropriated in practices and oral literary works such as music and folklore (WIPO 2001). Through stories and ceremonies, young children are taught that plants may be used as a source of food, medicine, and building materials, among other things. For example, in indigenous Oromo societies, believed that forests are the manifestation of the power of the Supreme power.

Most of these societies associated big trees such as fig and baobabs, which, together with the vegetation around them, are set apart as places of worship (Kipury 1983). Also the universe is a complex phenomenon and human beings want to understand it in order to build a niche for themselves in it. Oral literature helps people to understand the natural environment and their place within the environment (Chesaina 1997, 40). Traditional ecological education transmitted orally from generation to generation focused on preserving the holiness of life and whatever enhanced it. Contemporary ecological education should therefore draw insights from this system of education (Battiste 2002).

Farming practices among different indigenous communities in Ethiopia and Kenya also bear witness to the fact that indigenous knowledge can be controlled to bundle environmental degradation. Farmers have since time immemorial used intercropping and rotational cropping to improve soil fertility and as a pest control mechanism. This used to work effectively before the introduction of pesticides and fertilizers which have had a negative impact on the environment (Misiko 2007).

2.8. Roles of Indigenous Knowledge in Disputes Resolution

Cultural disputes managements are playing an important role in resolving dispute and maintaining peace and stability in a community. To resolve disputes and maintain peace in a specific community, indigenous knowledge system and institution plays major role. According to Macfarlane (2007), IK is run by elders who are well known and respected members of the community and may comprise religious leaders, wise-men and other community leaders. Similarly, according to Fiseha, et al., (2011), prominent and old-age groups within a society are

the source of indigenous knowledge system as they have experience and critical perception about their environment. Such old-age's perception are different from society to society. For instance, Regassa, et al., (2008) point out that cultural practices are deeply rooted in different ethnic groups and arise from old-age practices that have regulated the relationships of the peoples in a community.

Accordingly, elders are associated with the cultural norms and beliefs of their peoples, and gain their legitimacy from the community values instead of state. In other words, the dispute resolution mechanisms function on the basis of local customary practices or cultural norms based on indigenous knowledge. Consequently, a true and lasting peace requires a culture for peace that is a comprehensive society, wide system of values, beliefs, and attitudes. Therefore, according to Bar-Siman-Tov (2004), in traditional and relatively undifferentiated society's chiefs, elders, or other leading figures play mediating or judicial roles in bringing aggrieved parties and their kin into normal civility. In this case, there are local actors and traditional community based decision making method to manage and transform dispute within a community.

Thus, local mediation typically incorporates consensus building based on open discussions to exchange information and clarify issues. Accordingly, disputing parties are more likely to accept guidance from the mediators than from other sources because an elder's decision does not mean any loss of face and is backed by social pressure. In this understanding, indigenous institutions, elders, chiefs and other prominent leaders play critical roles to invest indigenous knowledge to disputes resolution and maintain stability within a community. Therefore, indigenous knowledge institutions are generated by the society within a particular community according to the perceptions of their culture and different groups of people involve within resolution process as audience besides of disputes parties and mediators.

Broadly speaking, African indigenous disputes resolution systems characteristically focus up on agreements through deliberations, negotiations and reflections to ascertain facts and clear up problems (Behre, 2012). Disputing parties are therefore more prone to accepting direction from their traditional mediators than from outsiders because an elder's verdict does not cause disgrace and is supported by communal norms. The outcome is ideally a sense of harmony, mutual participation and obligation as well as interchange among disputing sides.

2.9. Theoretical Framework

The study employed three theories. These include: The Social Capital Theory, The Social Conflict Theory and the Social Institution Theory. The social capital theory explains the formation of communal societies and the attendant social ties that bind them together. Putnam, (1965), in theorizing social capital, submits that social networks, bonds, reciprocal duties, trust bind and enable them to co-exist. It is guaranteed the existence and effective functioning of society. Putnam describes between two types of social capital: bonding social capital, which binds individual members of a group together, and bridging social capital, which allows people to connect with people from other social groups.

The social conflict theory can also explain the restorative nature of dispute resolution by elders in African Societies. In most of Africa, elders aim at restoring the social ties or social capital that had been broken by the wrongs done, committed or omitted. Without strong social ties, communities could not exist and function effectively. Even in serious cases such as murder, the threat of excommunication from the society, and therefore exclusion from social ties, acted as a discouragement for wrong doing. However, this theory is inadequate in explaining the roles elder's plays in practice of indigenous knowledge system and institution in settling dispute that comes as a result of human nature in Borana and Gabra community. Therefore, the study supplemented it by use of The Social Conflict Theory explained below.

Theories of Social Conflict is an essential tool used by scholars in the analysis of society; through the use of theoretical frameworks of social structures and phenomena are analyzed and placed in context within a particular school of thought. The field is interdisciplinary, drawing ideas from and contributing to such disciplines as anthropology, economics, history, human geography, literary theory, mass communications, philosophy, sociology, and theology (Berberlogu, 2005). This study adopts a "Critical" Social Institution Theory. But the term, "Social Institution" is somewhat unclear both in ordinary language and in the philosophical literature.

However, contemporary sociology is somewhat more consistent in its use and typically, the term refer to complex social forms that reproduce themselves such as governments, the family, human languages, universities, hospitals, business corporations, and legal systems. A typical definition is that proffered by Jonathan, (1997: 6): "a complex of positions, roles, norms and values

accommodated in particular types of social structures and organizing relatively stable patterns of human activity with respect to fundamental problems in producing life-sustaining resources, in reproducing individuals, and in sustaining viable societal structures within a given environment.” Again, Anthony, (1984: 24) says: “Institutions by definition are the more enduring features of social life.” He (Giddens 1984: 31) goes on to list as institutional orders, modes of discourse, political institutions, economic institutions and legal institutions.

2.10. Conceptual Framework

This section describes the variable in relation to the research subject and goal. Dispute Resolution by elders which included; resolving individual disputes, resolving boundary disputes, marking boundaries, bringing people together and gathering information on disputes.

The variable comprised of the effectiveness of community; ‘Abba Gada’s, Hadha Sinqee’s’, Elder’s and other which are measured in terms of the outcome. They included; Successful dialogue, Peaceful co-existence and resource-related disputes resolution.

METHODOLOGY

The section contains the research design, a description of the study area, target population, sampling techniques and sample size determination, instruments of data collection, pretesting, validity and reliability of data collection instruments, data collection techniques and procedures, data analysis, presentation and interpretation, and ethical considerations in the study. The study adopted both qualitative research methods.

