

ADDIS ABABA UNIVERSITY
SCHOOL OF GRADUATE STUDIES

**CONTINUITY AND CHANGE IN YE- GORDENA SERA SYSTEM OF
KISTANE-GURAGE TRADITIONAL LOCAL GOVERNANCE**

BY

WALELIGN TADESSE ROBELE

ADDIS ABABA

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LOCAL GOVERNANCE**

BY: WALELIGN TADESSE ROBELE

**A THESIS SUBMITTED TO THE SCHOOL OF GRADUATE STUDIES OF
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WALELIGN TADESSE ROBELE

COLLEGE OF SOCIAL SCIENCES

APPROVED BY BOARD OF EXAMINERS

Tadesse Berisso

[Signature]

SIGNATURE

ADVISOR

Date Dee

[Signature]

SIGNATURE

EXAMINER

P. Murugan

[Signature]

SIGNATURE

EXAMINER

DEDICATION

DEDICATED TO MY PARENTS

W/RO EMAMU GEBI AND *ATO* TADESSE ROBELE

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GLOSSARY

Abegaz

Traditional title, given to commanders

Abotold

Patrilineal groups' association

Ager

Parish; Kistane-land comprising of 22 parishes e.g. Endebuyuo

Anqoqerat

Bread made of a finely processed **enset**

AWRCA

Aleme-gena – Welamo [Wolyta] Road Construction Association. An organization founded in 1961 to link Kistane-land with urban areas like Addis Ababa.

Azmach

Traditional title given to commander in chief usually one in a locality

Balabbat

Rural landowner, appointed by the king or his representative to collect dues

Berche

Sprite manifest in evil

Cheg

Betrothal ceremony

Debo

Rotating agricultural group consisting of 6-15 members

E.C.

Ethiopian (Julian) calendar. About 8 years behind the Gregorian calendar

Eddir

Burial societies in the urban areas

Enset (Ensete Adulis)

The main staple crop of southwest Ethiopia. It's roots and stems are edible. Kistane-Gurage main food item.

EPRDF

The Ethiopian People's Revolutionary Democratic Front, ruling party in Ethiopia since 1991

- Eqqub**
Rotating credit association in the urban context. Said to be practiced first by the Kistane-Gurage.
- Fuga**
Low caste-like occupational group. They are carpenters and ritual functionary.
- Ge'e**
Literary means house, which formed minimal lineage.
- Gebbar System**
A feudal system of land appropriation
- Gefetegne**
Deliberate homicide
- Gordena**
Supreme **shengo** for the Kistane
- Guma**
Ransom or blood-price.
- Guda**
Ritual of reconciliation after homicide
- Gutache**
The highest Kistane court in relation to blood feuds, homicide and bodily injury or damage.
- Kebele**
Urban dwellers association. A smallest government administrative unit
- Kers**
Belly –Major lineage, founded by the lineage ancestors
- Mehber**
Feast club usually used to refer to an association that celebrates saints' days.
- Merkato**
The main open-air market in Addis Ababa. Dominated by Kistane-Gurage merchants
- Meskel**
The finding of the true cross. Colorfully celebrated by the Gurage.
- PA (Peasant Association)**
:
The lowest rural administrative unit: Originally established by the Dergue régime

Sabugnnt

Village.

Sache

Accidental death

Senbete

Feast Club. Social gathering after church at which the community share food and **tella** (beer).

Senecha

Paramount elder. Known for their aloofness and knowledge of Ye-**Gordena Sera**

Sera

Kistane customary law

Shebal

Weeding Ceremony

Shengo

A customary dispute settlement forum. There are several tiers of this institution in Kistane-land. This includes: Village, lineage, parish and Kistane levels.

Tella

Local beer

Tib

Maximal lineage; agnatic descent group

Tur

Sprite manifest in good valley

Wemano

See **Gutache**

Woreda

Administrative unit containing several PAs

Yeka

A mechanism of enforcement or type of sanction that enforces social obligation.

Zebo

Practice of removing item, such as agricultural tools or cattle, from a person's house to force him to meet his obligation :

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ABSTRACT

This thesis is about traditional local governance found among most people of the south, west and east part of Ethiopia and it tries to bridge the gap in literature on the subject. In the study, I explore *Ye-Gordena Sera* system of Kistane-Gurage traditional local governance and its development over time. *Sera* system, which is found among most peoples of south Ethiopia, has been used as a major body of government for centuries. The system encompasses all the norms, values and conducts of the people. The Gurage in general and the Kistane in particular adopted the institution since antiquities.

In *Ye-Gordena Sera*, elder's councils stand at the apex of the system at various levels of territorial and lineage segmentation. But, the incorporation in the Ethiopian state deprived the institution its independent control over internal and external relations. However, the declining role of the *Sera* as the highest political institution among the Kistane did not lead to the complete breakdown of the whole system. The *Sera* has continued to exist all over through the three Ethiopian modern régimes, despite challenges incurred by the state.

In the thesis, I examine the interrelationship between the political system and the socio-economic life of the people. The study shows that the *Sera* play's significant role in the people's social, cultural and economic life, within the wider Kistane social structure. I also looked at the traditional system and its substantial contribution in local development arena. The incorporation and the subsequent modernization process of the state through new judiciary and bureaucratic institutions; large-scale migration of the people out of Kistane-land; and the process of urbanization, are major factors for the transformation that exhibited in the traditional institution. However, the system continues to be the people's favored system in the area of conflict resolution and people's day-to-day life.



ADMINISTRATIVE DIVISIONS

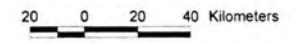
LEGEND

- Town**
- ★ Regional
 - ⊙ Zonal
 - Special Wereda
 - Wereda
 - Other

- Boundary**
- International
 - - - Regional
 - Zonal
 - Wereda
 - Lake

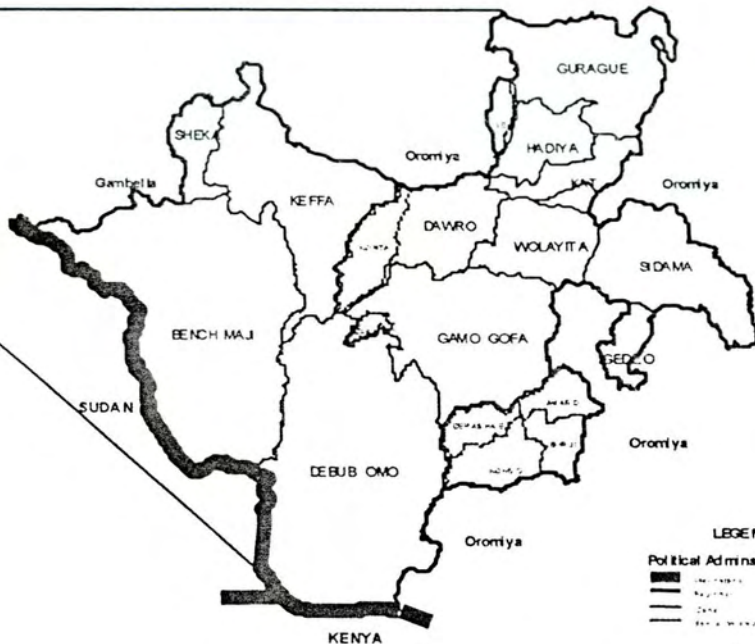
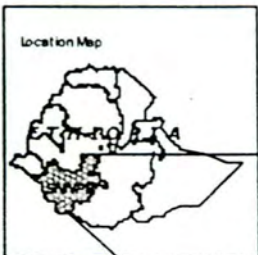
Caution : The delineation of all Boundaries shown on this map must not be considered Authoritative.

Scale : 1:2,000,000



34.09.49 E 8.32.06 N 35.00.00 E 36.00.00 E 37.00.00 E 38.00.00 E 39.00.00 E 39.10.53 E
 8.00.00 N 7.00.00 N 6.00.00 N 5.00.00 N 4.23.21 N

GEOGRAPHICAL LOCATION OF SNNPRG



SNNPRG, BOPED

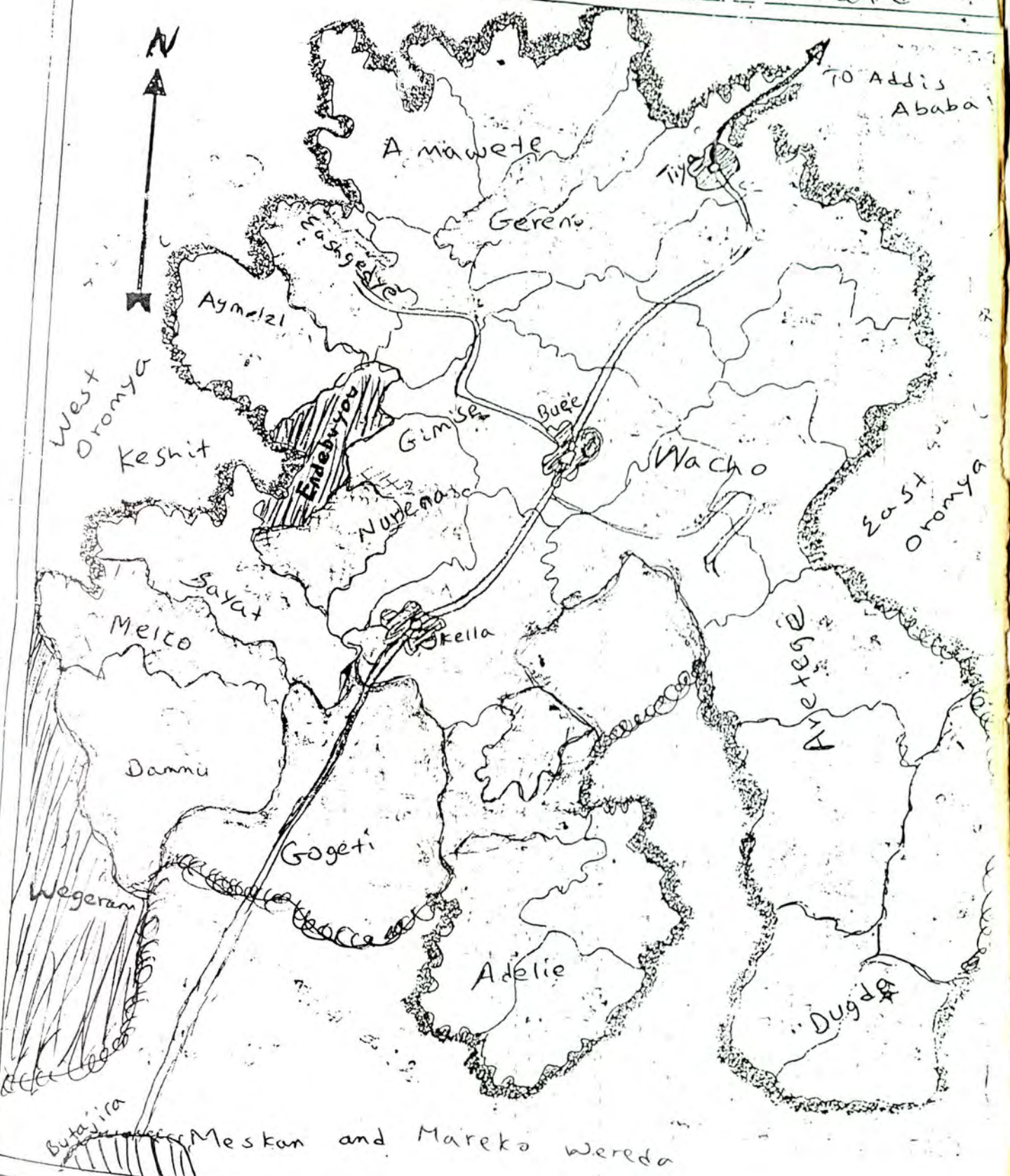
Awassa, Feb 2000

LEGEND

- Political Administrative Boundary
- International Boundary
- National Boundary
- Zone Boundary
- Regional Boundary



Sketch Map of Kistane-land



Chapter One

Introduction

1.1. Statement of the Problem

Kistane is one of the groups among the Gurage of southwest Ethiopia. Good numbers of studies on the Gurage are characterized by generalization. They apply findings from a section or a group of Gurage to the whole Gurage groups. To mention an example of such studies, William Shack's (1966) seminal work, the *Gurage, People of the Enset Culture*, is based on a field data, gathered from one of the known clans of Chaha, and presented it as a representative of the whole Gurage.

Fekadu (1972) made the only viable anthropological study on the Kistane. In this study, Fekadu made some efforts to investigate the traditional social setting of Kistane. There are, however, historical studies on Kistane, which include Bahru (1972), on the political history of the Kistane and SHEMELES (1997) on urban rural migration and urban labor undertakings. Apart from this, with the exception of Bahru's (2002) recent work, no attempt was made to study the Gurage traditional system of governance in general and the Kistane (*ye-Gordena Sera*) in particular, from anthropological perspective.

The recent book entitled *Ethiopia: The Challenge of Democracy from Below* edited by Bahru Zewde and Siegfried Pausewang (2002) is a new initiative on the study of Ethiopian traditional systems of governance. In the introductory part of the book, the well-known historian Bahru, points out the need for a new perspective in African political system. He encourages a view from below; at grass root level (Bahru, 2002:7).