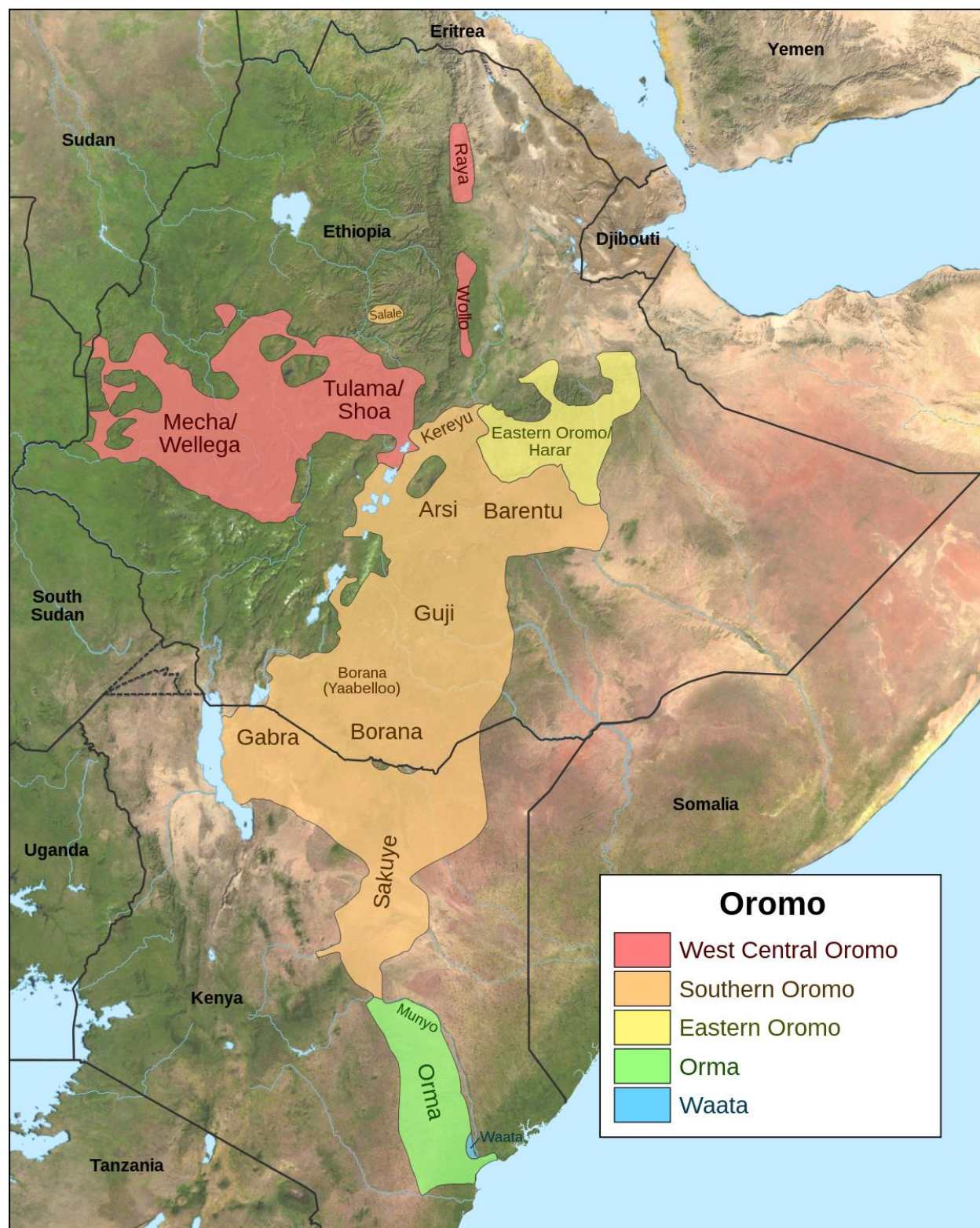
3.1. Research Design

The study used comparative research design because it is often used when comparing two groups of people, often cross-nationally. Moreover, comparative studies can be used to increase understanding between cultures and societies and create a foundation for compromise and collaboration. At times, the researcher is also concerned with how, what is or what exists is related to some preceding event that has influenced or affected a present condition or event. Therefore, the study was used to generalize from a sample to a population so that inferences were made about some characteristics, practices, roles, and validity of a target population. On the other hand, the study applied qualitative methods of research approach. A comparative research design is used to examine the dynamics of Africa's Indigenous knowledge system and institutions in dispute resolution among the Borana and Gabra ethnic groups. This kind of design helps the researcher interpret the data which were given by the informants. The research design was, therefore, appropriate for the study. The plan was also flexible as it allowed the researcher to collect qualitative data.

3.2. The Study Area

The study was carried out in Borana Zone of Gomole, Yabelo and Moyale around the Kenyan border. Borana shares borders with Kenya on the south, the Southern Nations, Nationalities, and Peoples Region on the west, West Guji and Guji on the north, and the Dawa Zone Somali Region on the east. Based on the 2007 Census conducted by the Central Statistical Agency of Ethiopia (CSA), this Zone has a total population of 962,489, of whom 487,024 are men and 475,465 women; with an area of 45,434.97 square kilometers, Borana has a population density of 21.18. A total of 182,258 households were counted in this Zone, which results in an average of 5.28 persons to a household, and 174,474 housing units. And also the majority of the inhabitants were Protestant, with 47.25% of the population having reported they practiced that belief, while 35.01% of the population practiced traditional beliefs, 9.62% were Muslim and 5.45% professed Ethiopian Orthodox Christianity. Astronomically, Borana zone is located 4° 3' to 5° N latitude and 37° 4' E to 38° 2' E longitudes and the landscape is characterized by slightly undulating peaks up to 2000 meters above sea level (masl) in some areas. Whereas the Gabra are related to the wider Oromo people in the Horn of Africa and mainly inhabit the Moyale and Marsabit regions of northern Kenya and the highlands of southern Ethiopia. And also they mostly practice Islam and Christianity as religion but maintain mandatory cultural practice. In addition, according to the 1992 census, the population of Gabras was 147,000 people.

Map 3.1. Borana and Gabra, the study location map



Map 3.1. Borana and Gabra, the study location map. Accessed from online source

3.3. Target Population

The target participant in the study were 'Hayyuu or Jaarsa' elder's council of both Gabra and Borana's at the place where they are living. And also other fellow male and females who has clue idea about Kallu, Hadha sinqee (Hada sinke) and etc of Gabra and Borana's were voluntarily participate.

3.4. Sample Size

Population, according to Ogula (2005), is any group of institutions, people, or objects that share similar features. For semi structured interviews, 3 council of elders and 3 Hadha sinqee's from each group, and 12 male and 12 female from each group for FGD were the target populations. As a result, the target population was 36 in total, from which the researcher took samples to obtain the 6 council of elders, 6 Hadha sinqee, and 24 FGD participants for the study.

The sample size in the study was determined using Cochran (1963), Mugenda and Mugenda (1999) formula for sample size determination. According to Mugenda and Mugenda a sample size of between ten and thirty percent is adequate in a research study.

3.5. Sampling Techniques

The study used two methods of sampling namely purposive and snowballing techniques. Purposive sampling was used as it allowed units of the sample to be selected by personal judgment or convenience and irrespective of whether they are representative of the population or not. The technique allowed the researcher to use cases that have the required information concerning the objectives of the study. In the snowball sampling technique, the respondents were asked to assist the researcher in identifying other potential participants with the specific range of information that the researcher was interested in, e.g. locating the community leaders.

The researcher chose purposively and snowballing techniques of sampling because the target population was large and spread in a vast area. Also, qualitative researches such as this required that the researcher took the most accessible or the one that the researcher could spend the most time with. The two techniques enabled the researcher to achieve this. The study, therefore, purposively selected the study area as well as elders from each of the two groups for semi

structured interview and Focus Group Discussions (FGDs). Also, the researcher used the snowball technique to select opinion leaders for in-semi structure interviews. Selected participants of all these groups gave sufficient information on the study subject. The study, therefore, used a sample size 12 respondents for semi-structured interview and four groups for the FGDs. As noted above, each group (Borana and Gabra) produced two FGD comprising of six participants.

Table 3.1: Sample Size for the FGDs

<i>From Borana Group</i>	<i>Number of participants in one Group</i>
<i>Male</i>	6
<i>Female</i>	6
<i>From Gabra Group</i>	
<i>Male</i>	6
<i>Female</i>	6
<i>Total</i>	24

Table 3.2. Sample Size for semi structured Interviews

Category	Participant Numbers
<i>Borana's Abba Gada and Elders</i>	3
<i>Borana's Hadha sinqee</i>	3
<i>Gabra's Abba Gada and Elders</i>	3
<i>Gabra's Hadha Sinqee</i>	3
<i>Total</i>	12

3.6. Data Collection Instruments

The researcher used semi-structured interview schedules, telephone interviews, and focus group discussion (FGD). Since the mentioned tools are excellent for acquiring qualitative data and may be conducted at the interviewees' convenience, they were used. Furthermore, the focus group method was chosen because it enabled the researcher to interact with participants and learn their perspectives in order to better comprehend the topic under study. Through FGDs, the researcher was also able to ask for clarification and reframe questions to understand the issues correctly. Secondary sources of data were also used to collect the data using an intensive review of the literature. And also, it enabled the researcher to make inferences based on the findings of other researchers.

3.7. Data Collection Techniques and Procedures

Data was collected using secondary and primary methods. The researcher held discussions with FGDs and also Target informers. The researcher obtained the required permission from the School of African and Asian studies and the Yabelo culture and tourism bureau. Permission to access primary data from the offices of individuals, state and non-state actors was also sought. The researcher then booked appointments with the concerned participants of primary data, the groups, and the interviewees. The specific data collection techniques and procedures are as discussed below.

3.7.2. Semi-structured interview guide line

Pre-tested semi-structured interview guide line were administered to the respondents by a trained research assistant. The administration of the guide lines involved translating them into the local language since they were prepared in English. The guide line extracted information such as the socio-demographics of the respondents. Lastly, there were other sections on ways of strengthening the mechanisms of community leaders and their effectiveness in managing disputes. The tool enabled the researcher to ask questions in line with the study topic to understand the phenomenon clearly.

3.7.3. Focus Group Discussion

In this method, an FGD Guide was used and stated. This method of data collection was chosen because it enabled the researcher to explore the views of the participants and to generate answers to issues that could have been more difficult in face-to-face interviews. The researcher selected four FGD for the interview. The method was also suitable because it allowed the gathering of information even when the respondents happened to be mostly illiterate or semi-literate, as was the case in this study. Lastly, this approach reduced the amount of time as it generally yielded detailed qualitative information from a relatively large number of discussants assembled in one place. The FGD were selected from the study population through the help of area chiefs.

Christensen (2004) surmise that focus groups usually contain 6–12 people, whereas Langford et al. (2002) and Morgan (1997) recommend 6–10 individuals. Krueger (2000) recommends 6–9 focus group members, and groups with more than 12 participants tend to "limit each person's opportunity to share insights and observations" (p.78). Therefore, FGDs were comprised of six participants in four groups, and they were conducted at the local chiefs' office by the lead researcher, who introduced the topics and then allowed the members to contribute. A note taker wrote down important comments, and recordings were made and later transcribed to ensure that no information was left out.

3.8. Data Analysis

The qualitative data from FGDs, Semi-structured interview and phone interview were analyzed thematically. The thematic analysis process involved classifying information into various categories of responses for each objective from the respondents and combining them into emerging themes. Data classification involved transcribing the data, re-familiarization with the data, coding the data, and finally producing the report. The data was then interpreted and presented based on these categories and themes.

3.9. Ethical Considerations

The researcher sought approval from the School of African and Asian Studies and his adviser. Ethical clearance was also sought from the School of African and Asian Studies and the adviser. A permit to conduct the research was also obtained from the School of African and Asian Studies and the adviser. The study required a research authorization from Yabelo's culture and tourism bureau as well as the respective responsible. Informed consent was sought before responding to the questions.

The researcher got the respondents' verbal consent to make sure there were no ethical problems. The goals, procedures, and applicability of the study were also explained to the participants. By encrypting the participants' voices, the study's participants were guaranteed their identity and confidentiality, and nobody was forced to take part. All respondents received respectful treatment, and the researcher made sure that their anonymity was respected. In case the respondents had any further questions or needed clarifications, the researcher gave them his contact information.

4. ANALYSIS AND INTERPRETATION

This chapter discusses the socio-demographics of the respondents, gender of the respondents, age of the respondents, background information, the results of the study conducted in Borana Zone as per the objectives of the study and finally, It summarizes the role of indigenous knowledge system and institution, the role of ‘Hayyu’ or Elders in dispute resolution and the ways of strengthening the importance of indigenous knowledge system and institution at national level.

4.1. Socio-Demographics of the Respondents

The respondents were drawn from different section of Borana zone like Gomole, Malka Soda/Ballo, Arero, Dirre, Yabelo and Moyale and their respective numbers are as discussed in chapter three. A total of 36 respondents responded to the issues. The inclusion criteria were all the residents who were above 20 years. 36 respondents were sampled since they were expected to be aware of the role of elders in resolving dispute by using their indigenous knowledge system and institution. The findings indicated that the male and female participants for both interview and FGD were equal. On the age group of the respondents, the majority of the respondents were in the age bracket of 25 to 64 years.

4.2. Background Information of Borana and Gabra communities

The Borana community is ruled and governed by the Gadaa System. According to the participants of the study and different scholars;

Every practice of the Borana people is based on their indigenous knowledge and institutions. In addition to this, Borana community has various indigenous systems. These are marriage system, child rearing system, property management system, system for boosting ties with neighboring clans, dispute resolution system and so on. These systems have stemmed from Gada's system.

Therefore, from all the above-mentioned practices among the Borana community, the main focus of the study was on how the Borana community is reconciling the problems that have been occurring among the disputants. As a result, the study attempted to answer questions such as what

types of disputes occur in the community, how they are resolved, and what are the implications of the dispute resolution mechanism in terms of social, economic, and political development.

Among Borana and Gabra the disputes include individual disputes (e.g., brother vs. brother, sister vs. sister, and neighbors vs. neighbors, etc.), disputes between phratries, disputes between moieties, disputes over resources (e.g. grazing land, cattle, water, camels...), and so on. Both Borana and Gabra communities believe in the naturalness of disputes, and they have a common proverb to explain it. "Arrabni fi Ilkaanuu waltuquu hin ooltuu" is the Oromo language version of the proverb. This means that the tongue and teeth are always in contact with one another. Furthermore, this implies that the tongue violated his boundaries by putting himself on the teeth and biting into the teeth.

The Borana and Gabra communities recognize that the disputes are triggered by human nature and that they are difficult to cease, but they believe in a process to mitigate the disputes. Despite this, they agreed to utilize their indigenous knowledge system and institutions to resolve the dispute. Accordingly, the researcher organized the data based on the research objective that was collected from participants. The participants were drawn both from Borana and Gabra's community. To collect the data, the researcher used semi-structured interviews and focus group discussion. The themes of the respondents are presented and discussed in the above chapter three. As a result, there is a hierarchical dispute resolution organ in both Borana and Gabra communities, which is framed in their Gada indigenous knowledge system and institution. Their hierarchical or layers of dispute resolution procedure is comparable to that of modern legal systems.

Figure 4.2. Modern Hierarchical legal system of civil matters

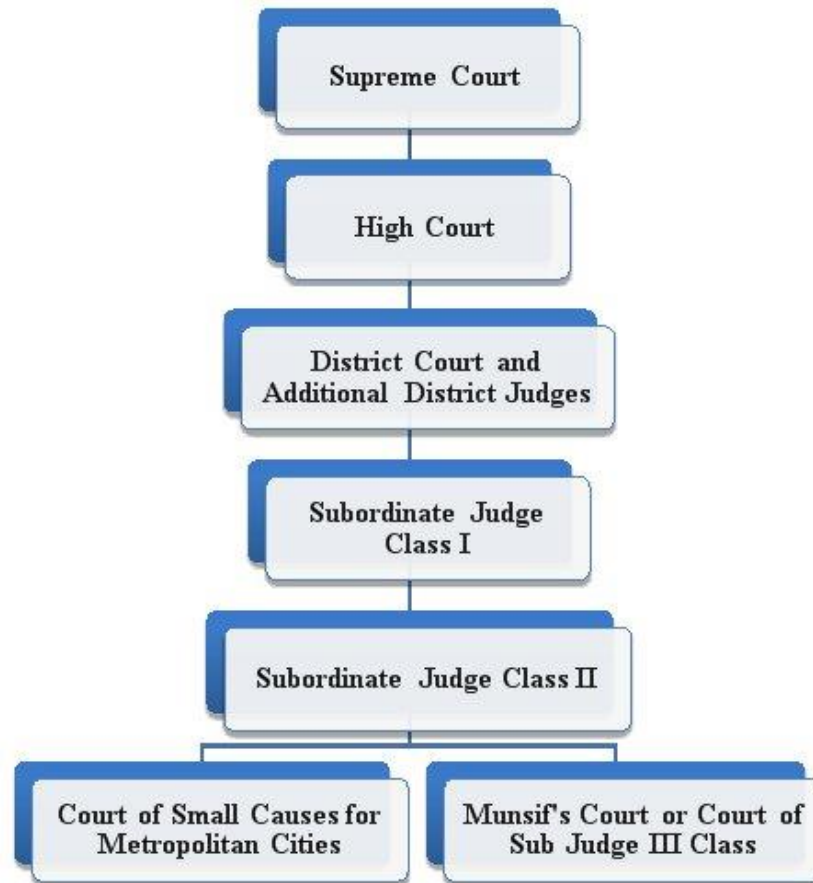


Figure 4.2. Modern hierarchical legal system of civil matters

The present legal system exists as a result of many researchers and experts approving its procedure in today's society. Unlike the present idea of a hierarchical legal system, both Borana and Gabra communities have indigenous knowledge systems and institutions of dispute resolution organs that functioned for a century under Gada's system before the modern legal hierarchy was developed.

4.3. The Procedures Apply for Resolving Disputes among Borana and Gabra Communities

The first objective of the study was focused on the procedure that both Borana and Gabra follows in order to reconcile the disputants in their communities. Thus, the procedures that they follow are discussed below respectively.

4.3.1. The procedures Apply for Resolving Disputes in Borana Community

The Borana community solve the disputes that happened between individuals or clans based on their indigenous practices that are framed on the basis of Gada's system. As the participants mentioned, the dispute should be resolved at different levels in the community. These levels are individual, "Jaarsa ollaa, Jaallaba, Qayee, Lichoo, and Raaba Gadaa (or Gumii Gaayoo)".

Figure 4.3. Borana community's Hierarchical Dispute Resolution Organs



Figure 4.3. Borana community's Hierarchical Dispute Resolution Organs

4.3.1.1. Individual Level Dispute Settlement Procedure

According to the FGD, the disagreement is settled at individual basis in the Borana's community. This occurred when the disputants accepted an agreement and one of them forgave the other. When they settle their dispute at this level, they 'imagine' their cultural norms, values, and religious practices. According to a respondent, there is no third-party involvement in the process. However,

if the disputants are not able to reach an agreement at this level or individual level, they start their oral charge to Jaarsa Olla of the dispute resolution organ.

4.3.1.2. Jaarsa Ollaa Level Dispute Settlement Procedure

Both interviewees and FGD participants pointed that Jaarsa Ollaa, or elder's council, means the first court that the disputants start their oral charge in Borana's dispute resolution system. Furthermore, they stated that Jaarsa Ollaa refers to an elder member of society who comes from the clans of the disputants. They also said Jaarsa Ollaa may be the one who appears at the place when the issue is occurred between the disputants. Following that the Jaarsa Ollaa brings the disputants together, and starts to listen, their oral charge. After they listen to the issue that leads to the dispute among the disputants, they make a decision, based on their cultural norms, beliefs, and values. Then, they finalize the issue, and they settle the peace among the individuals involved in the controversy. If one of the parties to the dispute is dissatisfied with the resolution reaches at this level, he or she submits an oral charge (ombudsman) to the subsequent court, known as Jaallaba.

4.3.1.3. Jaallaba Level Dispute Settlement procedure

As per one of the interviewees and FGD's participants, Jaallaba is more powerful than Jaarsa olla and recognized by Abba Gadas based on Gadas structural dispute resolution organs. Similarly, the interviewee also strengthened the previous idea of Jaallaba's recognition by Abba Gada's, and he said Jaallaba is not from the clan part as Jaarsa Olla rather rather from anyone who is appointed by Abba Gadas in the community to resolve dispute and to address other issues as they are ordered by Abba Gadas through Gadas structure.

Jaallaba, unlike Jaarsa Olla, is neither female nor male. In other words, the male is the one who is nominated and appointed by Abba Gadas as ' Jaallaba '. This is made possible by the consent of Gadas' dispute settlement framework. Again, FGD participants indicated that the disputants presented their oral appeal in order to obtain another amendment or decision at Jaallaba. At this level, the Jaallabas group are invited, the previous organ or Jaarsa Ollaa who have seen the problem, and they communicate, analyze, and interpret the problem together once again to check the fairness of justice thorough inquiry and then finally they make decision.

Furthermore, the FGD participants mentioned again that the Jaallaba group is inviting Jaarsa Ollaa, in order to obtain further information on the clarity of the issue, the honesty of the procedure, and

free of bias. In addition, the Jaallaba group test, as the quality of decisions made by Jaarsa Ollaa is maintained social values, beliefs, and standards of their community. The Jaallaba then gathers the disputants' evidence and hears their oral charge once more. Once, they have finished hearing the oral argument of the parties, they then reach a decision. Here, they do not make the guilty be in a prison rather they ask to pay or give a number of cattle based on the decision pronounced. This signifies that the guilty person is asked to give two, three, four, or more cattle, depending on the Jaallaba's decision. Because cattle have first place in the life of the Borana communities, and they are pastoralists who also adore livestock, and the reward for the judgment passed is cattle. As a result, among the disputants the one who is dissatisfied with the verdict reaches by Jaallaba is summoned to the next organ called Qayee, for oral charge or ombudsman.