According to Bahru, after the de-colonization of Africa, the promised hopes, given by the 'heroes' of national liberation movements, to lead their people to the land of 'milk and honey' wither away. Africa turns to experience its worst history in the hands of those notorious dictatorial régimes. The then antagonist blocks of world super powers backed them as a strategy. But, after the demise of the East (Communist) block, the west spearheaded by America comes as champion of the new world order. The moment marked by the revitalization of hope for the

desperate Africans. The notion of “democratization” followed the crumple of those dreadful régimes (Ibid: 7-9).

One of the modalities the period brought is the resurgence of the romantic past of African traditional system of government. In this connection Bahru has the following say:

While the concept of a universal form of African village democracy is probably too idyllic, it is nonetheless true that traditional forms of governance often permitted a greater degree of popular participation than could be said for many of the formal parliamentary democracies of today. Even in chiefly and monarchical systems, they represent a source of authority that competed vigorously and often successfully with modern political forms (Ibid: 8)

He provides the example of southern African states like Botswana, Namibia and the Republic of South Africa for the system what he calls “mixed government”, which mingles traditional and western type of polity (Op. cit).

Though the Ethiopian situation is different from its African counterparts, mainly due to the absence of colonial experience, the famous king Menelik II made a similar, if not equivalent, process. He was successful in incorporating the resourceful areas of southwest and eastern parts of modern Ethiopian state. The epoch brought on one hand the formation of unified Ethiopia (on the bases of medieval history) and on the other hand it destroyed traditional forms of governance that were found elsewhere in the newly incorporated areas.

Incidentally within the context of a very centralized and despotic régimes of Ethiopia in the past century, the Gurage traditional political system suffered a lot. With the new global order and the coming in to power of E P R D F, ousting the military régime, the way for the revitalization of traditional mode of polity was paved. As the government’s cadre asserts, the ratified new constitution and policy of decentralization are fertile grounds for the reemergence traditional system of governance. Encouraged by said democracy, the Kistane, *ye-Gordena Sera*, traditional system of local governance, got a brief momentum to be codified and to some extent practiced side by side with the formal state law. With this, hope for halcyon amity of the past revived. However, the government at the *Woreda* level soon banned the codified Kistane customary law saying “no need for two governments within one locality”.

However, it is plausible to study the changes that exhibited in the long history of the Kistane political system as a response to its internal dynamism and external influence. The essay will give emphasis to organizational structure and function of the Kistane political system. It is also vital to study the interplay between different variables such as social, economic, cultural and religious and their impact on the system. It is also worth studying the *Sera* and its enduring contribution to the socio-economic development of the Kistane community.

1.2. Objectives

The major objective of the thesis is to study the Kistane traditional system of governance and its change and continuity over time.

Specifically, the study attempts

- To look into the structure and function of Kistane traditional mode of governance and to investigate the mechanisms that the Kistane adapted to resolve disputes among themselves and to identify the most important sanctions applied for infractions.
- To scrutinize the interplay between the social, economic, and religious variables for the maintenance of political system.
- To examine the role of traditional system and its enduring contribution to local development
- To discover the dynamism and flexibility of customary law in the context of incorporation of Kistane-land in the Ethiopian state domain, and the subsequent modernization process and the peoples' mechanisms to coping with it.
- To document ethnography for the traditional system of governance among egalitarian societies like the Kistane.

1.3. Methods of Fieldwork

1.3.1. Fieldwork Location and Experience

This thesis is based mainly on fieldwork I have carried out from mid-July to mid-September 2004. Since the aim of the research is to investigate traditional local governance, much of the research was conducted in Kistane-land especially in Wegeram and Endebuyuo rural Kistane areas. Other areas like Bue'e and Butajira centers for Soddo and Meskan *Woredas* respectively, and small towns like Kella and Tiya were also important.

As noted above, I carried fieldwork for about two months during the last Ethiopian summer. But this stay in the rural Kistane-land was supplemented by several occasional visits. The first rural fieldwork site, Endebuyuo, is found in a mountainous area approximately 20 km west of Bue'e, Soddo *Woreda* capital and approximately 130 km away from Addis. This area is relatively accessible than my second field site. The second site, Wegeram, is found approximately 155 km away from Addis and some 18 km north of Butajira, capital of Meskan *Woreda*. This site is more isolated than Endebuyuo, due to the difficult terrain of the locality. The area has much less contact with other ethnic groups like the Oromo, Amhara, Mareqo and Meskan-Gurage. So that, I felt this locality would provide me with a unique Kistane culture. The basic subsistence economy in both areas is *enset* cultivation.

In order to obtain permission to undertake the field research in Kistane-land, the first groups of informants contacted were representatives of the state. The group includes *Woreda* and PA (Peasant Association) officials such as heads of Soddo and Meskan *Woreda*, leaders of local PAs, heads of *Woreda* social affairs co-ordination offices and *Woreda* heads of agriculture offices. The group provided me with information on the status of the Kistane customary law and the level of its acceptance within the state bureaucracy. They also provided me with the government's opinion towards the practice of customary law among the people under study, and the relationship between the state and the traditional organizations. I also contacted DA (Development Agents) from the office of Agriculture at PA level, who assisted me in conducting the field research to the remote areas.

Before beginning in-depth interviewing with key informants, I spent weeks in all areas to establish good relationship with the locals. Informal contact in the rural towns, in market areas and in public ceremonies took up a good part of the day's activity. The rationale behind this approach was to gain community acceptance and to establish rapport.

Though I have previous experience in rural towns working in the zone, the two rural sites were not familiar to me. First the people suspected me and looked me as an alien. In fact I was in many instances an outsider to the rural way of life. I learn this in the field. The cold weather conditions and the difficulty of getting food were also problems at the initial stage of my field enquiry.

Besides, living in remote rural village where nobody knows me and to follow the people's day-to-day activities at first were very challenging.

I interviewed several prominent elders and other notables. Developing good relationship with the elders of Kistane had critical importance as a source of the research, since their support provide legitimacy to other possible informants. One import event is relevant here to mention. At the first day of my stay in Endebuyuo, I met a priest in the parish. Initially, he was suspicious of me as protestant evangelist. But after explaining my aim, he started to ask my family background. Since this the norm in Kistane I told him my paternal and maternal lineage. He immediately found that my mother belongs to his patrilineage. Starting from that first day he begins to call me as *emayo* (my uncle). The priest was my key informant. Besides, he paved for me the way to my acceptance to the rural community. Kistane elders work as interpreters of custom and were therefore the most knowledgeable about the culture and history of *ye-Gordena Sera*. My points of contact to informants were made easy at associational meetings such as *ye-abotold* and *sabugn* *shengos*, *senbete* and *mahaber* gathering etc. Places like *tella-bet* (local beer houses) were also important to my field inquiry.

Male Kistane in their leisure time usually enjoy drinking local liquor and *tella-beer*. Such spot also provided me the opportunity to contact much of my informants. But, contacts with my key informants were made at their homestead. I also contacted informants such as traders, bar owner's, urban Kistane intellectuals and civil servants through visiting their work areas and homestead in the urban areas.

1.3.2. Methods of Data Collection

The research is mainly based on first hand ethnographic materials, gathered during fieldwork in Kistane-land and in Addis Ababa. The following were basic qualitative methods of data collection.

1. 3. 2. 1. Observation

Observation has been identified as one of the most important tool for anthropological enquiry. It was employed as a major technique to get the necessary information. The method used was observing the over all situation and behavior of the people under study from the internal vantage

point. It was useful to have a good insight into ceremonies, and other social events within the local community, including marriage and burial ceremonies. It is also essential to get trust from the community. In this regard my knowledge of *Kistanegna* language and close relationship with the urban and rural Kistane community has great importance. Furthermore I have been working as ethnographic expert in the Gurage Zone Culture and Information Department for about four years.

1. 3. 2. 2. Key Informants Interviews

The method was employed based on semi-structured and unstructured questions with selected key informants, who are knowledgeable elders, influential persons and government official, to collect data in relation to the history of Kistane, the traditional forms of administrations, and changes and continuity of the *Sera* and other aspects of the society. Key informants were selected through informal discussion. Some 44 persons were identified as the most knowledgeable of Kistane culture and history and contacted as key informants. I conducted interviews with them both in Amharic and Kistanegna languages. Tape recorders and note takings were used in most cases. At the same time checklist was also used.

1. 3. 2. 3. Focus Group Discussions

The method was conducted with two groups of people composed of different age and sex. Basic information concerning the rural way of life, the most important rules and sanction, the mechanisms employed to resolve conflict etc were collected through this technique. The government officials supported me in facilitating meeting days and places with selected informants.

Some times I undertook group discussion without my intention and schedule. These happen when I conducted interview on individual bases at the end of public gathering or in *tella-bet*. At the time unarranged groups were often unavoidable. In most cases this discussion had positive outcomes to the research. Because, such gatherings produced interaction within group where they can actively discussed interesting issues.

:

1.3.2.4. Secondary Sources

Secondary sources were used to obtain basic information on the geographical, historical and socio-economic background of the Kistane. The method was useful to have broad idea on the subject. Related literature on the area under discussion carried out by different researchers, archival materials, figures, maps and other related materials were consulted and used by way of supplementing field data.

1.4. Significance of the Study

There is lack of knowledge about traditional systems of governance in Ethiopia in general. Sufficient studies on these systems are not yet made. One of such unstudied systems is the Kistane *ye-Gordena Sera* system. This study therefore contributes to record an ethnographic account on the Kistane and their *ye-Gordena Sera* political system. The study also will provide ground for practical actions aimed at improving the reviving traditional mode of polity among the target people. It also will help to have a comparative understanding about the different political systems of governance among different ethnic groups in Ethiopia.

1.5. Limitation of the Study

The major limitation of the research is issues in relation to gender. Traditionally, in Kistane *Sera* system women had little role. Therefore, I was not in a position to collect views from women as much as I wish. Besides, it was difficult to arrange interview with women due to the lack of willingness from their side. I was able to have the view of only four women informants. The issues that I am able to discuss with these informants were mainly social issues like marriage and property ownership. On top of this, Kistane women are not comfortable to express their views openly.

The absence of *shengo* meetings as in the past, at various levels, due to the recent ban by the *Woreda* administrative made it difficult to attend *shengo* meetings as much as I want. The gap was filled through interviews with the elders.

1. 6. Structure of the Thesis

In Chapter two, I review relevant literatures on the concepts of political system, political organization, conflict and conflict resolution in anthropological studies. I then examine theoretical approaches in relation to political and legal anthropology. In section three, four and five of the chapter, I review the features of traditional local governance in Africa in general and in Ethiopia in particular. In chapter three, I outline the general background to the people and the study area. In chapter four, I looked in detail the organizational structure and function of *ye-Gordena Sera* system. Consequently, I found out that the traditional system resembles what an anthropologist's calls 'segemantary system' with elder's council at territorial and kinship level as the highest administrative body. In the chapter, I emphasized on the various levels of Kistane traditional councils in which pronouncements are binding on all level and are backed by powerful sanctions. In chapter five, I discussed the role of the *Sera* to the people's social, cultural and economic life. Specifically, I examine the contribution of the *Sera* to the local development. In chapter six, I give a brief account on the historical evolution of the *Sera* system and its relationship with the Ethiopian state. In first section I looked the process of changes in the political system and its enduring impact on the *Sera*. The second section explores the current status of *ye-Gordena Sera*. In which I detail the recent revitalization movement through a process of codification of the customary law and subsequent developments. In chapter seven, I summarized and concluded the study by drawing the previous discussions together. I outline how the Kistane *Sera* experiencing changes especially with the incorporation of Kistane-land into the Ethiopian state domain. I then looked how the traditional system continues playing its important role in the cultural social and economic life of the people.

Chapter Two

Conceptual and Theoretical Literature Review

2.1. Conceptual Literature Review

The concepts of political system, political organization, conflict, and conflict resolution have been treated in anthropological literature for a long time.

The 19th century evolutionalists like Maine and Morgan looked territorial representation as the origin and center of political system (Seymour – Smith, 1986:226). Morgan examined political institutions through evolutionary perspectives. In his seminal work (1877, as cited in Nwonunbi 1992:107), Morgan made a distinction between ‘primitive’ type of government, which was founded upon persons, and upon relations merely personal and another type of institutions that are characterized by a definite territory over which it exercises authority. Morgan calls them a “social organization” and “political organization” respectively.

Functionalist conceptualization of political organization relates to the norms and rules employed in society in order to maintain internal order. According to Radcliff-Brown’s definition of political system, it is that part of the total organization, that is, concerned “with the maintenance or establishment of social order, within a territorial framework, by the organized exercise of coercive authority through the use of physical force” (Radcliff- Brown, 1940: XIV). His view has been criticized as being ‘minimalist’, since the concept government stands exclusively for state that are characterized by central authority, definite territorial framework, as well as administrative and judicial institutions (Nwonunbi, 1992: 108).