4.3.1.4. Qayee Level Dispute Settlement procedure

Both Abba Gada's and FGD mentioned that Qayee refers to a more powerful organ than the previous organ, called Jaallaba, and similarly this organ is appointed by Abba Gada in the community to keep peace and perform other tasks since the structure has been already described in Gada's system. Furthermore, the gender quality of Qayee group is also male. As the FGD participants pointed out, this does not rule out the possibility of women filling all positions. This is due to an assumption of the community that the women are too kind to make a decision. It is also believed that dispute resolution is not so much easy for women rather challenging them to move from one place to another when they get pregnant. Indeed, at this level, the Qayee organ invites the former organ, Jaallaba to examine the validity of the truth and underlying the choice taken by (Jaarsa Ollaa and Jaallaba). Eventually, this organ brings the disputants together and begins to listen their oral accusation.

Besides, Participants strictly explained that in the process if the decision made by the previous organ (Jaarsa olla or Jaallaba) is five to seven cattle. And at this level; however, it can be ten or fifteen cattle. In this regard, the decision made at this level is also more significant than the previous one. The Qayee makes a new verdict on one of the disputants after hearing the oral charge and viewing the witness of the prior organ's decision. Similarly, the one who disagrees with Qayee's decision is taken his/her oral charge to the next organ known as the Lichoo.

4.3.1.5. Lichoo Level Dispute Settlement Procedure

The FGD participants and interviewed Abba Gada's suggested that Lichoo is the organ who possesses greater power than the previous three organs in Gada's structure of dispute resolution. This organ is appointed by Abba Gada to the community for settle peace and other works as the previous organ. On the other hand, what distinguished this organ from the other three is, its proximity to Abba Gada's leaders. The Lichoo organ also invites Qayee and Jaallaba for further investigation of the problem to maintain the uncertainty of the decision made and find the truth of the disfavored person or group.

The participants suggested that at this level, the Lichoo is not only invites the previous decision-making organs but also they invites many people, including disputant clans. This can be done for the purpose to clarify the decision-making process for all participants and the clans of the disputants have the chance to raise the question what they have on the issues during the decision making process, on the behalf of the guilty person of their member. After they have listened to the disputants, they realize the previous decision, and listen to the other participants' questions or ideas. Then after, the Lichoo organ reaches the decision that is expected at this level. Here again, the guilty person who is still not confirmed and accepted the decision that is made by the previous organ including Lichoo has the right to take his ombudsman to the final or supreme court for the final decision called Raaba Gadaa or Gumii Gaayoo.

4.3.1.6. Gumii Gaayoo/Raaba Gadaa Level Dispute Settlement procedure

Gumi Gaayoo is the largest socio-political assembly of the Borana, according to informants and participatns Abba Gadaa suggested. And also it takes place once every 8 year in a place known as Gaayoo in Borana district. All genders are welcomed to attend this assembly, and they are expected to participate in all ceremonies until the end. Furthermore, the informants claimed that not only Gadaa power being transferred from one person to another at Gumii but also they make legislation and make decision processes. Consequently, the disputants reach a final agreement and the oral charging process is completed at this level. Likewise, during the assembly, new rules and amendments is declared; different decisions is announced; and praying for future prosperity, health, and socio-political peace is taken place.

Therefore, at this level, the oral charge of the disputants should be seen by all concerned bodies like; the former organs (Jaarsa olla, Jaallaba, Qayee, Lichoo) who have seen the problem before,

the clans of both disputants, including Hadha Sinqee, and the other females. Participants pointed out that the decision reached at this level is acceptable to all Borana's communities, and each procedure is used to reach a decision is scrutinized by all participants. This can be practical to maintain the Gada institutional justice system to justify the clarity of the previous organ's decisions, to keep societal norms, values, and beliefs, to settle the peace among all Borana's community and to bring the disputants together for the last time by Abba Gada. The conclusion reached by Abba Gada at Gumii Gaayoo is acceptable by the Borana community. Because among the Borana, Abba Gada is a well-known leader who have seen as a guardian of justice and the one who treated all living and non-living things equally. When Abba Gadas gathered the essential facts, the decision is announced to all Gumii participants who have been thoroughly informed about the situation. And then, following the declared decision of the former organs (Jaarsa Olla, Jallabaa, Qayee, and Lichoo) unanimously looked for Abba Gadas' decision for the amendment of the decision announced to the Gumi by Abba Gadas. For example, if Abba Gadas make a decision of forty cattle, the organs may request as the decision should amend from forty cattle to twenty cattle in place of the guilty individual or group.

In relation to this, if the question of amendment is acceptable from forty cattle to twenty cattle, the clans of the guilty person are shared and contributed a number of cattle as their capacity, and the clans are paid accordingly. On the other hand, the FGD participants notified that in decision-making process according to Borana community and Borana Gada system if the decision made by the former organ is frequent on the same individual and similar up to the end, and individual or group refuses to accept the decision that is made on him by the Jaarsa Olla, Jaallaba, Qayee, and Lichoo organs and results in the wastage of their labor, time, and other resources, the four mentioned organs jointly charge the individual or group who does it to Abba Gadas. Finally, anyone or any group that refuses to recognize Abba Gadas' decision which announced in front of all Borana clans at Gumii Gaayoo shall be completely ignored by peoples and excluded from community. Similarly, the one who does not accept the decision is considered as a cursed individual who will not live long enough to survive in the natural world.

4.4. The Procedures Apply for Resolving Disputes in Gabra Community

In order to maintain peace in their society, the Gabra group has adopted a procedure comparable to the Borana's dispute settlement mechanism. Both communities have their own Gada structural framework and different practices.

According to Abba Gadas and FGD participants;

The Gabras are the community that Gada dominated and governed. Unlike the Boranas Gada system, the Gabra Gada system rotated in six-year rounds and not all Gabras are run Gada according to the Gabras Gada system. There are clans who are running for Gada in the community. This is not because of any enforcing external body rather it is due to the nature of Gabra's Gada system.

On the other hand, the participants raised as the disputes are inhabitable in human life. It is complementary things that survive with human life. So, it is difficult to stop disputes for the last time in human life rather settling temporary peace by reconciling the disputants. Thus, participants maintained that the Gabra's structural dispute resolution system is similar to Borana's structural organ of dispute resolution which resolves disputes among the Gabra ethnic group. In addition, Gabra are camel pastoralist community and their economic depends on camels. Therefore, unlike Borana cattle, the decision is made by presenting camels on the disputants in Gabras community.

4.4.1. The Procedure to Resolve Dispute

Participants said that in the Gabra community, there are various hierarchical organs framed in Gabra's Gada system to go through in resolving dispute. These structural organs of dispute resolution levels are Individual, Jaarsa Olla, Miiloo, Jallabaa, Dhabella, and aba Gada's (ardajila).

Figure 4.4. Borana community's Hierarchical Dispute Resolution Organs



Figure 4.3. Gabra's community's Hierarchical Dispute Resolution Organs

4.4.1.1. Individual Level Dispute Settlement Procedure

The participants stated that disputes are resolved at the individual level based on the disputants' consent or agreement without the intervention of a third party. The resolution basically conducted based on community's belief, cultural norms, and values. At this level, the disputants absolve themselves from having any priority, based on their cultural background, and they keep their previous love. If the dispute is hardly settled at this stage, the disputants take their charge to the next level called Miiloo.

4.4.1.2. Miiloo Level Dispute Settlement Procedure

According to participants, Miiloo organ is similar to Borana's Jaaras Olla organ and it refers to the elders who are appointed by Abba Gada from each clan to resolve disputes among the communities as per Gabra's Gada structure. Here, the disputants invite the Miiloo of their clan in order to settle peace among themselves. The Miiloo is the first court at which the oral charge of the disputants is presented. Aboveboard, the Miiloo call the disputants to listen to their oral charge. After listening to the disputants' charges, they impose a decision, or 'libooma' on the guilty one. "Libooma" means, as participants mentioned, the 'decision', in Gabra's dialect. Here, the one who is not satisfied with the libooma made by Miiloo takes his ombudsman to the next level of court, Jaallabaa.

4.4.1.3. Jaallabaa Level Dispute Settlement Procedure

According to the participants, Jaallabaa is an individual who is appointed by Abba Gada in the community as Miiloo in order to resolve disputes as per Gabra's Gada structure. Accordingly, the Jaallabaa groups invite the previous organs (Miiloo) who sees the issue of disputants and observes the degree of fairness in making decisions (libooma) process. Then, the Jaallaba organ listens to the oral charge of the disputants, studied the case thoroughly, and they passes a verdict, libooma, on the guilty. However, the one who is not satisfied with the libooma has the right to take his/her ombudsman or charge to the next court called Dhaabella.

4.4.1.4. Dhaabella Level Dispute Settlement Procedure

Participants indicated that Dhaabella is the organ or individuals appointed by Abba Gadas in the community as a dispute resolution organ and practitioners of any issue arising from Abba Gadas. This organ is similar to Abba Gada. In this case, this organ asks Miiloo and Jaallaba to become well-informed on the subject and to assess the justice of their previous decision. Furthermore, the Dhaabella allows the disputants' clans to attend the meetings and begin listening to the disputants' oral charge. Then, he passes the libooma on the guilty person after listening to and observing the disputants' appeal. Nevertheless, those who are not happy with Dhaabella's decisions takes their oral charge or ombudsman to the last court known as Arda Jilaa.

4.4.1.5. Arda Jilaa Level Dispute Settlement Procedure

As per the interviewed abba Gadas and FGD participants, like Borana's Gumii Gaayoo, Arda Jilaa is one of the famous ceremonial days in which all Gabra clans are invited to attend the transmission of Gada's from one to the other in six-year round. During this ceremony, all genders are allowed to attend the occasion that passed at Jilaa.

Participants also dwelled on the topics such as blessings, gratifying nature, declaring new laws, amending old rules, and enacting new rules. They are also involved in a ritual at which Gada leaders promoted from one generation to the next. Similarly, the libooma on the disputants is announced at the appointed time for Jilaa's participants.

As participants noted, the libooma announced by Abba Gada at Arda Jilaa is strong. It may be twenty to thirty camels. If the decision-making procedure is not free and fair, the disputant's clans are to approach the Abba Gadas for more clarification during Jilaa rituals in front of all Gabra communities. Abba Gadaa then pronounces the libooma on the guilty person or group after clarifying all of the inquiries and making the matter apparent. After this day, the oral charging is completed, and if the number of camels imposed on the guilty is large, the clan requested an amendment, and they share and contribute as much as they can to compensate the guilty. As a result, if the guilty person refuses to accept the libooma passed by Abba Gadas, the society turns its back on him, fires and beheads his camels in front of him.

4.5. The Role of Kallu Institution in Dispute Settlement Process

The ancient institution of the Oromo in general and that of the Borana in particular is the '*Qaalluu*' institution. Kallu serves as one of peace maker and religion institution in Borana community. As participants suggested, the kallu is not recognized body as Jaarsa Olla, Jaallaba and etc in dispute resolution procedure in Borana community. But as much as possible, he tries to reconcile the disputants who bring their issues to the kallu in terms of their religion.

One respondent notified that;

“Kallu practices more about religion and belief system of waaqeffanna. The belief system, *Waaqeffanna*, is officiated by high ranking “priest” known as the '*Qaalluu*' or '*kallu*' for male and *Qaallitti* for female. Both the Qaalluu and the Qaallittii are sometimes referred to as the guardians of

the laws and rules of Waaqa on earth. The Qaalluu institution is the preserver, saver and protector of the culture. It also provides them with spiritual guidance and rule in their day-to-day lives. The ritual hall of the Qaalluu/Qaallittii is known as Galma, and the ritual activity of the Qaalluu/Qaallittii is called dalaga. The Muudaa and the Jila are also important concepts associated with the Qaalluu institution”.

4.6. The Role of Borana Women [Hadha Sinqee] in Dispute Settlement Process

According to the researcher’s observation, the Borana community gives a great respect for girls among the other Ethiopian communities. That is to say, women have played the most essential role in dispute settlement by requesting forgiveness or justifications from the disputants. Furthermore, the Borana community believes that women are kind-hearted. In addition, if the female has a charge and she stands in front of the dispute resolution organ, they immediately stop whatever is going on, and as soon as she stands in front of them, they provide her with the answer she desires and goes back to her home.

According to FGD and interview participants, women are respected in Borana villages when they come to resolve disputes, and they play a significant role and are accepted in the community. As a result, the woman has the role to ask an excuse to settle the dispute between the disputants. Concerning this, when she goes for asking excuse, she carries Sinqee and takes sheep to the disputants' homes or the site where they live. In Borana community a sheep has a great place for the reason that the community is pastoralists. When she arrives at the contested person's home, everyone in the neighborhood respects her and they apply butter to her head and the sheep that she brings to him in order to show their respect and obtain an excuse. If the victim rejects the female’s sheep for excuse, he is considered as a foolish man who never respects the female and has no longer time to survive. Because all that he does is counted as he does the inverse of nature and is ignored by the community.

On the other hand, Hadha Sinqee has the role of settling the disputes before the disputants start their oral charge according to Borana’s Gada system structural dispute resolution mechanism at the individual level. This is done if one of the disputants accepts his/her guilty and invites Hadha Sinqee for reconciliation or to excuse the victor. Then, when she arrives at the home of a person

who anticipates the justification, she remarked, *"You know someone with whom you have disagreements? He requests that I not be charged to the elders (Jaarsaa), not be charged to Gada, and not be exposed to the Boranas. So, pardon me!"* As she requests their thoughts on the concept.

The individual she questioned afterwards muses over his response. She gathers the disputants and, for the last time, resolves the issue peacefully among them. On the other hand, during the Gumi Gaayoo ceremony, every program facilitator is a Hadha Sinqee. She designs, coordinates, and manages the entire ceremonial program. And also Hadha Sinqee participates by counseling the disputants to resume their prior peaceful and cooperative lifestyle after Abba Gadaa renders his final verdict on the disputants at Gumii Gaayoo. Additionally, she weighs the cost of the judgement against the offender or group's capacity to pay with livestock or camels. As a result, Hadha Sinqee and females have a bigger say in how the Borana settle disagreements.

4.7. Justice Applicability in Dispute Resolution between the Communities of Borana and Gabra

Following the procedure of dispute resolution mechanism among Borana and Gabra communities, the second objective of the study is stick to observe the validity of justice made by the above mentioned organs. As the participants of FGD said in both Borana and Gabra communities, the decision that made by all structural organs of dispute resolution is acceptable and valid. Furthermore, the participants stated that the decision reached is acceptable because the Borana and Gabra people consider the structural organ of dispute resolution in the Gada system, as their own creative and gifted indigenous knowledge system, and all organs run the system are from their clans. For this reason, all decisions that passed in accordance with Gadaa structure are acceptable and valid.

On the other hand, the reason why the decision is acceptable is that it passes through different hierarchical organs of the decision making process as discussed above for each of the decision making organs in Borana and Gabra's communities. The decisions made by the above organs are free of spoiled issues and founded on the truth. This means someone who ignores the truth is dying soon and cannot survive any longer. In addition to this, the Borana community believe the decision making process is free and fair for everyone. If something is missed during the procedure, it will

be corrected by Gumi Gaayoo when the decision is announced to the Gumi and among the clans of each disputant.

And also, the participants of FGD stressed that the disputes between the two individuals cannot take a long time to settle peace or not proceed up to the Supreme Court of Gumi Gaayoo or Arda Jilaa. They said it is fixed at individual, Jaarsa Ollaa and Miiloo levels. However, the issue escalates to Gumi Gaayoo or Arda Jilaa, is the dispute of the clans over resources, grazing land, or cattle. Furthermore, in both communities, the primary goal of settling disputes according to Gada's system of structural dispute resolution is to find the truth and keep societal values, norms, and beliefs.

A participants underlined that;

The Borana and Gabra's, dispute settlement method is not used to determine whether or not an individual is sentenced to prison. It is a process of counseling, consulting, shaping, teaching, facilitating, directing, advising, encouraging, supporting, and creating peaceful cultural coexistence among all living and non-living things within their community. The key value of the Borana and Gabra Oromo dispute settlement system is to search for "truth, keeping social, moral, norm, value, and belief," Whereas the court dispute resolution mechanism is to get "paper value" or charge paper quality.

FGD participants from both communities argued that "Elders are the main players when they come to attain peace and prosperity of the communities which live in the communities. When the politicians sometimes fuel the disputes, the elders always stand with the truth for the peaceful co-existence of the people." Both Borana and Gabra participants of interview shared similar sentiments stating thus;

We need our dispute resolution organs and all stake- holders in the role because they play an important role in dispute resolution. Since the issue at court is expensive and time-consuming, elders serve justice fairly and equally being under the trees.

On the other hand, the person or group to whom the decision is passed is not obligated to pay what the listed organs of dispute resolution decided right away. If he or she is unable to pay the numbers of cattle or camels announced by decision makers, they have the right to request an amendment of an appointment at a time or season in which they are capable to pay the cattle or camels. Furthermore, the layman who commits sin in the communities is considered to be as the man who invites the curses to his child, cattle, clans, and community, and the one who does sin and hides the truth will receive doom throughout their family and cannot be alive any longer in the clans.

4.8. The Contribution of IK system and Institution in Promoting Good Governance and Peaceful Coexistence in the Communities of Borana and Gabra

The third objective of the study is to determine the system's contribution to the country and communities development. The study depends on the information obtained from interviews, focus group discussion (FGD), written sources and experience in the study area. The presence of a unique method of time computation and the transferring of history and culture through '*argaa dhageetti*' (seeing and hearing) enabled the Borana and Gabra to retain records of events in the chronology of time. This quality makes oral history among the Oromo in general and the Borana and Gabra in particular, a dependable source that can provide the communities to trace its past.

The Oromo *Gada*, however, has been a complex system which governs almost every aspect of all Oromos' lives, wisdom and philosophy in general and that of the Borana and Gabra in particular which has several significant advantages. The system comprises the socio-political, economic, and cultural lives of the communities with their diverse institutions. Similarly, the dispute resolution system which is framed under Gada system also plays a vital role in good governance, peaceful coexistence and economic developments among Borana and Gabra's communities.

The study shows that both Borana and Gabra communities promote their indigenous knowledge system and institution of dispute resolution mechanisms than courts do due to numerous reasons. First of all, indigenous dispute resolution mechanisms follows formal processes in managing dispute cases as it is framed in Gada's system. The rules and procedures of indigenous dispute resolution are more immediate and meaningful to the communities. This is because indigenous

dispute resolution are developed based on the cultural concepts, values, and procedures that are easily understood and accepted by the community themselves unlike court systems that are perceived as external to large number of local people.