Isaac Schapera (1967:38) in his study of the !Kung hunting and gathering society in southern Africa, found the idea of territoriality and recognition of certain of its members authority to take decision, but, there is no use of physical force. He concluded that any group of people organized into a single unit and managing its affairs independently of the external world should be seen as a ‘political community’, a concept which embedded people who have laws, rulers or government in general. The view looks political organization or government as universal. Mair (1962: 106) also shares his assumption.

As indicated by Balandier, (cited in Vincent, 1990:325), political anthropology as a distinct branch in anthropology expected to become “the comparative science of politics and modes of government, encompassing political science and defying any restriction to primitive systems”. It devoted much attention to the study of the way in which uncentralized societies, that is, societies without formal governmental institutions, maintain social order and cohesion (Seymour-Smith 1986:227). Evans- Prichard’s seminal work *the Nuer* (1940) of Southern Sudan, deals with how a population of 200,000 at the time, maintain a political order based on a segmentary lineage system with out an overall centralized political authority and formal governmental institutions.

Segmentary system is a system, that is, found in societies like the Nuer (Evans-Pritchard, 1940) and Tiv (Bohannan, 1955), which exhibit alignment of local groups, by their closeness or remoteness on the bases of kinship or territoriality. According to Smith (1968:1999), these classifications of groups serve to “guide their political relation of alliance and opposition”. Hence, internally a group forms a unit “within which authority is distributed and collective action handled administratively”. Externally, however, groups will “combine at one moment to oppose outsiders and then segregated to oppose one another” (OP. cit). In Nuer segmentary lineage system, for instance, a larger group is broken up into lineages that are further broken down or segmented into different levels; from macro-level (ethnic level) to maximal lineage, to major lineage, to minimal lineage (Evans- Prichard, 1940a). At minimal lineage level all people descended from one great-or great-grand grandfather. When conflict arises at minimal lineage level, the next level would involve and alliances would form.

The concepts of conflict and conflict resolution have been treated in social science literature over decades. 19th century social thinkers paid much attention to conflict. For instance, in Marxist thought conflict has a significant place in explaining variables. Simmel and Weber considered conflict as a major social phenomenon. Simmel (1908, as cited in Coser, 1968:232) insisted that “conflict is a form of sociation” and that “a certain amount of discord inner divergence and other controversy is organically tied up with the very elements that ultimately hold the group together. In the same fashion, Weber (1949:26-27) contributed to the discourse saying that “conflict cannot be excluded from social life . . . ‘peace’ is nothing more than a change in the form of the conflict or in the antagonists or in the objects of the conflict”.

In the first half of the 20th century, however, most Western scholars had neglected the function of conflict. They paid attention mainly to the dissociative aspects of conflict. According to Cose (1968), these scholars stressed the need for common value and harmony. Using 'equilibrium model' from the school of Durkheim as the bases of their theoretical approach, these group of scholars reflect on conflict as a kind of sickness of the 'body social'. They equated conflict with anomie- deviant, abnormal behavior, which impedes integration of society.

Gradually, so many theorists emerged opposing the dominant 'equilibrium model'. The shift of paradigm can be easily seen in the works of Dahrendorf (1957), Gluckman (1956) and Cose (1956). According to Gluckman (1956) conflict need not disrupt a social system, that indeed may contribute towards the maintenance of society. He provides the example of his study in the kingdom of Zulu. He pointed out that, in the kingdom there was struggle between Zulu princes of South Africa for the throne, which occurs within a continuing social system. Combining the insights of Durkheim with those of Simmel, Gluckman sought to deal with conflict as an integrative device "serving to maintain existing systems of political relationship" (Cose 1968:192).

Anthropological studies prove that conflict resolution need not necessarily be identified with specialized political offices (Nader, 1968:240). Nader notes that, there are societies, which lack central government and specialized political offices but have other means of resolving and regulating conflict. According to Gulliver (1979) these mechanisms of conflict resolution can be categorized into violent and peaceful. The violent mechanism includes war while the peaceful mechanism includes negotiation, mediation, arbitration, and adjudication.

In discussing conflict resolution mechanism the most important issue would be enforcing instruments of decisions. In most politically uncentralized societies conflict resolution mechanisms lacks coercive force to enforce their decisions (Gluckman, 1956). In these societies traditional sanction stands as enforcing instruments. According to Rediefield (1967: as cited in Dejene, 2002:20) these sanctions are divided in to supernatural and secular. Anthropological studies made by Hamer (1980) on the Sidama, Shack (1966) on the Gurage, and Bassi (1992) on the Borena of northern Kenya show how sanctions are effectively employed to enforce decisions in the above mentioned societies. In all the three societies, any one who refuse to accept

judgment is liable to ostracism which would be followed by cursing that would cause supernatural punishment.

2.2. Theoretical Literature Review

Political and legal anthropology has its roots in the 19th century evolutionary theory. The most important proponents of the theory were the British jurist Sir Henry James Sumner Maine and the American anthropologist Lewis Henry Morgan. Maine, in his evolutionary trajectory, put forward stages in which political systems had passed (Colson, 1968: 190). In his best-known work *Ancient Law* (1861), Maine pointed out that, in the past people were organized on the basis of kinship. According to this hypothesis, the change of a society based on kinship to a society based on territoriality or 'local contiguity' was important (Lewellen, 1983:2). Maine's idea of blood relationship bases to societies of 'primitive antiquity' was quickly adapted by Lewis Henry Morgan and his followers to embrace the so-called 'primitive societies' of the contemporary world (Colson, 1968: 190).

The ideas of the 19th century evolutionary theories and methodologies were soon discarded in the early 20th century, especially by American anthropologists, spearheaded by Franz Boas, considering the hypothesis as ethnocentric and armchair. In Europe, even if, criticism of evolutionary theory is relatively mild, there was a sway to a new outlook called Structural Functionalism.

Following the footsteps of the French social thinker, Emil Durkheim's structural analysis of society, in British Malinowski and Radcliff- Brawn established two branches of Functionalism school of thought. Though, Malinowski's contribution to the development of political anthropology was little, he was successful to establish anthropological fieldwork methods.

Politics in anthropology received great attention during the 1930s, when students of both Malinowski and Radcliff-Brown began to study still functioning large-scale political units in Africa (Before 1930s anthropological studies were highly concentrated in relatively small-scale societies of American Indian, Australian, and Melanesian, where political and social organizations were seen as one and the same (Colson, 1968: 191)). Fortes (1953:18), one of the students of t

two, latter on noted that, they were forced to study political systems and government in Africa unlike their predecessors, who had studied Melanesian small-scale society's social control.

British interest in studying the African social system for colonial administrative purposes and functionalist perspective produce a collection of studies--which was published in 1940 edited by E. E. Evans-Pritchard and Fortes called *African Political Systems*, marked the beginning of modern political anthropology (Lewellen, 1983: 7). The book's introductory chapter and eight ethnographic articles "established the problem, the theoretical foundation, the methodology, and the controversy, for more than a decade of research in to the politics of pre-industrial societies" (Ibid: 7).

For about two decades, studies on political anthropology were dominated by Structural-Functionalist theoretical orientation of Radcliff-Brown and his students. The theory looks society in the state of 'assumed equilibrium'. Lewellen (1983: 6-7) commented on the theory as "atemporal than static, that is, it does not really postulate an unchanging society or a society without conflict, but rather its focuses on those norms, values, and ideal structures that form the framework within which political activities takes place".

According to Colson (1968: 190), the period after 1960 marked by a paradigm shift, which dominated by increasing interest in theory, that could deal with "change, faction, party, and political maneuver". The shaft from synchronic study of Structural-Functionalism to more dynamic and diachronic studies of societies in change was marked the development of a more process--oriented theory. As indicated in Vincent (1990:325), by 1957 an alternative approach became apparent- the process view- was in the making. It was signaled with the works of Edmund Leach's *Political Systems of Highland Burma* (1954) and Max Gluckman's successive publications (1940, 1956, and 1960). Both Leach and Gluckman (including his 'Manchester school') were considered as transitional figures to the new approach embedded in the Structural-Functionalist perspective.

The shift of paradigm from structural analysis to process orientation further made possible by the fast de-colonization of Africa, Asia and the pacific and the development of multi-ethnic nations, who were characterized by political and legal heterogeneity (Swartz, Turner, Tuden, 1966:3). Therefore, the organic and mechanical analogy model, which conceptualize societies as tightly

integrated system, can not be workable; rather “social fields with many dimensions, with parts that may be loosely integrated, or virtually independent from one another, and that have to be studied over time if the factors underlying the changes in their social relationships are to be identified and analyzed” (OP. cit).

According to Swartz, Turner and Tuden (1966:3), it was Max Gluckman, who draws attention to change in the social structure, that is, change in the size, composition and type of an organization. His field research in Zululand led him to deplore the dominant discourse that looks social systems as “a set of functionally interconnected components, moving by graduated stages through culturally defined equilibria”.

The new approach, the processual orientation, defined politics as a study of “processes concerned in determining and implementing public goals and in the differential achievement and use of power by the members of the group concerned with those goals” (Ibid: 7). Politics is thus the study of certain kind of processes, which comes into play after a crisis to reinstate an unstable structure to equilibrium.

Political anthropology, therefore, shifted its interest from ahistoric study to historical. Hence, the Kistane wide range traditional political system, *ye-Gordena Sera* has to be examined in the context of changing social, political, and economic conditions. Thus, the processual approach is pertinent to elucidate the people’s socio-political circumstances.

2.3. Traditional Systems of Governance in Africa

Traditional local governance is the oldest institution in Africa and elsewhere on the earth. It represented the earliest mode of socio-political organization handed down from the far-away past. Anthropological studies dealing with traditional system of local governance in Africa began to appear in the 1930s and 1940s with the work by M. Fortes and E. E Evans Pritchard with a prefatory note by A. R. Radcliff- Browne (1940). Most anthropologists considered this work as the major stimulus towards the development of the fields of political anthropology itself (Colson 1968:197). In the book entitled *African Political Systems*, the two editors in the introductory part isolated three preliminary classifications of African traditional political systems. Accordingly, the first type is that of small societies, the largest political units of which are held together by kinship

relationship. The second type is made up of societies in which the political framework provides the link between a numbers of kinship lineages. The last type consists of societies that have “administrative organization ensuring greater differentiation among a usually large population with economic and cultural heterogeneity”. In other words there are three types of political systems. These are states, state less, and band (Fortes and Evans Pritchard, 1940:1-25).

The American Anthropologist Elman Service (1971) suggested four main forms of political systems. That is band, ‘tribe’, chiefdoms and states. Band type of political system, according to Service occurs only in associations with hunting and gathering populations. These are the most egalitarian societies known; their internal divisions are limited to differences in age and gender. The !Kung of Kalahari and the BaMhuti pygmies of Congo can be taken as examples of Band societies in Africa. In ‘tribal’ level of governance, the system contains two or more local communities that are systematically connected by marriage relations or associations that membership in two or more localities, such as descent groups, age sets and voluntary associations. Service called this as “pan-tribal sodalities” (Lewellen, 1983:25).

Unlike the two uncentralized political systems, chiefdoms are different with respect to centralization of authority. Political system in chiefdom level consists of several social communities each with one or more chiefs of their own that are united under the control of a king. The last type of political system is state.

States represent a more complex form of political organization than chiefdoms. States have a system of governance through bureaucracy, a set of administrative office that is formally organized on a hierarchy of authority. States consist of a number of local communities that exist within a territorial framework, all of which are under the control of a central authority. Political system in state level separated from kinship (Ibid: 34-38).

Elman Service’s (1971) typology largely resembled the classification of the editors of *African Political Systems* (1940). Though the schema is useful, one of its major concept, ‘tribe’, evokes resentment by modern African scholars due to its pejorative meanings. The terms have been used by the Western academic to refer to African and non-Western societies. Lewellen (1983-24-25) mentioned three basic objections to the concept.

- 1) *It does not encompass a discrete group of societies that share common qualities;*
- 2) *It is not sufficiently different from other types, such as band and chiefdoms;*
- 3) *It suggests a degree of social integration or at least bounded-ness, which is often non-existence.*

Despite the objection, Western scholars continue using the concept by the guise of two reasons, one, the concept is important as Lewellen stated to “bridges the gap between hunting and gathering bands and centralized systems” and secondly “cross cultural studies revealed common features of ‘tribal’ societies”, he calls this two reasons as “logical and empirical” (1983:28). Lucy Mair (1962:16) contributes to the discourse by giving supplementary reason to apply the term exclusively to Africa societies. She pointed out that, the term ‘tribe’ is appropriate in Africa context to show “a distinct political division of a population with a common culture”.

On the contrary, Cohen (1978:384) noted that, the term ‘tribe’ was fundamentally a colonial usage derived from the Latin word ‘tribus’ that means barbarians, to refer to the ‘uncivilized’ neighboring groups of the Roman Empire. He further pointed out that:

This etymology reflects and explains the significance of the word in western culture, its link to imperialist expansionism and the associated and over-generalized dichotomization of the world's peoples into civilized and uncivilized the 'raw' and the 'cooked' of human historical experience.

Now a days even the Western scholars begun to use the term ‘ethnic’, or ‘ethnicity’ dropping the derogative term ‘tribe’ (Cohen, 1978, Barth, 1969).