As a result, local people feel sense of control and ownership over the processes involved in indigenous dispute resolution mechanisms. Concerning this, one participant mentioned that “indigenous dispute resolution mechanisms are located and owned by the community which makes them easily accessible for the local people.” Second, unlike the court processes, indigenous dispute resolution mechanisms are important for reducing the delay and cost of dispute resolution. Many poor people are deprived of access to justice simply for the reason that they cannot have enough money to pay the transportation, accommodation and legal representation costs to go through the court processes.

The participants said, “The dispute resolution organs are easily reachable to the local communities because the disputants are located within the community which does not require any cost for transportation, accommodation and legal representation.” The civil court system has also institutional weaknesses and failures such as corruption, bias and inadequate resources. One participant notably said, “Nowadays, it is difficult to get justice within the court system if you do not have any relative and if you do not pay bribes to get court service.”

Third, indigenous dispute resolution mechanisms are also important mechanisms of overcoming the barrier of illiteracy and service rural populations in their vicinity which makes it is easy to access justice. A participant asserted, “There are people who deny justice because the court system requires certain level of literacy that many rural population as in the study area do not have.” This implies courts are unreachable to the countryside population because of illiteracy and physical barriers as courts are found far from the location of the local people. Besides, indigenous dispute resolution mechanisms are more effective than the courts for solving certain types of disputes such as clans’ dispute, resource dispute, families and adjacent communities’ dispute.

Indigenous knowledge system and institution dispute resolution mechanisms provide a great opportunity for sustainable dispute resolution, peacemaking and the delivery of responsive justice. Since, indigenous dispute resolution mechanisms are more reachable, inexpensive and transparent. Also it helps for the maintenance of law and order in the local communities.

In addition, elders or organizations that deal with disputes also reside and work in the community, which puts them in close proximity to the dispute's effects. Due to their increased accessibility and improved comprehension of the dynamics of disputes, elder's council is better able to propose solutions that are appropriate for the local environment than the judicial system. Therefore, indigenous institution dispute resolution methods offer a different venue for those community members who are not properly served by courts to access justice.

5. SUMMARY AND CONCLUSION

The Dynamics of African's Indigenous Knowledge System and Institution in Dispute Resolution is one of the important variables influencing the success or failure of Africans' coexistence, socioeconomic development, and the creation of conducive political stability, which is why the study was conducted. Twelve Abba Gada and Hadha Sinqee, as well as twenty-four FGD participants from the Borana and Gabra communities, were used as a sample for the interview and FGD. As a result, distinct statistical and interpretive approaches were applied to their responds.

5.1. Principal Findings of the Study

Two types of institutions are available to resolve resource-based and other types of inter and intra community disputes in the pastoral regions of southern Ethiopia and northern Kenya where the research was conducted: indigenous customary institutions and mechanisms and western-driven formal legal institutions and mechanisms. It has been established that the Gada, elder's council or tribunal, and customary laws, which have been in use for centuries and are still in use today, are efficient and successful in resolving disputes and conflicts that arise within and between communities in both Kenya and Ethiopia. The management and settlement of dispute through the indigenous customary Gada and elder's tribunal as well as customary laws, procedures, and institutions continue to be highly preferred and frequently used among the pastoral groups in the state as well as among other groups in various regions of Kenya, Ethiopia, and the Horn of Africa, according to various scholars.

On the other hand dialogue between disputants is today replaced by fighting, and the mediating role of the elderly and other more peaceful institutions such as age-grades and highly revered societies is replaced in several clashes with police actions (tear gas), military peacekeeping operations, and endless court proceedings. This reminded us of the old saying that people live out their culture and tradition for self-confidence, self-reliance, positive change and stability, and that people without their culture are as good as dead and forgotten.

Finally, the arrival of slave drivers and colonial masters in Africa tainted, and in some cases, obliterated, African indigenous knowledge systems and institutions of dispute monitoring, prevention, management, and resolution. Africans, too, had their own unique indigenous approaches to peacemaking, peacekeeping, and trust building. The powers of colonialism, especially psycho-war forces, have wiped out these strange and highly effective tactics today.

Both Borana and Gabra communities, as stated in all portions of the study, are indigenous African ethnic groups that have and implement their own indigenous knowledge system and institutions in their daily lives, comparable to other indigenous African communities. Consequently, both Borana and Gabra communities face numerous challenges in implementing and developing their indigenous knowledge systems and institutions at the community and municipal levels. However, the government's political engagement, as the informants point out, has been a significant hindrance to the practice of indigenous knowledge systems and institutions.

The informants emphasized that the government has caused systemic instability and ethnic strife among the Borana, Somali, Guji, and Gabra peoples. Put differently, neither the Borana, Somali, Guji, nor the Gabra people are fighting over resources. FGD participants again stressed that the government took the Gumi Gaayoo and Arda Jila ceremonial places for the projects. Needless to say, the government discourages and disrespects social indigenous knowledge of the Gada system and social values that societies have long governed themselves. There is a wide area for projects in Borana if the government has a positive attitude toward the Gada institution and its established structural dispute settlement mechanisms. Furthermore, the government interferes with Abba Gadaa's anointment procedure at both Gumi Gaayoo and Arda Jila. This can be done secretly by the government, which wants to replace the candidate who represents his political ideas.

The government intends to do so in order to eradicate the Gada legacy from Borana land. Furthermore, the pastoralist aspect of the Borana and Gabras communities is not supported by the government. In addition, the government want them to travel from place to place for livestock rearing. When they fail to survive and kept on relying on a nomadic lifestyle, they become unstable and incapable of practicing the Gada and the Gada system's ceremonial dates.

Another factor that prevents all Borana and Gabra communities from practicing Gada properly is attributed to the introduction of western religions: Christianity and Islam. Here, the bulk of Borana and Gabra youths have forgotten their forefathers' Gada and Gada's dispute resolution system

innovation. In addition, due to westernization or globalization, the present generation of Boranas and Gabras are being act up and dine in a western style. According to the interviewed Abba Gada, *“no one heed attention to hear his father and mother's cultural consultation. The current generation considers every practice and procedure carried out in the Gada as a sign of backwardness or ignorance”*. The only people who practice Gada and the Gada dispute settlement system, according to informants suggests, they are elders who are above 50 years old. As a result, anyone can estimate the future of Gada and Gada's dispute resolution process based on the informants' perspectives on the future of Gada and Gada's dispute resolution process if the generation following is moved to western style practice and religion.

However, when compared to Boranas community, the mechanism for resolving disputes in Gabra community is not as effective as the respondents claimed. This is owing to the Gabras' geographical position, pure pastoralist lifestyle, and conversion to Islam religions. Furthermore, the bulk of Gabra have been residing in Kenya, and there is a melting scenario with other Kenyan communities such as the Massai, who live in a similar style to the Gabra.

On the other side, as a participants stressed the majority of Gabra community's accept Islam religion, and a little numbers of Gabras follows the cultural technique for resolving disputes, preferring to resolve disputes according to the teaching of Islam religion. On the other hand, the Kenyan government maintains a negative attitude toward the community's use of indigenous knowledge to resolve disputes and the formation of institutions within the community. Despite this, the disputants offers court or an Islamic religious leader (sheik) to settle their differences.

Unlike Gabras, the Borana dispute settlement system is efficient because of the prosperity party's or Ethiopia's current governments constructive approach. As participants mentioned, the government has not provided much encouragement, but he has shown a positive attitude toward the indigenous dispute resolution mechanism and Gada system. For example, in Oromia, the government implemented the Gada lesson for primary schools. Students are currently taking Gada as one of their school's courses. However, the construction of a project at the Gada ceremonial site in Liban, as well as the splitting of Borana land to Negelle Borana and creating clan's dispute with Guji community, are still being debated. In contrast to Gabra's, the Borana dispute resolution procedure is approved and supported by both the Ethiopian government and the Borana population, as respondents mentioned.

As a result, the study concluded that indigenous knowledge systems and institutions of dispute resolution play an important role in social coexistence, economic development in terms of low and zero transportation costs, and implementing political anarchy in the country by eliminating bureaucracy, corruption, and theft. For the design and implementation of policy strategies, programs, and projects on dispute settlement, peacebuilding, and livelihood improvement in Borana -Gabra Ethiopia Kenya interface [pastoral areas in the Horn of Africa region], it is hoped that the findings of the study would be used as a reference by policy makers, researchers, educators, and development personnel, pastoralists, and NGOs.

5.2. Recommendation with Their Practical Implications

Indigenous knowledge systems and institutions are gifts of nature that are created, formulated, and accepted by indigenous society as different scholars suggested. Concerning this, the Borana and Gabra dispute resolution systems, which are framed under the Gada system, are the cultural resources of the country and the community. Consequently, the concerned bodies, especially the government, should be takers of this vital indigenous knowledge system and institution of the communities for the country's development. On the other hand, in the indigenous knowledge system and the institution of Gada's, no one disputes on power. The candidates can access the power as a Gada system of power transmission in a circle of four years. On the contrary, in Africa, no one voluntarily, peacefully or by election, transfer power from one to the other. Rather, many Africans leaders transfer the power, either by coup d'état or death.

Despite the widespread acceptance of the AU's slogan, "African solutions for Africa's problems," and the growing body of knowledge regarding the significance of indigenous customary institutions, indigenous knowledge, customary laws, and institutions for resolving disputes, as well as the appeal to Ethiopian, Kenyan, and Horn of Africa country governments, these issues continue to be raised.

Another issue is the dispute resolution mechanism of both Borana and Gabra communities', which is framed under their Gada system. This dispute resolution mechanism is more dramatic, acceptable, and reliable than the western legal system's dispute resolution mechanism at the court as participants mentioned above. Despite this, the central focus of using indigenous knowledge as a dispute resolution method is 'truth,' whereas the western legal system is centered on 'paper/charge

quality.' In addition, a guilty person can offer a false charge and evidence to win the accuser. However, no one can present a false oral charge and evidence in front of the Borana and Gabra's dispute resolution organs because, according to the communities' beliefs, anyone who denies the truth and practices false things is considered to be the one who invites curses to his children, cattle, clans, and the land, and will no longer survive in the communities for the wrong things that what he/she did.

Therefore;-

- ✓ The government should be the custodian of indigenous knowledge systems and community-based dispute resolution mechanisms.
- ✓ The African Union's responsible organs for Arts, Culture, and Heritage should pay special attention to the promotion and development of the continent's cultural resources as a means of dispute resolution and peaceful coexistence.
- ✓ Development programmers working in dispute-affected areas should encourage indigenous knowledge and practice of dispute resolution mechanisms in the communities.
- ✓ The government should implement a cultural resource dispute resolution system and try to customize it at the regional and federal levels in order to promote peaceful coexistence, social and economic development, and political stability within the country and its neighboring countries of Kenya, Sudan, Eritrea, Djibouti, and Somalia.
- ✓ Community-based peace-building programmers should also facilitate and helps community's dispute resolution system.
- ✓ The government should stop using politics to weaken indigenous dispute settlement mechanisms within communities and instead focus on encouraging, educating, and facilitating both communities' dispute resolution organs.
- ✓ Donors and other non-governmental organizations (NGOs) should assist the Borana-Gabra pastoralist way of life and promote their indigenous understanding of peace-building arts.

5.3. Suggestions for Further Research

Further research is needed to identify what indigenous knowledge system and institution of dispute resolution can be used in order to bring peacefully coexistence among and between living and nonliving things in other African ethnic groups, i.e. in, Akan, kikuyu, Somali, Massai, Dasanech, Gamo, Amara, Fulani, Igbo, Zulu, Yoruba and etc. in which mechanism they used to settled the dispute within their community.

Dynamicity of indigenous knowledge system of dispute resolution mechanism might vary in different sample sizes as well as from community to community. What is more, participant's responds might also vary in various communities (i.e. dispute resolution procedures and organs, Elders, and etc). Thus, empirical investigation under different situation are left to further studies.

REFERENCES

I. PRIMARY SOURCE

Name of Informant	Age	Date of Interview	Place	Remarks
Ali Adan	23	23/5/2022	Yabelo	Elders
Alisa Godana	33	23/5/2022	Moyale	Hadha sinqee
Ayantuu Sora	44	24/5 2022	Yabelo	Hadha sinqee
Darartu Elema	56	20/5/2022	Gomole	Hadha sinqee
Denge Hacho	64	11/5/2022	Arero	Hadha Sinqee
Galane Akuta	27	11/5/2022	Dirre	Hadha Sinqee
Galano Golichu	32	26/5/2022	Yabelo	Abba Gada
Halake Boru	45	20/4/2022	Moyale	Elder
Ibrahim Jilo	57	17/5/2022	Moyale	Elder
Tuye Katelo	56	25/5/2022	Malka Ballo	Abba Gada
Utura Boru	33	10/5/2022	Gomole	Abba Gada
Xunale Guyyo	30	10/5/2022	Yabelo	Hadha Sinqee

II. ARCHIVAL SOURCE

Moyale District Annual Report 1943

Marsabit district handing over report 1937

Gabras media Network

Start television network of Borana,(STN)

Oromo satellite services (OBS)

Oromia broadcasting network (OBN)

III. SECONDARY SOURCE

- Ajayi, A.T., & Buhari, L.O. (2014) "*Methods of conflict resolution in African traditional society,*" African research review, Vol.8, No. 2, pp.138-157.
- Ayittey, G (2004). *Indigenous African Institutions*. MacMillan: Transnational Publishers.
- Baissa Lemu. (1994). "*Gada Values: Building Blocks of a Democratic Polity.*" Journal of Oromo Studies, I (2)
- Bassi, M. (2005). *Decisions in the Shade, Political and Judicial Processes among the Oromo Borana*. Asmara: The Red Sea Press, Inc.
- Baxter, P.T.W. (1994). *The creation and constitution of Oromo nationality*. In K. Fukui & J. Markakis (Eds.), *Ethnicity and conflict in the Horn of Africa* (pp. 167-185). London: James Currey.
- Bekele, A. (2005). *Peace for Development: Another Way of Addressing Discrimination, Inequality and Governance*. CARE International in Ethiopia.
- Bulcha, M. (1996). *The survival and reconstruction of Oromo national identity*. In P. T. W. Baxter & A. Triulzi (Eds.), *Being and becoming Oromo: Historical and anthropological enquires* (pp. 48-66). Lawrenceville: Red Sea Press.
- Etefa, Tsega. (2008). "*Pan-Oromo Confederations in the Sixteenth and Seventeenth Centuries,*" The Journal of Oromo Studies 15 (1): 19-40.
- Everitt, B. S.; Skrondal, A. (2010), *the Cambridge Dictionary of Statistics*: Cambridge University Press.
- Habtamu D. (2017). *Indigenous Knowledge and Practices of Leader and Leadership Development in the Gadaa System of Borana Oromo Community of Ethiopia*. MA Thesis at Addis Ababa University.
- Hassen, M. (1994). *The Oromo of Ethiopia: A history 1570-1860*. New York: Cambridge University Press.

- Hinnant, J. T. (1977). *The gadaa system of the Guji of southern Ethiopia* (Unpublished doctoral dissertation). The University of Chicago, Chicago.
- Hinnant, John. (1978). "The Guji: Gada as a Ritual System," in *Age, Generation and Time: Some Features of East African Age Organisations*, edited by P.T.W. Baxter and Uri Almagor, (London: Hurst & Company).
- Huntingford, G. W. B. (1955). *The Galla of Ethiopia: The kingdom of Kafa and Janjaro*. London: International African Institute.
- Huqqa, Gollo. (1998). *The 37th Gumii Gaayo Assembly*, (Addis Ababa: The Norwegian Church Aid).
- Ibrahim, Aliyow. (2014). *Sirna Gadaa Gabraa, Jiblo fi Lossaa: Biiroo Aadaafi Turizimii Oromiya*.
- Kassam, A. (1995). *Gabbara; a Series of the Heritage Library of African Peoples*. Rosen Pub Group; 1st edition
- Kassam, A. and Ganya, F.C. (2006) (Unpublished). *Managing the Gabbra Oromo commons of Kenya, Past and Present*.
- Khan, Me, and Lenore Manderson. (1992). "Focus Groups in Tropical Diseases Research." *Health Policy and Planning* 7(1): 56–66.
- Kitzinger, Jenny. (1995). "Introducing Focus Groups." *British Medical Journal* 311: 299–302.
- Kothari, C. R. (2004). *Research Methodology: Methods and Techniques*. Delhi: Dahmesh Printers.
- Kwaku Osei-Hwedie and Morena J. Rankopo (2012). *Indigenous Conflict Resolution in Africa: The Case of Ghana and Botswana*. University of Botswana.
- Legesse, A. (1973). *Gada; Three approaches to the study of African society*. New York: The Free Press.
- Legesse, A. (1989). *Adaptation, Drought and Development: Boran and Gabra Pastoralists of Northern Kenya in African Food Systems in Crisis*. Volume 1: Micro perspectives. Gordon and Breach, NY.

- Legesse, A. (2006). *Oromo Democracy, an Indigenous African Political System*. Asmara: The Red Sea Press, Inc.
- Levine, D. (2014). *Even You Can Learn Statistics and Analytics: An Easy to Understand Guide to Statistics and Analytics* 3rd Edition.
- Robinson, P (1984). *Gabbara Nomadic Pastoralism in Nineteenth and Twentieth Century Northern Kenya: strategies for survival in a marginal environment*. Unpublished Ph.D dissertation, Northwestern University.
- Schlee, G. (1989). *Identities on the move: Clanship and pastoralism in Northern Kenya*. Nairobi: Gideon S. Were Press.
- Selinger, H.W. and E. Shohamy (1989), *Second language research methods*. Oxford: Oxford University Press.
- Stiles, D. (1983). *The Gabra of Northern Kenya. Kenya, Past and Present*. No. 13, 1983.
- Tablino, P (1999). *The Gabra: Camel Nomads of Northern Kenya. Limuru: Diocese of Marsabit*. Originally published in 1980 as *I Gabra del Kenya*. Italy: E. M. I. Bologna.
- Tagawa, G. (2017). *The Logic of a Generation-Set System and Age-Set System: Reconsidering the Structural Problem of the Gadaa System of the Borana-Oromo*. Japan Association for Nilo-Ethiopian Studies.
- Tejero, E. G. (2006). *Thesis and dissertation writing: A modular approach*. Mandaluyong City: National Book Store.
- Tesema Ta'a. (2006). *The Political Economy of African Society in Transformation: The Case of Maccaa Oromo (Ethiopia)*. Wisbaden: Otto Harassowitz Cmb H and Co Kg.
- Torry, W. (1973). *Subsistence Economy among the Gabra, Nomads of the Kenya/Ethiopia Frontier*. PHD dissertation, Columbia University Faculty of Political Science.