In view of such rejection of the term, it is better to classify traditional modes of governance under the common schema uncentralized and centralized system of governance. It is in this manner that the two editors of the classical political anthropology book, E. E Evans Pritchard and M. Fortes, described Africa societies. Cohen and Middleton (1967: Xii-Xiii) identified four modes of governance among uncentralized societies. These are:

1. Political system based on unilineal descent groups or “segmentary lineage system”.
2. Political system based on non-unilineal descent groups and whose political offices are recruited from members of those groups by virtue of their status within them.
3. Political system based upon elder’s councils or associations.
4. Political system based on age or generation set.

Most politically uncentralized groups in Africa forms system of 'segmentary system' based on unilineal descent groups. In anthropological literature as shown above, there have been broad inclinations to such political systems. Out of the societies that were treated by scholars, are the Nuer, the Talensi, and the Tiv (Evans-Pritchard, 1940a, 1940b, Bohannan, 1955, Fortes, 1940, 1953, Sahlins, 1961, Middleton and Tait, 1958) and the Gurage (Shack, 1966). In the course of time, anthropologists begun to realize that, segmentary lineage system is not only found in uncentralized political system but also in 'proto-state' or in 'middle range' societies. That is, societies who falls between 'stateless' and states. The best examples of this type are the Alur and Nguni (Southall, 1955, Middleton and Tait, 1958) and the western Gurage (Shack, 1966). Societies of such types are known, according to Southall, "segmentary state".

2.4. African Political Systems during Colonial and Post Colonial Period

Studies on African traditional local governance show that, the continent had experienced traditional mode of political system since antiquities. The system served the people of Africa for centuries. The traditional system in Africa varies ranging from band type social organization through other forms of uncentralized types of governance, such as, age grades, segmentary lineage formation, status and title offices, village associations and councils, to centralized political system like states and chiefdoms. The advent of European powers brought the domination of most part of the continent with the exception of Ethiopian and Liberia, under the colonial rule. The era marked the weakening of traditional systems of governance.

According to Bascom and Herskovits (1959: 2), since colonialism imposed on Africa, the continent witnessed several changes; yet, these surprisingly rapid changes have not destroyed the continuity of its culture. There is no Africa way of life, which has not been affected in one way or another by European contact, and there is no one, which has entirely given way before it. The cultures of Africa have been modified by contacts with Europe and the near east. European law and procedures, no matter what the degree of recognition, have not altered completely the African traditional system of governance, though in many cases both have been modified in the course of adoption.

The various European powers reacted to the existing traditional African systems of rule in several ways. For instance, the French and Portuguese African colonies were forced to give up their ways

of life due to the colonial policy of assimilation and *assimilatdo* principles, respectively. The principle was developed fundamentally with a mission of 'civilizing' Africa in Western style. In the same vein, the German and Belgium African colonies, traditional local governance never entertain its previous positions.

British African colonies followed a policy of indirect rule; within the system tradition institutions were used in a corrupt form, to fulfill the colonialist's interest. The system accorded Africans a limited right to 'govern' themselves along with their traditional mode of polity. However, the system was entirely not customary and function in keeping the best interest of colonialists. Sometimes this was done by twisting certain customary principles of Africans, like the custom of respect for elderly, to fit the needs of their masters. Moreover, traditional systems were treated as an inferior to colonial offices.

As soon as the European masters withdrew in the middle of the century, local messiahs springing up from all sides, preaching all brands of ideologies, claiming to lead their people to the 'land of milk and honey'. But, soon after independence, Africa started to experience its worst history under the hands of the first generation independent Africa leaders. The continent appeared to be the focal point of civil war, military coup, famine, and so on. Bahru describes the situation in the following manner:

Elsewhere in African too dictatorship of one kind or another was the norm rather than the exception. This ranged from the atavistic empire of Bokassa of the Central African Republic, the murderous regime of Idi Amin of Uganda and the proverbially venal order of Mobutu of Zaire to the totalitarian dictatorship of Mengistu HaileMariam of Ethiopia (2004:7).

With the collapse of cold war in late 1980s and early 1990s Africa started to face a "wind of change". Many of the dictatorial régimes lost their power due to the absence of external support. According to Bahru a "movement from below", in a form of guerilla warfare and urban mass struggle, prop up the breakdown of those régimes one after another (Bahru, 2002). Thus the notion of "democratization" becomes the most important feature of the era, taking Western model of governance in the form of parliamentary democracy and multi-partism.

However soon after the adoption of Western and modern system of governance new problems began to evolve. Instead of multi-partism single parity rule become typical characteristics of the

period. To cope with the problem within the context of 'democratization' another modality rejuvenated, in the form of adoption and maintenance of traditional form of African governance. The system was viewed as the best institution in organizing popular participation than the formal parliamentary democracy. Thus, a system of "mixed government" follows which combine traditional and modern modes of polity (Bahru, 2002).

It is true that some aspects of African traditional system of governance are not only incompatible with democratic and modern style but also violate some of basic civil rights which are the bases for the concept of equality in modern society. In this regard, traditional institutions often seen as age and sex biased.

Thus, constitution in the republic of South Africa, which came into effect on 4 Feb 1997, provides the recognition of traditional form of governance in the Republic, subject to the constitution. The Ghanaian constitution recognized traditional institutions and they have the role to play in issues of development. In Namibia, the constitution provides for a council of traditional leaders whose responsibility is to advise the president. In Zimbabwe traditional leaders are represented in rural district councils (White Paper Process on Traditional Leadership 2000).

2.5. The Ethiopian Experience

Menelik II made the analogous political process with the European colonialism in Ethiopia. The Political centralization of the renowned king and his successors for the last hundred and a quarter of a century in Ethiopia have an enduring effect on the several systems found in the southern part of the country. Due to the notion of centralization process of the state and because of their internal dynamism the traditional systems were either weakened or banned. Blackhurst (1778) Tadesse (1988: 45-46), and Tedecha (1988: 197) study on the Shewa and Guji Oromo are examples of such situation.

The traditional systems of local governance in Ethiopia have neither attracted the attention of social scientists, including anthropologists nor of development practitioners. So far, few piece of writings have aspired the issue. In Ethiopia, there are different types of traditional local governance among different ethnic groups. There are quote a few efforts to study in detail about such organizations.

Out of such systems, the *Gada* is probably the most known system of grass root democracy. It is relatively well studied part of the system by a number of local and Western scholars (Asmerom 1973, Hallpike, 1976, Hinnant, 1977, Tedecha, 1988, Dinsa, 1975, Schlee, 1998, Dejene, 2002 etc).

According to Schlee's (1998) study of the Oromo *Gada* system, there are two controversial issues with regard to the function of the *Gada*. Baxter and Almagor, as cited in Schlee, regard the function of the system mainly as ritual, while Asmerom emphasizes the political function. Other scholars like Bassi (1996) supported the latter view.

Gada system as a system of local government is found among the Lower Eastern Cushitic speaking people of Ethiopia like the Oromo, Sidama, Gedeo, Burji, Konso and Gidole. Unlike the Several age-set systems of East Africa, *Gada* is a 'generation-grading' system (Asmerom, 1973), distinguished by the rule that all sons follow their father in the sequence of grades at a single fixed interval, irrespective of their actual age. Asmerom (1973) pointed out that, amid the Borena Oromo, there are eleven *Gada* grades or *Luba*. All *Luba* grades succeeded each other in specific term (about 8 years), which began and end with rites of passage. Each *Gada* grade assumes military, economic, political and ritual responsibilities.

The Gamo who live in the mountainous region of southern Ethiopia, unlike their neighboring society of the Wolyta and Kafa (traditionally follow centralized political system with a king) have a title political system. According to Mark Abeles (1981) study in the Gamo-land, there are 40 societies or *Dere*, made up of 5000-35000 people inhabited. Their political system distinguished from its surrounding by the existence of two titles: one political and the other ritual (1981:37) *Ka'o* is a hereditary title designated to the high priest of the territory and the *Halaka* in an elective title representing the *Dere* assembly. The two title institutions exist reinforcing each other for centuries maintaining the sovereign authority of the society.

Recently scholars like Oyvind Aadlond, Bahru Zewde and Yacob Arsano (2002) made a contribution to the study of traditional systems of local governance among the Sidama, the Gurage and the Kembata respectively. The importance of the study is mainly on the "genesis, evolution and

contemporary relevance" of the *Sera* system prevailed amid some Cushitic speaking people of the south Ethiopian and the Semitic speaking people of the Gurage.

Sera system, as defined by Oyvind (2002) is "a set of local cultural norms or codes regulating the communal social structure and interaction". Oyvind further noted that, traditionally the Sidama been ruled by *Sera*, but with the political centralization process of the Ethiopian state the institution was marginalized and become ritual without political power. In the same vein, the Kembata *Seera* traditional institution of rule is also affected by the political process of the last century (Yacob, 2002:45).

So far, we have dealt with the literature on traditional institutions of governance amongst Cushitic and Omotic speaking people of the south Ethiopia. This finding shows that the traditional systems were highly affected by the political centralization of the state. It is not uncommon to see some phenomenon of political centralization and marginalization of traditional system of rule among the Gurage people within Ethiopian political history context.

Bahru's unique contribution to the specific field of comparative study on the Gurage *Sera* system provides a stepping-stone for further study. Several political systems are found among the different groups of the Gurage. These are *ye-Joka Sera (Qicha)* of the *Sebat Bet*, *ye-Silte Sera*, *ye-Malga Sera* and *ye-Dambus Sera* of the Eastern Gurage (or Silti Cluster), *ye-Ferazagnne Sera* of Mesqan, *ye-Senano Sera* of Dobi and *ye-Gordena Sera* of the Kistane are some of the systems found among the ethnic group (Bahru, 2002:18-19). Out of these systems *ye-Joke Sera* of *Sebat bet* (seven houses of Gurage) is the well-studied part of the group by the American anthropologist William Shack (1966, 1967, 1968, and 1976).

In his study of the Western Gurage, Shack discovers that the *Sebat Bet* Gurage confederation falls under the category of 'segmentary state' (Shack, 1967). According to Shack the *Sebat Bet* have the feature of the 'classical state' due to the presence of territorial sovereignty of the group, the formation of centralized government, judicial institution and monopoly of force-through ritual centralization (but not through political control). Shack further noted that, the system of authority is held together not by the presence of an absolute central authority, as in the classical state but rather by the balance of opposition between political segments at each level of the power structure (Shack, 1967).

The present study is dedicated to *ye-Gordena Sera* traditional system of the Kistane Gurage. The system as said by Bahru (2002:21) has a history of more than a dozen centuries.

Chapter Three

The People and the Study Area

3.1. General Background

The Gurage who live in the mountainous areas of central and southwestern part of central Ethiopian plateau are one of the most known ethnic groups in Ethiopia. They inhabit areas south of Addis Ababa between 37: 30' and 38: 50'E and 7:40' and 8: 45'N. Their Semitic language with in the midst of the surrounding majority Cushitic speaking milieu; the varieties of dialects they speak, their urban orientation and successful endeavor in establishing huge mercantile tradition, have attracted the attention of some linguists, historians and anthropologists.

Gurage-land is bounded by the Rift Valley in the east and northwest, extending as far as lake Zeway, the rivers Gibe and Wabe and Awash in the west and northwest, and north; the Kembata massifs in the south (Shack, 1966, Worku, 1995).

The Gurage speak as most scholars noted varieties of Semitic languages and dialects, collectively known as *Guragigna*. It is the South Ethiopian Semitic language and presents complex array of linguistic features and dialect variation. Based on this fact, people like Hetzrone went on to say that "Gurage is now broken up and redistributed together with other south Ethio-Semitic languages suggested that 'Gurage' is no longer a meaningful linguistic term. It should be used only to refer the conglomeration of Semitic speaking peoples surrounded by Cushitic" (1976:28).

Even though there is a debate among social scientists on the existence of pan-Gurage identity, no one denies the historical, linguistic and cultural similarities of the people. It has been assumed, on the bases of linguistic studies that, the Gurage are classified in to three mutually unintelligible groups. These are Northern Gurage, Eastern Gurage, and Western Gurage (Hetzrone and Bender 1976: 28-30). The Silti language cluster (Silti, Ulbareg, Inneqor, Welene etc) had been considered as Eastern Gurage, but, with the exception of Welene, they decided not to be called Gurage effectively after the 2001 collective referendum in which the ethnic boundary of Silti as ethnic group officially defined and legitimized. The "*Sebat Bet*" (seven houses) refers to a confederation within the Western Gurage; these are Chaha and Gumer, Geto, Indegagn, Enor,

Aklil, Iza and Muhur. In this category, according to some sources (Bahru, 2002:20), Meskan and Dobi also take account of, though they are not part of the confederation. The Kistane, the central theme of the study, belongs to the Northern Gurage.

The Gurage never experienced centralized political leadership; instead of this they had 'segmentary political system' with authority vested in elders. The people as a whole are known by their extensive cultivation of a root crop called *enset*, and the land is often classified as part of the '*enset* culture complex area', which is extensive, and densely populated part of what is today south and southwestern parts of Ethiopia (Shack, 1966). The rural economy is based on subsistence agriculture, with the main crop being *enset*, which produce an edible root and steam.

This study concentrates on the northern Gurage, the Kistane. It comprises the smallest of all Gurage language groups. The group is referred to by a number of terms. These are Kistane, Aymelele, Gordena and Soddo-Gurage. Fekadu (1986) give a brief account of circumstances in which these terms were used. Accordingly, the urban Kistane community adopted the nomenclature of Soddo. Fekadu noted the situation that led to this adoption was the Kistane close relationship with the Oromo ethnic group.

Inter-ethnic relationship between the Kistane and the Oromo has two features: peaceful coexistence in one time and confrontation in another (to be discussed below). The Kistane have been assimilating the surrounding Oromo for over a century by accepting Oromo settlers as one of the constituting part of Kistane community. The two groups also engaged in marriage alliance through exchange of women. The Oromo groups (Malima, Abado, Dulla, and Jidda) refer to the Kistane by the nomenclature *Gordena*, a term used by the Kistane to refer to their traditional mode of governance. The term Soddo refers to the Oromo group north of Kistane. According to Fekadu, for unknown reasons the urban Kistane also claim the term for them. The government to refer to the lowest administrative unit predominantly settled by the Kistane has also adopted the term. Other Gurage groups refer to the Kistane as Aymelele. It has been said that Aymelele was the first place of the Gurage settlers during their migration to the present Gurage-land. Currently Aymelele is a place in the western part of Kistane-land. Before 1980s most literature on the group use the term Aymelele. The nomenclature Kistane is popular among the rural population. It was originated from the people's predominant religion, Christianity. The main reason to adopt

this name was probably to distinguish themselves from the surrounding traditional religious believers and Muslims. Since the present research is ethnography of the rural community, I prefer to use the term Kistane. The people of Kistane also call their language as *Kistanegna*.

The Kistane are patrilineally organized Gurage group with exogamous lineage, and patrilocal residence; hence there is intermarriage between lineages with the wife adopting the lineage of her husband (to be discussed in chapter 5).

The Kistane have much in common with other Gurages historically and culturally (Shack, 1966). Markakis (1998) reflected on the creation of a pan- Gurage identity. His analysis gives due attention to the incorporation of Gurage-land to the Ethiopian empire during the reign of Menelik. From his perspective the formation of Gurage identity was largely a product of the imposition of administrative stricture of the state.

But, according to Fekadu (1986: 17-18), they qualify an ethnic identity by the general ethnic principle, which was introduced by Barth (1969) for an ethnic identity.

They occupy a defined territory, they are biologically self perpetuating, they speaks a separate language though related to other Gurage languages at a certain level of relationship, they have their own social organization separate from the adjacent groups, and finally they form a field of communication and greater interaction (Fekadu, 1986: 17-18).

Kistane-land is situated about 85 -130 km south west of Addis Ababa along the asphalt road from Addis Ababa to Butajira. Most of the land is contained within the northern part of the Gurage zone. It is part of the Southern, Nation, Nationalities and Peoples Regional State. The land has 50 km length and 40 km width or a total of approximately 960 km² (Soddo *Woreda* alone, according to S. N N P R G, BoPED (2000) has more than 600 km² land). The land is bounded by Awash River Basin in the north and east and on the west by Mt. Zebider (the highest mountain peak which is about 3600mts above sea level) and on the South by River Meqi (Fekadu, 1986:17). The elevation of Kistane-land generally decreases from west to east.

The climate of the area ranges from lowland hot weather to highland cold weather. The average rainfall is 600-1600mm and the temperature ranges between 10° and 30° (S N N P R G; BoPED, 2000). This shows that Kistane-land experience, like most part of the country, higher temperature

and dry season during Ethiopian winter (October-may) and lower temperature and heavy rainfall during the Ethiopian summer (June-September).

The archeological site of Tiya is found within Kistane-land. It is one of the seven Ethiopian sites listed in the World Heritage Convention. Of the roughly 200 archeological sites discovered so far in the area, Tiya is the most important. The site contains 36 monuments, including 32 curved stele decorated with symbols. These are remains of an ancient Ethiopian culture, whose age has not yet been precisely determined.

The neighboring groups of Kistane-Gurage are the Meskan-Gurage in the South, the Welene-Gurage in the West and the Soddo, Jidda, and Jille Oromo groups in the North and East. Religiously the Kistane are predominantly Christians. There are a few Muslims. With the exception of a few Protestants the overwhelming majority of the people follow Orthodox Christianity.

As indicated above, the Kistane-land forms part of the Shewan plateau. 46.45 percent of the land in local ecological conception is considered as *weina dega* or middle altitude (1500—2500 above sea level), 31.87 percent of the land is low land or *gemoji zone* (500—1500 above sea level). The remaining 28 percent of Kistane-land is highland or *dega zone* (2500—3500 M above sea level) (BoPED, 2000).

The size of the Kistane population in 1994 census (both in urban and rural areas) was about 359,867 out of which 254,682 speaks *Kistanegna* as their mother tongue and 60,538 as a second language speakers. The majority of the people live in middle altitude areas. Lowland and extreme highland areas shares the smallest amount of population. People live in densely populated areas where *enset* cultivation is dominant. Cereal-producing areas of lowland and highland part of Kistane-land exhibit a scattered pattern of settlement.

The Woreda Administrative Council estimates population density of Kistane-land as a whole to 260 persons per square km, making it one of the most densely populated areas in the country.

3.2. Rural Economy

3.2.1. Subsistence

The Kistane economy depends on subsistence agriculture, that is, based on digging stick for cultivation of *enset*. The dominant crop as indicated above is *enset* (*Ensete Adulis*), a drought resistant crop with an edible root and stem. In the hottest lowlands and coldest highland areas production of *enset* is difficult, but cereals, legumes, root crops, vegetables and fruits are predominant. In most part of Kistane-land as a principal crop, *enset* provide the people with the majority of food item for consumption.

Animal husbandry is also common in all agro-ecological zones of Kistane-land. Herding of goats, sheep, cattle and chickens are significant for the subsistence economy. These animals are a source of milk, butter, meat and egg. In the past they were also important as payments for damages inflicted against fellow countrymen. Slaughtering of an animal is a usual phenomenon among the Kistane during *meskel* and other religious festivals. It is also the usual gift to honor relatives and friendly guests. Animals are also used for ritual sacrifices. When two individuals or two contesting groups reached consensus to refrain from hostility, they have to make sacrifices as a symbol of ritual reconciliation or locally known as *guda*. The Kistane also keep horses, mules and donkey for transportation purposes.

My field data in Endebuyuo and Wegeram areas indicated that the average households (out of 20) contain about 5 members, and requires, rather less than half of an acre of garden land annually for all purposes. The recent famine that heats the lowland (*gemoji*) areas of Kistane land had little influence in my field sites. In fact my rural informants from the two rural areas optimistically suggested that the current *enset* crop on the land could support the population without undue strain on its fertility. This does not however ensure in itself that food is secured among the Kistane. According to the report from the government, the Kistane-land is seriously affected by the cyclic droughts. These food shortages especially in lowland areas are serious enough to require local relief by the zonal and regional authority at intervals of 3-4 years up to the present time. These incidents of local food shortages in lowlands areas are results of irregular rainfall.

3.2.2. Communication

There are no serious obstacles to travel throughout Kistane-land due to the relatively well-developed road network. This even promotes contacts between distant localities. Unlike the traditional power autonomy of each constituting *agers* of Kistane in political and social fields, economically the Kistane society can be regarded as a homogenous group. These circumstances are further facilitated by the availability of roads towards the main market areas like Kala and Butajira towns.

3.2.3 Market

Traditionally Kistane-Gurage economy, as indicated above is based primarily on the cultivation of a single crop called *enset*. It provides the main staple and occupied a central place in the economic activity. However, the Kistane enjoy trading. Local markets and big district markets like Kala and Butajira are conspicuous with over thousands of sellers and buyers. In every market day it is common to see people from the center and periphery of Kistane-land flow to a market place to buy what they need and to sell what they produced. Traditionally Kistane-Gurage merchants used to travel to big market places as far as Aliyu-Amba and Roge, most important market places in the central Ethiopian plateau in the 19th century (Pankhurst 1968:49). A 19th century traveler reported about Gurage traders passing from one place of Ethiopian to another. One traveler noted Gurage merchants as 'born traders' while another described them as "cunning, shrewd in business, very covetous of money" (as quoted in Getenet, 1994: 710).

3.2.4 Crafts

The traditional crafts of men include blacksmith (*Wokach*), tanners (*Ejama*) and wood-workers (*Fuga*). Crafts are hereditary within the patrilineage, a father teaching his son. The majority of farmers consider crafts as a low caste-like occupation. A craftsman has no right to own land and property (cattle, *enset*, tree etc). Their status within the community is comparable with the Indian untouchable caste. They lived for centuries in abject poverty and marginalization (to be discussed in chapter 5).

3.3 Migration

The Kistane have been migrating to the urban centers, mainly to Addis Ababa, starting from the last quarter of the 19th century. At the moment according to the result of the 1994 census (1996), more than half of the people of Kistane live in urban centers. Various factors were responsible for the out migration of the people. According to Fekadu (1972: 7) these are: the incorporation of the Kistane society and its subsequent military and labor conscription of the central government; the difficulty of using *enset* as a cash crop to meet the new demand of cash for taxation, and labor obligation; population growth and land shortage; and most importantly the general poverty of the rural area.

As most urban informants remarked, migration was chiefly a reaction to the rural poverty. The migrants recognize that rural poverty is the result of lack of income generating opportunities in Kistane-land, which in turn results from land shortage and can only be resolved through migration.

In the past people evaded poverty by becoming successful migrants, with the majority engaging in doing business. Addis Ababa has been the most important destination of the Kistane, though other part of the country, particularly the resource rich south half experienced the influx of a large number of Kistane migrants (Shemeles, 1997: 138). Most of my urban and rural informants have close kin relatives in those areas out of their original homelands. At first the Kistane migrants were not permanent settlers. They were seasonal migrants. Gradually, these changed to permanent settlement outside Kistane-land.

3.4 The land

Traditionally Kistane-land is divided into about 22 small independent parishes or *agers*. These parishes developed no centralized political authority before the coming of Menelik II. The *agers* are: Aretege, Keshet and Ambare, Endebuyuo, Damu, Aymelele, Kenze, Eshegedeye, Gotege, Aysheasho, Aygedo, Amaute, Gerano, Wacho, Nurenna, Melco, Gimise, Zemute, Enegeder and Zugan, Angetega, Wegeram, Adele, Gogeti. These *agers* are traditional territorial based unit of Kistane social structure. An *ager* has an independent political and social function. This structure has significant role in Kistane traditional local governance (discussed in detail in chapter 4).

An *ager* is further divided into several *sabugnnts* (or village council). *Sabugnnts* are the lowest Kistane territorial structure. It has social, economic and political functions.

Currently most part of Kistane-land is found within Soddo *Woreda* of the Gurage zone and some *agers* are found within Meskan and Mareqo *Woreda*, of the Zone and some of the above-mentioned *agers* are found within Oromiya region. According to the current administrative structure, Soddo *Woreda* alone is subdivided into 47 rural *Kebele* and 4 urban *Kebeles*. In most part this division follows the traditional *ager* structure, though some of the *agers* are divided in 3 to 5 *Kebeles*. In the same vein, the traditional *sabugnnts* structures also represented the current *got* (village) organization.

3.5 Religion

In terms of religion the Kistane are predominantly Orthodox Christians. There are some Muslims and a few Protestants. The Muslim community in Kistane-land comprised of a few patrilineage. Their long existences within the majority Christian environment can evoke an interesting anthropological research. Despite their marginalized position in the socio-political life of the Kistane, they exist for centuries without threat of extinction.

Christianity has a long history among the Kistane. As indicated earlier, the people favored nomenclature, Kistane, is reflection of this tradition. In Kistane-land each *ager* has got up to 10 parish church and monasteries. Each church, like in any other Orthodox tradition has the name of peoples' favorite 'saints' 'angels' and 'martyrs'. Out of these, Saint Marry, the Egyptian monk *Abuna Gebre-Menfeskidus*, Saint Michael, are the most common ones. The monk is said to have come from Egypt during the reign of the *Zagwe* King Lalibela and preached Christianity centering on a creator mountain called Zequala, located some 50 km south of Addis Ababa.

In Kistane mythology and also in the unpublished hagiography of the monk, he has a secret underground path which link Zequala across Awash river to a mountain top found at the hinterland of Kistane called Medre-kebed. Both sources mentioned Medre-kebed as the site of the Monk's graveyard. According to the local mythological oral tradition the Monk served Ethiopian Christianity for about 500 years and passed away on the 5th of *Megabit* (March) in the same locality. The day is one of the most celebrated days among the Kistane. It is also observed among

the people on the 5th of *Tikemt* (October) with great feast in Medre-kebed. (The day is also the final day of *adabena* ceremony and *Meskel* festival- to be discussed in chapter 5).