APPENDICES

Appendix I: Interview Schedule for Abbaa Gadaa, Elders and Hadha Sinqee

Hello! I am a postgraduate student at Addis Ababa University pursuing Master of Arts degree in Intellectual History and cultural study. And this voluntary interview is part of a research study led by the researcher. The purpose of the research is to gain a better understanding on the dynamics of African's Indigenous Knowledge system and institution in Dispute Resolution among 'Gabra' of Kenya' and 'Borana' of Ethiopia ethnic group in Africa. Your personal data shall be processed for this research purpose only. Even if you feel well, your participation will greatly aid my research. This interview take will take about 25-30 minutes.

- This study is not conducted by anyone, except researcher and no individual responses will be shared for anyone or any means of social media. The only information the researcher receive from interviewers is only your knowledge and your experience on the dynamics of African's Indigenous Knowledge system and institution in Dispute Resolution (based upon age, gender and location, as well as other information from your background) to help correct for sample bias and help ensure the results are representative for your community.
- In order to ensure that the researcher cannot identify you and to keep your responses confidential, the researcher does not collect any other personal data from you.
- Published results will be aggregated and will not identify you individually or your responses. If you have any questions and any uncomfortable issue you can freely ask. And also if you have any comment, suggestion after interview, for more information please contact through 0910801168 or email address: - rebumawake@gmail.com

Section A: Background Information

1. Gender? Male { } Female { }
2. Age? Between 18 - 25 { } Between 26 - 35 { } Between 36 – 40 between 41 - 50 { }
Between 51 - 60 { } Between 61 - 70 { } Between 71 - 80 { }
3. What is your highest level of education attained? Primary { } Secondary { } College { }
University { } Others (Specify) _____
4. Marital status: Married { } Divorced { } Single { } Widow { } Widower { }

Title of the Thesis: The Dynamics of African's Indigenous Knowledge System and Institution in Dispute Resolution: The Case of 'Gabra' of Kenya and the 'Borana' of Ethiopia Ethnic group in Africa

Specific objective:

1. To describe the procedures or methods apply for resolving disputes in the two communities
2. To illustrate the validity of justice in the resolution of disputes using their indigenous knowledge system and institutions.
3. To show indigenous knowledge's' system contribution to good governance and peaceful coexistence among Borana and Gabra communities.

Section B. Main Question

A. To describe the procedures or methods apply for resolving disputes in the two communities

1. What exactly do you mean when you say "dispute"?
2. Why do people get into dispute? Is dispute inherent in nature?
3. How do you resolve dispute? In what ways?
4. Do you bring the disputants together by using indigenous wisdom to settle their differences?
5. What methods or procedures does someone use to resolve an individual's dispute?

B. To illustrate the validity of justice in the resolution of disputes using their indigenous knowledge system and institutions.

1. How did you learn 'Gada's' system' of dispute resolution?
2. Which is better for you and your community to resolve disputes? : going to court or using your indigenous wisdom to resolve disputes?
3. Which dispute-resolution process is preferable for individuals who want to restore their former peace?
4. What obstacles are preventing the establishment of indigenous dispute settlement mechanisms?
5. Which method of dispute resolution is more closely linked to societal norms, values, and culture?

C. To show indigenous knowledge's' system contribution to good governance and peaceful coexistence among Borana and Gabra communities.

1. How indigenous wisdom to resolve disputes have played role in your community and your country's political, social, and economic development?
2. If court-based dispute resolution is replaced by your own indigenous dispute resolution knowledge. Is it reasonable or practical for everyone?
3. If the current government structure (from federal to regional) is completely replaced by society's indigenous system of dispute resolution from top to bottom, does this mean that all political and socioeconomic problems in your community and country will be resolved?
4. Do you think indigenous knowledge contributes to long-term political and socioeconomic development by eliminating inequity in economic distribution, corruption, bureaucracy, ethnic conflict, and other issues?
5. In terms of cost, justice, validity, naturalness, and honesty, how do you envision employing court law and indigenous knowledge systems to resolve disputes?

Appendix II: Guide Line of Focus Group Discussion

1. How do you pronounce Borana/Gabra?
2. Based on your knowledge and community beliefs, what do you mean by 'Gada'?
3. How do you explain disputes?
4. What role does your indigenous knowledge system and institution play in resolving disputes?
5. According to your community, who is the accountable person for resolving the disputes?
6. What function does 'Haadha Sinqqee' play in resolving disputes?
7. What role does the Gumi Gayyo (for Borana) and Arda jila (for Gabra) assemblies play in disputes resolution, and what function does the female and 'Hadha Sinqqee' play at these assemblies?
8. In your culture, how do you explain the Wright to holding and sharing property equally among female and male members?

9. How do you perceive the use of indigenous knowledge and judicial law in resolving disputes?
10. How do you describe the role of the judiciary and the council of Elders (Jaarsa Biyya) in disputes resolution?
11. How do you react comparatively to a court, justices and decision, made by a lawyer and an Elder council on disputants?
12. What is the significance of modifying indigenous knowledge systems and institutions in government disputes resolution, and how does it contribute to societal economic well-being, political stability, and country development?

Since the communities are speaking fluently Oromo language than English language the researcher translate the above questionnaires' to Oromo language as follows in order to obtain necessary information.

Appendix I: Oromo language version of schedule interview for Abba G adaa, Elders and Hadha Sinqee.

QABXIIWWAAN GAAFFILEE AFAANII

I. MARSAA DURAA

1. Jecha waldhabde jedhu akkamitti hubattu?
2. Namoonni maaliif walitti bu'u?
3. Akkamitti waldhabdeen hiikama?
4. Namoota wal dhaban kana walitti fidanii tokko taasisun ni danda'ama?
 - Tooftaa akkamiin ?

II. MARSAA LAMMAFFAA

1. Sirna gadaan waldhabdee hiikuu akkamiin barattan?
2. Tooftaa kamiin caalatti filattu wal-dhabdee hiikuuf, kan aadaamoo kan gadaa?
3. Tooftaa wal-dhabdee hiikuu isa kamtu irra caalaatti nama deebisa nageenya isa duraatti ?
4. Rakkoo maalitu akka mala aadaa kana itti fayyadamuu fi dhugumma dhabsiise
5. Adeemsa wal dhabdee hiiku isa kamtu aadaa, dudhaa uummata waliin hariiroo qaba?

III. MARSAA SADAFFAA

1. Mala beekumsa aadaan waldhabdee hiikuun guddina hawwaas-dinagdee fi akkasumallee siyaasa keessatti gahee ni qabaata?
2. Osoo karaa seeraan mana murtiitti waldhabdeen hiikamu kun kara mala beekumsaa aadaan waldhabdee hiikuun bakka bu'ee fudhatama ni qabata hawwasa hunda biratti?
3. Caasaan mootummaa gubbaa kaasee haga jalatti mala beekumsa aadaan dalaguun bakka bu'ee, rakkoollee walxaxa, hawwaas dingadee fi siyaasaa ni furaa?
4. Malli beekumsaa aadaa Kanaan jirachuuniifi rakkoo hiikuun, rakkoo walqixxumma qabeenya, malaammaltummaa, walitti bu'nisa gosaa fi rakkolee biraaf fumaata?
5. Basii hiri'isuu, dhugumaa safuu uummataa, seeraa uumaaman waliin hariiroo qabachuu, namaa fi uumaama kamuu tokko gochuu ykn waliin jiraachisurratti fi amantumma qabachuurratti kamtu caala?

Appendix II: Guide Line of Focus Group Discussion in oromo language

QABXIIWWAN GAAFFILEE MARI

1. Hawwaasa Booranaa ykn Gabraa akkamiin ibsitu?
2. Hawwaasa kanneen biratti 'Gadaan' maali?
3. Walitti bu'insa akkamiin hubattu?
4. Walitti bu'insa hiikuu keessatti gaheen Abbaa Gadaa, Jaarsa Biyyaa, Haadha Siiqee, Qaalluu fi kanneen biro akkamiin ibsitu?
5. Gama **Seeraan** ykn **Gama Beekumsa Aadaan** wal-dhabdee hiikuu akkamiin hubattu? Fakkeenyaaf, faayida, haqummaa, fudhatamummaa, waliin jireenya fi k.k.f. inni qabu ilaalchisee..
6. Murtii abbaan Seeraa fi Jaarsi biyyaa namoota wal-dhaban giddutti murteessu akkamiin ibsitu?
7. Gumiiwwan akka, Gumii Gaayoo, Ardaa Jilaa, fi k.k. f maali? Gumiiwwan kanarratti wal dhabdeen ni hiikama? Gaheen dubartiin qabdu maali?
8. Gaheen dubartoota hojilee hawwaasaa fi wal-dhabdee hiikuu keessatti qabdu akkamiin hubatama?
9. Sirna walqixummaa qabeenya horachuu ykn hirachuu keessatti gaheen dhirrii fi dubartiin qabaatan akkamiin ibsama hawwaasa keessaan biratti?
10. Gaheen ykn barbachisumman beekumsa aadaan wal-dhabde hiikuufi sirna bulchiinsa mootummaa amma waliin wal-simsiisanii adeemuun shora inni sochii hawwaas-dinagdee, fi siyaasa keessatti qabaatuu maali? 11. Beekumsa aadaan fayyadamnee wal-dhabdee hiikuu akkamiin guddifanna?

Map of South-eastern Ethiopia and Northern Kenya where the Borana and Gabra communities live