Taddesse (1977:117) assumes that the area the Monk had preached probably constituted the southern most area reached by the Christians in the early 13th century. His conclusion fits the Kistane oral traditions, which consider the people as the earliest Christian missionary amid in hottest Muslim and traditional religious believers' communities.

In Kistane-land there are several age-old churches. These are other supportive evidences of an early history of Christianity in the area. For instance Kistane oral traditions as narrated by some well-informed informants shows that *Zena* Medhani-alem in Zemute, *Kedus* Baleweld in Gimise, *Jigna Kedus* Gyorgis in Damu, Saint Marry in Melco, and *Abune* Gebre-Menfeskidus and Saint Marry in Medre-kebed were established before 15th century.

Unlike the western Gurage the position of traditional religious beliefs in Kistane is minimal. There are a few Kistane women and marginalized low caste-like occupational groups who believe in spirit possession called *Demmamit*. *Demmamit* is believed to be a female goddess. The deity is goddess of fertility. The followers of the cult are called *meyet*. In the earliest times there was a strong *meyet* society in Kistane. Women who are possessed by the sprite of *Demmamit* were highly privileged. They were supported by male *meyet* from the marginalized lower occupational groups known as *Fuga* (Fekadu, 1986).

According to scholars like I. M. Lewis (1966), W. Shack (1966) and Fekadu (1986), the existence of "peripheral spirit" possession cult like *Demmamit* adopted by marginalized groups like the *Fuga* and marginalized groups like the women in a patrilineal society like the Kistane is a mechanism to enhance their social position. Among the Kistane women and marginalized groups like *Fuga* are not allowed to possess immovable property like land and not allowed to participate in the political filed.

3.6. Historical Prologue to the Ethno-Genesis of the Kistane

For a student on the Gurage, the first challenge would be the question of the origin of the people and it is difficult task to answer. Their Semitic language amid the surrounding majority Cushitic speaking environment and the existence of varieties of languages and dialect clusters in small

area makes the issue difficult. From the available literature and oral traditions there are some historical hypotheses which show the origin, and time and course of migration of the people. The dominant discourses in this regard emphasized linguistic similarity of the people with the northern Semitic people. This paradigm is also supported by the oral traditions in most part of Gurage-land.

Certain amateur historian and priest called *Aleqa* Taye in early 20th century developed the dominant discourse on the ethno-genesis of the Gurage. In his book entitled "*Ye Ethiopia Hezeb Tarik*" (*History of the People of Ethiopia*) Taye assumed that Gurage first become known in Ethiopian history in 14th century, during the reign of King Amda-Siyon (r1313-44). Taye further stated that a Christian general called *Azmach* Sebat recruited the first ancestors of Gurage from a place called Gura in the province of Akale-Guzay and led them in to Gurage-land and settled in Aymelele (Kistane-land).

Aleqa Taye not only gives the erroneous impression to the laymen but also influenced academic historians and anthropologists like Ullendorff (1950) and William Shack (1966). Though there is a possibility that Axumite and medieval Ethiopian kings used to settle Christian military colonies in the area, linguistic and historical evidences proved this couldn't be the ancestor of the Gurage. For instance, chronicle of Amda-Siyon noted that the Gurage were 'pagan' in the 14th century. At the time a man called Zena-Marqosa, disciple of Takel-Haymanot, preached in Gurage-land, in a specific place called Muhur. Alvarz also indicated that the Gurage were still 'pagan' in the 16th century (Taddesse, 1977: 127). Evidence could be found in above-mentioned chronicle. It listed rebellious chiefdoms and sultanates that formed alliance with the Muslim kingdom of Adale against the Christian king, Amda-Siyon. Among these rebellious groups Gurage was listed. Hence, it is difficult to imagine a Christian contingent to be found on the side of a rebellious Muslim camp.

Another version of the story of *Azmach* Sebat appeared during the time of King Susnyos in 17th century. In this second version of the story *Azmach* Sebat forces came to Gurage-land in response to the people's request for help against a Hadya invasion of the land. This source clearly contributed for the uncertainty and unreliability of the dominant discourse.

Besides, as Grover Hudson clearly stated, the diversification of Gurage is too great to date from a time as recent as the 14th century and the origin of the language is not unitary any way (Hudson, 1978: 73). In addition to this objection, Hetzrone comments that the linguistic and typological discrepancies between Tigre and Gurage are so great that a few centuries separation would not justify them.

Hetzrone (1976: 28-32) by providing linguistic studies as evidence made a grotto-chronological comparison, which has far reaching implication for the Gurage. Accordingly, the split between south Arabian and ancient Ethio-Semitic dated not later than 2000 BC. He further noted the divergence between north Ethio-Semitic and South Ethio-Semitic begun 300 BC and 100 AD. These evidences shows that the modern South Ethio-Semitic people probably started moving south ward three centuries earlier to the introduction of Christianity and the formation of Axum as a state. Taddesse (1977: 126) noted that there are early references to some of the speakers of South Ethio-Semitic languages, which confirm Semitic people movement out of north Ethiopia even before the establishment of Christianity in Axum (Op. cit). The group further branched off in to two, Outer and Transvaal south ethno-Semitic. The latter comprise of Amhara, Argoba, Harari, and eastern Gurage, while Outer South Ethio-Semitic composed of languages and dialect clusters of northern Gurage, western Gurage and Gafat.

Hetzrone (1976:28) pointed out that at the early time groups of these Semitic people went south and become the ancestors of south Ethiopian Semitic ethnic groups. He further noted the possibility that the people were originally constituted a territorial unity south of ancient Ethiopian area due to their common feature different from that of north Ethiopian Semitic groups. He further pointed out that the southern groups continue moving southwards. Northern Gurage and Western Gurage were probably the first to move to the remote southerly direction. Hetzrone calls them 'vanguard' of South Ethio-Semitic languages (1976:30). Taddesse (1977: 128) precisely locate the early habitat of the group in the area between Blue Nile gorge and the upper basin of Awash river.

These huge population movements were probably made at the expense of the Cushitic people of the Ethiopian central plateau. There are no precise historical evidences about the initial confrontation between the two linguistic groups (Taddesse, 1972:7). The first Semitic migrants

were settled amid this Cushitic people and probably Semiticized the region even before the pre-Christian Axum. The earliest ancestors of the Gurage were perhaps basically of Cushitic (Sidama) origin and assimilated by Semitic speakers.

Edward Ullendorff (1965: 38) reflected on “the basic Gurage stock appeared to be of Sidama origin upon which various layers of military expeditions from the north were imposed resulting in that curious mixture of Semitic and Cushitic traits in appearance as well as language.” This view was also supported by linguists like Wolf Leslau (1958) and Backingham and Huntigford (1954: XVIII).

The southward movement of the Semitic people probably continues during the post-Christian Ethiopian in the form of military colony. For instance the earliest recorded material on Christian settlement in the region south of the Axumite kingdom indicated that there were Semitic populations in the 9th century. In the material, a Christian king as part of his program of evangelization undertook these Christian settlements. The king constructed churches and establish Christian military colonies in the vast areas south of the kingdom (Tadesse, 1972: 38). This process continues all through the medieval period with brief interruption in 10th century.

The brief interruption came about from the Sidama queen called Baniel-Hamuiyah (legendary queen also called as Yodit or Gudit). She defeated the Axumite Empire and destroyed its legacies. Even though her reign over the kingdom did not last long the event effectively isolated Christian military colonies from the kingdom. The colonies maintained their identities in the middle of Cushitic environment (Tadesse, 1972: 41).

With the renaissance of a strong Solomonic dynasty in late 13th century and early 14th century, it was evident that the Christian kings starts to reinvigoration program to south of the kingdom. Military colonies from the Christian highlands such as those of Amda-Siyon started to launch. For instant during the reign of Zere-Yaqob, the king himself led an army into Gurage-land to suppress a revolt of a Hadya ruler called, Mahiko (Label, 1974: 102). This episode not only restored the peoples’ alliance, but also repeats the same history as with Amda-Siyon invasion. Many contingents of the famous emperor said to be settled in the area by receiving land as payment for services and joined the local population.

Kistane oral tradition and genealogy supported those two episodes. In the former case, there are several patrilineages (*tibs*) that claim decent from *Azmach* Sebat and his contingents. For instance a *tib* (patrilineal group) called Sebhato in the district of Wacho claim decent from *Azmach* Sebat himself. In the latter case, there are patrilineal lineage groups who claim decent from the King Zere-Yaqob and his followers. For instance a lineage called Mililu in the district of Amawete linked its line with the king and a patrilineal group called Abbo in the same district claim from one of the king's soldier. There are several patrilineal groups claiming decent from priests, soldiers and migrants from different parts of the Christen kingdom. To mention some, Tekelemeden and Weteto claim from Menz, Abaweldo from Gondar, Teskaro and Temeherte from Tigre and so on. So many anthropological studies reveal that in south Ethiopia there are so many claims akin to this. For instance people in Gamo, Wolyta, Sidama, Kaffa, Dawero and Dorze areas claim decent to power areas like Amhara and Tigre.

In a different story, there are people who linked their line with the 10th century event of the queen of Himiyahu and the distraction of the ancient Axumite Empire. During the time some Christian priest's said to be fled to the island of Zeway and take asylum there with several arcs of covenant and other religious materials. Some of these people latter came to Kistane-land and contribute to the diverse ancestral origin to the Kistane community. According to oral tradition, patrilineal lineage groups like Temhirte, Ateke-selase and Amha-selase are decedents of this people. Beside these, early traditions of Semitic population movement to the present Kistane-lands, the Oromo northwest incursion had huge influence to the diversity of ethnic origin of the Kistane.

In the late 16th century, pastoral Oromo groups began to expand their territory northwest. In the history of Ethiopia population movements, this episode has a remarkable place. In their way of expansion, the Oromo effectively overrun most part of the central, east and west part of Ethiopia. In the course of this event they effectively isolate people like the Gurage from its contract with the highland Christian kingdom (Ipcar, 1970:34). Label (1974: 104) stated that the Oromo were not interested in the Gurage-land largely because of the ubiquities production of *enset* as a staple food, which they disliked. Nevertheless there are some registered conflicts between the two groups during the reign of Susnyos (1608-32). The event led to the complete severance of Gurage-land from the northern Christian highland kingdom. The conflictual relationship between the two ethnic groups continues to the 19th century until the defeat of the Gurage.

The Oromo relationship with the Gurage follows the principal of peaceful coexistence in one time and quarrel and warfare in another time (see below). The Oromo episode in the history of the Kistane has an enduring impact. Their appearance in the socio-political sphere of Kistane contributed to the diversity of the Kistane people. The Oromo can be considered as the third ethnic layer in the Kistane ethno-genesis, the Cushitic-Sidama and the subsequent Semitic interaction with them as being the 1st and 2nd layers to the ethnic compositions.

Fusion in Gurage-Oromo relations took place in two forms: One, those Oromo groups who came as a subjugator and peaceful settler in Kistane-land. Today this group constitutes several Kistane patrilineal groups. They have influential position in Kistane socio-political field. For instance, with the exception of *Wegeram*, in all Kistane *agers* there is at least one Oromo patrilineal group who controlled the institution of *goyta* (Lordship) (to be discussed in chapter 4). Secondly, the neighboring Oromo groups to the Kistane such as Abado, Malima, Geto, Dulla, Jidda, and Jilla have been exchanging wives for marriage. These further boost the assimilation of some Oromo groups to the Kistane community, and contribute to the diversity of ancestral origin of the Kistane. Today, almost all Kistane acquire an Oromo line. It is difficult for one to claim ethnic pure origin. Therefore, the Kistane identity is made up of the synthesis and assimilation of variety of groups.

peaceful co-existence and confrontation. A testimony of Asme, as cited in Bahru (1972: 55-56) indicated the earliest attacks of the Gurage against the Mecha Oromo groups. The evidence further stated that, although, the Gurages were separated from the northern Christian lands by the Oromo, the Gurage consistently prevailed in war over Oromo, raiding and looting their villages (Bahru, 1972: 26). But in the first half of the 19th century the Oromo got the momentum and overwhelmingly defeated the Gurage. Bahru commented on the event saying:

A reversal in the tides of future, whom, according to oral traditions, the hitherto prevalent Gurage suddenly found themselves victims of successive [Oromo] onslaughts which brought decimation and enslavement (Bahru, 1972: 56)

According to Kistane oral traditions as noted in Gideon Goldenberg (1983), the mid 19th century history of the people was marked by wars with the Oromo. At the time Kistane preferred trench warfare as a strategy to defend their territory from Oromo incursion. He further noted that at the moment:

Kistane and [Oromo] territories were still distinct from each other, separated by Ye-Oromo wergo ["the Oromo line"], a system of pits and trenches, which had been dug in order to defend the Kistane from [Oromo] incursions. A turning point of Kistane history was the day when the wergo of Nurena was broke (ye-Nurena wergo yeseber may). When this happened the Oromo swarmed into the country, since then both people have become intermixed so that one's genealogy cannot easily be traced back to either Kistane or Oromo ancestors.

These conflicts, as my well-informed informants illustrated, were motivated by economic factors, to be precise, to obtain the most fertile lands of the central Ethiopian highlands. By the mid 19th century, however, the Kistane found themselves in small mountainous areas leaving much of their land to the most vigorous Oromo groups like the Abado, Jidda, to the north and Jilla Oromo to the east of Kistane-land. Owing to the defeat and lose of the most productive lands, the Kistane were forced to survive only on mixed economy based on *enset* culture and herding (the whole Kistane tradition about the ferrous fighting against the Oromo elaborately indicated in Bahru, 1972).

Most of my informants argued that, the continuous struggle between the Oromo and the Kistane forced the latter to seek assistance from the Christian Amhara kingdom in the north. Their

religious affinity and geographical proximity were contributing factors. According to oral traditions and historical accounts, during the reign of Sahela-Sellasse (1813-43) of Shewa, there were early contact between the Kistane and the Amhara. Exasperated by the intimidating state of affairs with the surrounding groups, it was the Kistane side that first takes the initiative of contact. The tradition went on saying that, a Kistane mission led by a man called Oda Lelisso was sent out twice. The man was successful to obtain some Amhara mercenary against the Oromo. Alas all were destroyed by the Oromo chivalry on their way to Kistane-land.

The traditions are not full flagged accounts to reveal the immediate responses of the Christian kingdom to this incidence. Some historical sources indicate Sahela-Sellasse's claim as being king of Shewa and Gurage. The accounts also suggested that Oda Lelisso was the first governor of the land under the kingdom. But the claim and the appointment seems never been materialized until the peaceful submission of the Kistane to Menelik II of Shewa, grandson of Sahela-Sellasse, in the mid 1870s.

Unlike the Kistane, the Western and Eastern Gurage groups resisted the Amhara forces until the end of 1880s under the Islamic revivalist leadership called Hassan Injamo of Qebena. The long and devastating wars against the Amhara attacking forces had long last impact on the most part of the Gurage. Due to their resistance western and eastern Gurage were forced to accept the *gebbar* system.

Gurage were never exploited as most southern people, thanks to the dominant crop, *enset*, which is not edible by the Amhara. The *gebbar* system was not fully imposed on Kistane-land as reward for their peaceful submission. The Kistane, as part of the empire since the mid 1870s, were active in the Menelik campaign against their fellow Gurage and other southern people.

The relationship between the Kistane and the bordering Meskan-Gurage and Mareqo (Libido) was also dominated by sporadic warfare. According to my informants these wars were also aggravated by economic motives. As indicated above, the Kistane were forced to surrender the more fertile lands in the north and northeast and northwest to the Oromo groups. Such factors led them to put pressure against Meskan and Mareqo. There were wars against both groups to get control of fertile lands of Adela, Jole and Qoshā areas (Amare, 1985: 10). The hostile relationship among the Kistane, Meskan and Maraqqo picked up momentum after the Italian conquest of the

country. At the time, both groups found themselves on the side of the invaders against the Christen Kistane. Kistane-land at the time was the center for anti-Fascist resistance movement led by *Ras Desta Dametw* (commander in Chief of the Ethiopian Imperial army for the southern front). After his capture at Gogeti in Kistane-land *Shaqa Beqele Weya* took the leadership of the patriotic movement.

The positive consequences of Kistane warfare with the three groups (Oromo, Meskan-Gurage and Mareqo) resulted in ethnic assimilation and mixture. The process finally gave birth to the contemporary Kistane community.

Successful Oromo penetration in to Kistane-land took place in the mid 19th century. When the Oromo chivalry crossed the Kistane trench (*Wergo*) in Nurenna district. After the moment, the victors override the vanquished Kistane-land. The epoch has lasting repercussions and is immortalized in the Kistane proverbs "*ayshil seb ye Nuranna wurgo yeseberm may tishil*" means "He who is ignorant does not know the day when the Nurenna *wergo* was breached" (also see Goldenberg, 1983: 282).

Chapter Four

Organizational Structure and Functions of *Ye-Gordena Sera*

4.1. Introduction

Until the incorporation of Kistane-land in to the larger Ethiopia Empire in the mid 1870s under Menelik II, the Kistane used to govern themselves under the institution of *ye-Gordena Sera*. It is a system of local governance that resembles what anthropologists' call 'segmentary system' with elder's council at each level of administration as highest administrative body.

According to informants, the term *Gordena* has two meanings. The first meaning ascribed to it, though disliked by many of my informants, is wooden sub-pillar of Kistane house. The other meaning of the term refers to the people of Kistane in general. Some well-informed informants reflected that the term *Gordena* is a symbolic representation of the whole Kistane people and shows their equal opportunity before the customary law. They further stated that the term signify the whole Kistane as a wooden sub-pillars of a house which is cut equality to make it stunning and strong. Therefore, according to these informants, all Kistane lineages decide to preside over according to the cultural norms and codes of conduct locally known as *Sera*.

My field research among the Kistane suggested that the *Sera* did not have fix a specific period for which its immemorial antiquity started. But a study made by Bahru (2002:21) tried to reconstruct the history, and suggested 14th century as the beginning of the *Sera*. All my informants said that the *Sera* started after a conference of five Kistane *agers* (*amestu Gordena*-the five *Gordena*) held in a place surrounded by *enjera* (strawberry) tree, in a place called Chichit, close to Acheber. At the conference only 5 *agers* out of the 22 represented to formulate the customary law of the Kistane. The five *agers* were Aretege, Wacho, Gerano, Amaute and Daregot (these days there is no *ager* called Daregot, but there is a patrilineage). The incident gave birth to the Kistane customary law.

According to oral tradition before the inception of *Enjery* convention, every Kistane *agers* were in state of hostility with one other. Besides, the Kistane people were involved in feud with the neighboring groups. Such external and internal factors forced the people to formulate a common front and a system of local governance. It seems that the convention bestow for each *ager* a self-

ruling authority. Since that time, the Kistane society maintained for centuries a local governance system in the absence of the formal political institutions.

Ye-Gordena system continued to exist until the incorporation of Kistane-land into the larger Ethiopian domain under Menelik II. The *Sera* have elder's council, title institutions, and other institutions at various levels. Elder's councils among the Kistane are a customary court where legal disputes are settled according to the Kistane *Sera*. The various levels of Kistane traditional councils or locally known as *shengo*, can be largely divided into territorial, lineage and ethnic levels. In principle pronouncements in a *shengo* are binding on Kistane at all level and are backed by powerful sanctions. Male head of a household attends usually council meetings. Women and despised caste-like occupational groups are not allowed to attend *shengo* meetings. In addition to setting legal disputes, a council provides a forum for elders and heads of household to discuss communal issues.

4.2. Territorial Councils

4.2.1. *Sabugnnt* (Village Council)

Sabugnnts are the smallest territorial political units of Kistane social world, made up of socially and geographically defined contiguous households, each of which is built on the separate land-worked on by the family which occupies it. Fundamentally, a *sabugnnt* is a local community. It comprises neighbors and people, who in everyday life engaged in more or less regular face-to-face contact; and who, find it mutually convenient and advantageous to recognize and promote a degree of cooperation and unity. Every household within a village has the obligation to take part with in the institution. This makes *sabugnnts* the most important institution in Kistane day-to-day life.

Sabugnnts, with 80-100 households, are the principal locus for the people's interaction at birth, bereavement, marriage, harvest, house construction, farming, and land clearance, road and bridge construction and so on. According to my informants, the main function of *sabugnnt* is providing social and financial support at times of bereavement (to be discussed in chapter five). Beside its welfare function at times of death, *sabugnnts* also play juro-political and ritual functions.

Sabugnnts require monthly financial contribution from members and provides them with financial support on the death of a member of the household or any close relative. In addition to this financial support *sabugnnts* require member to attend funerals and provide refreshment during mourning up to the 12th day of bereavement. Kistane urban migrants transformed the institution into urban *eddirs*.

The services provided by *sabugnnt* are not limited to the burial and mourning functions with which they associated in both the rural and urban settings. *Sabugnnts* also have important roles in conflict resolution and settlement of disputes and also as a coordinating unit for local development endeavors.

The institution *shengo* convene monthly and the meetings of *sabugnnt* usually took place in a fixed place and time. The chairman of the *sabugnnt* leads *shengo* meetings. Leadership in *sabugnnt* is not hereditary. Usually leaders are elected by members and assume office if only he continues to meet the confidence of members and he can be replaced at any time he fails to do so. The chairman of a *sabugnnt shengo* also can be considered as the head of the village. He has the responsibility of collecting monthly fee of the *sabugnnt*.

The juro-political function of *sabugnnt* makes the institution most important for my analysis. As the lowest politico-territorial unit *sabugnnts* have provided Kistane with judicial services in resolving civil wrongdoings. Disputes among members of the village are usually solved through *sabugnnt*.

Many minor contraventions, such as, taking of one's property without permission, civil suits arising from quarrels over boundaries, debt payment, striking neighboring child without good reasons, destruction of property by animals (*afe-lama*), and failing to observe saints day etc...all brought first to *sabugnnt shengo*. Juridical decisions are kept in the memories of elders and are applied in similar cases. *Sabugnnt* moot meetings are always been *ad hoc* and decisions made at these courts have been serving as guiding rules in subsequent cases. The court usually reaches decisions after long debate between the litigants and discussion of elders. After judgment is handed down and restoration of peace between both parties are made the two parties usually provide *tella*-beer, *enset*-bread or roasted grain to the elders and other participants in the litigation as a symbol of satisfaction. Any person who is reluctant to accept the decisions of the

moot court will be vulnerable to punishment by sanctions (listed below). For some cases the transgressors have the right to appeal for an *ager* council (see below).

New members, usually newly married couples, prior to joining a *sabugnnt* should swear special oath. These include not to be involved in theft; to be governed by the rules and regulations of the villages; to respect elders decisions; to abstain from sorcerers who are believed to have debilitated members of the village by witchcraft or magical means locally known as *arishi-selabi*; not to be involved in false witness; not to disturb the unity of the community; not to be ineffective in reporting on purpose any wrongdoing by other members. All members renew this ritual oath every year during *Meskel* festival (to be discussed in chapter 5).

4.2.2. Ye-Ager Shengo (Parish Council)

Kistane-land in general, as indicated in the above chapter, is divided into a number of named areas with fixed boundaries, the residents of which comprise corporate local groups. Such an area and the group of residents are called *ager*, a vague word with a meaning of 'country'. In this account I decided to refer these local groups as 'parish'. At the time of Kistane incorporation into the Ethiopian empire at the end of 19th century, there were about 22 *agers* covering the whole Kistane-land.

An *ager* boundary was formed by precisely following natural, geographical features such as rivers, streams, mountains, rugged terrain and other significant guides in the identification of each *ager* as a single entity. In Kistane oral traditions, first pioneer settlers formed *agers* in a distant past. According to the tradition, the earliest ancestors of Kistane patrilineages (*tibs*) divided the land among themselves by burning leaf of trees and demarcate their territory by following the periphery the smoke reached. It is hard to accept this tradition since *ager* boundaries have formed on natural bases. Based on the 1994 census, I estimated an *ager* population ranged between 5000-12000 people. In terms of area, lowland *agers* are all much larger than those in the highland and middle altitude areas. In the latter areas density of population is much more than lowland areas. Traditionally, almost no one Kistane owned and cultivated fields outside his own *ager* boundary. Even with an increase in Kistane out migration to urban and rural areas of the country due to land scarcity, we do not to find a Kistane who resides and cultivate outside his *ager*. Land is seldom for sale for Individuals who came outside

of an *ager* territory. An *ager* is also an endogamous unit in which marriage took place among exogamous patrilineal groups.

Yet, an *ager* is also a land owning or land-controlling groups, such as, grazing lands and paths for animals and humans (*ye-Gordena moche*- Kistane allot one out of twelve piece of land for rural roads), forestland (*deber*), church lands, spots useful for public gathering and so on. Generally an *ager* has the responsibility of controlling and administrating public institutions. Land held and worked by an autonomous family heads; and public limitations on individual control are exercised through patrilineal lineage groups with in an *ager*.

An *ager* is politically autonomous; controlling its own institutional machinery for determining its affairs; settling internal disputes; and dealing corporately with adjacent *ager* in amity, or animosity. Each *ager* contains its own autonomous council, which creates and preserves cohesion.

The internal affairs of an *ager* and many of the disputants between its individual members are dealt within the *ager shengo* (parish council). Matters that can be dealt within an *ager shengo* cover a range. Few examples may suffice at this point: public announcements of information from *ye-Gordena shengo*; call for fight against external aggression; civil offense like adultery, theft, burglary, and slander; personal injury resulted from assault and arson; and compensation to be paid for such offenses. The *ager* council in general has a judicial-political function.

The members of an *ager shengo* are male elders of the community. The nature of the matters to be discussed, the people and the part of the *ager* involved, the frequency of meetings at the time and men's personal preference determine the number of men who attend a *shengo* meeting. The *shengo* meetings were formerly convened regularly on monthly bases and in some areas it is convened whenever requested and elders usually make the arrangements. It convened either because the elders wish to have something discussed, or because a member of an *ager* has specifically requested a meeting, through elders, to take up a personal affair of his own. To consider matters of general interest to the *ager* as a whole, or to discuss more serious disputes, the council meet at a conventional spot in the *ager*, a conventionally central open space or with in a compound of a church (as in my experience in Endebuyuo *ager*, where the *ager* council meet in the parish church), usually located under a tree shades. For more localized issues, a petty dispute

or a matter involving land boundaries, the council can easily meet at some other site more conveniently located for the matter at hand. When news of *shengo* meeting is announced, other men are likely to take the opportunity to raise matters, which hitherto they have not raised in public.

With the incorporation of Kistane-land to the Ethiopian Empire, the roles of *ager shengo* (parish council) as an administrative body hardly exist with its strength as in the past. Its judicial activities are not accepted as part of the official judicial system, and subsequent governments never attempt to enforce its decisions rather they want to erode its role in favor of the formal government judicial institutions.

Customarily when an *ager shengo* convenes to see dispute between two people, both parties have the right to elect judges for the final arbitration. Some elders frequently present as a judge in disputes due to their knowledge in Kistane *Sera* and for their impartiality unprejudiced adjudication and aloofness. They are known by the name *senecha*. *Senecha* elders are good at public speech and litigation. Their number in lawsuit ranged from 3-7; in most case they are 5. The one who is accused may ask the jury to have additional time saying *nerzezebo* (let me have a dream on it), to discuss the matter with his lineage and close friends. Any one who wishes to speak before the jury has to say *atrefugnem* (save me), the people will respond to him saying *terefe* (saved you). The sitting arrangement always takes the form of semi circle. Ordinary members of the council who attend the meetings have full opportunity to take part in the litigation. After long discussion, the council will reach the verdict with consensus.

Members of the council, though together practicing judicial functions, are not themselves unprejudiced arbitrators. It is accepted that they are obviously biased in support of the disputant who is a member of their own patrilineage. For all intents and purposes the proceedings of *ager shengo* are marked by an attempt of two fairly distinct parties to reach a mutually acceptable agreement. Knowledgeable elders and other notables of both parties, because of their abilities and experiences, are expected to take the lead on behalf of their own side. But they are always reserved from giving false witness and false verdict because people always are afraid of *berche* (spiritual punishment for wrongdoing) and not to loose *ture* (good spiritual value descended from ancestors).

The two sets of elders and noticeable representing their respective lineage, principally the particular individual disputants remain dependent on the concurrence of their fellows. This consensus does not follow the agreement reached between the two sides, but rather it runs simultaneously with the procedures to reach such agreement. (I am concerned her to give a general analysis of judicial procedures in a parish council.). An *ager shengo* is, therefore, a forum in which lineage and friendship unities are practically displayed, as inter-personal conflict becomes transformed in to group conflict whilst the approach to a settlement is sought. A defaulter is subject to the pressures not only of the other disputants but also to those of his lineage and supporters. The parson injured by a transgressor seeks the support of his own lineage against both the transgressor and the transgressor's lineage. *Ye-ager shengo* has an executive authority when the wrongdoer does not obey *shengo's* verdict; a sanction and fine will be imposed on him, and so long as he does not pay the fine, he remains a socially outcaste and ostracized (discussed under the sub-topic "sanction").

There are cases of common interest of the community as a whole. Such matters are recognized as being superior to the interest of its component parts. For instance, there is a considerable area of common land in each *ager* used for grazing and a path for access to it. These lands are usually less fertile and not suitable for cultivation. As a result of scarcity of land due to over population living adjacent to common grassland and paths to it usually cut out pieces of such land for their own cultivation.

It is not uncommon for both the plaintiff and defendant in *ager shengo* to appeal against the verdict reached by the moot to an appeal court by saying *gefefeche*, which means 'I appeal' (to be discussed below).

Prior to the inclusion of Kistane-land in to the larger Ethiopian domain, an *ager* is not only political and social unit but also an important institution as a military unit, in that every *ager* had its own office of commander in chief under a title *negus* or *azmach*, literary, mean 'king', with symbolic authority over an *ager* and several war leaders called *abegaz*. In times of warfare an *ager* contributes its own contingents under these leaders to the Kistane army organized by *ye-Gordena shengo*. Leadership is not hereditary and it can only be obtained by merit. This no longer applies, although the titles persist and survive to activate an *ager* in its relation with the central government to mobilize the people.

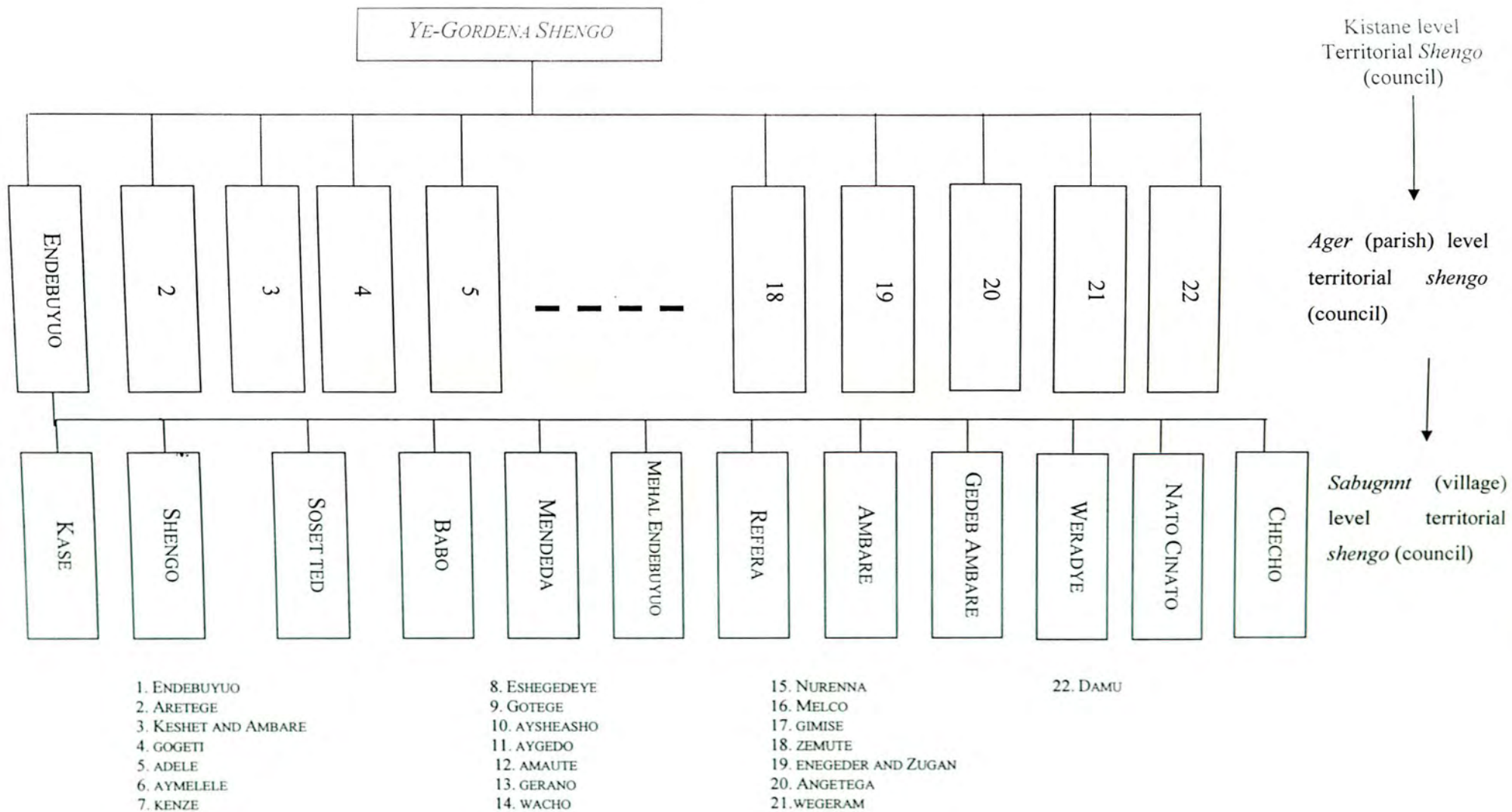


Figure 1: Kistane territorial segmentation

4.3. Kinship Organization

Custom and kinship are most important concerns of anthropological studies. Custom is the source of law and that to find the customs from which the law derives one must study the kinship organization of the society he wishes to study.

The Kistane as in other Gurage groups and to the contrary of Semitic language speaking Ethiopian's are patrilineally organized, claiming one line of descent from the male founder of the lineage. A patrilineage is, therefore, determined by agnatic descent from a founder after whom the lineage is named. Kistane trace their decent line to the first man who came to live in Kistaneland in a distant past. There are about 200 patrilineal lineage groups (*tibs*). In most cases Kistane elders are able to trace their genealogical span up to ten named generations to the lineage founder. This shows that their genealogies are not profoundly rooted and did not effectively reveal beyond the first father settlers. From cases that I have investigated the genealogical origin of the Kistane lineages in most cases people trace their origin from immigrants of early Kistane settlers in 17th century.

There are several patrilineal descent groups within an *ager* who are said to be the founders of the territorial unit. These groups are called locally *gebbar*, means original landowner. For instance in Endebuyuo there were 12 original *gebbar* patrilineages. Nevertheless, all the way through years, 8 other lineage groups were added some time later. Some of these new groups were adapted in to the *ager* and got a hold of their own share of the land through peaceful ways as well as by force. For instance, Abo and Dula lineage groups were originated from Oromo and said to appear the area after the destruction of the Nurena *vergo*.

In Kistane oral traditions, there are several myths, which often told in relation to some patrilineage groups (*tibs*). In most cases the myths are believed to be the true reflections of the general behavior of every members of a *tib*. In the myths some patrilineage are characterized as avaricious others as idiotic some others as prudent or practical.

Fekadu (1986:34) observed three levels of Kistane patrilineage segments; these are maximal, major and minimal lineages. The earliest founders of Kistane lineage establish the maximal

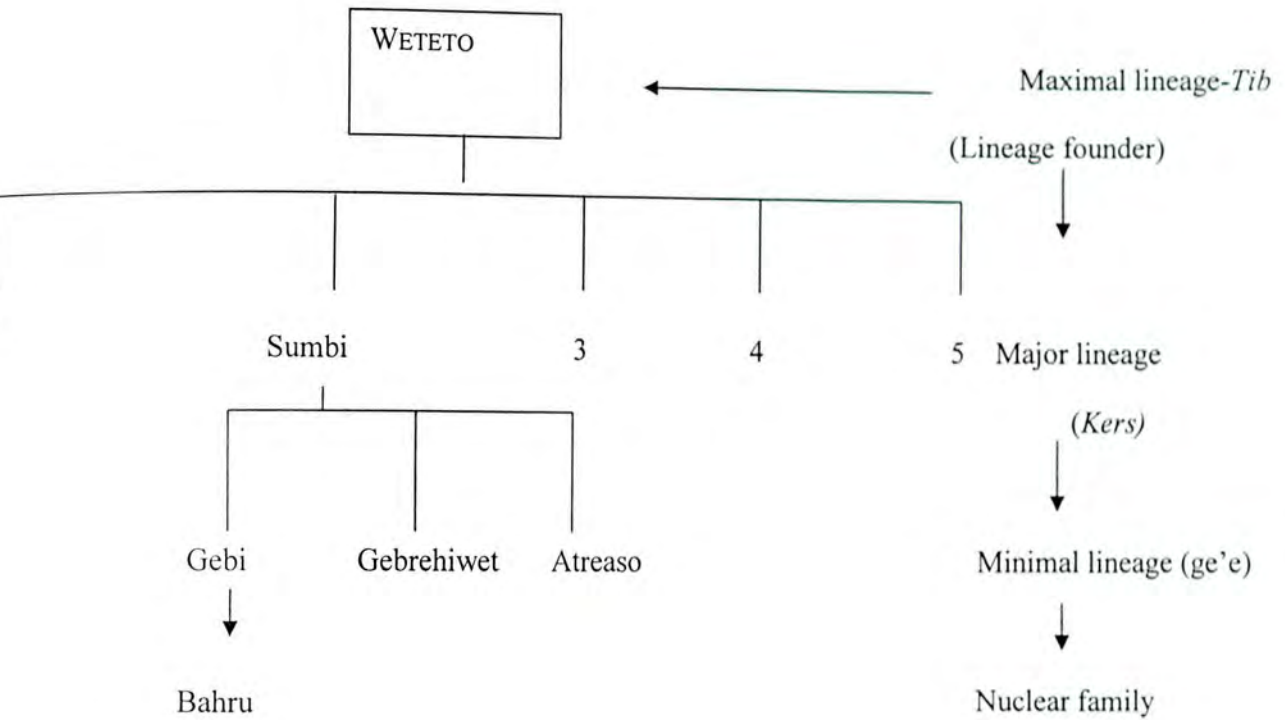
lineage or *tib*, which constitute the whole agnatic descent group. Maximal lineage is composed of the descendents of the patrilineage with a depth of some 9 to 10 generations. Founders of *tib* are actual men, not legendary ancestors; descendents of a *tib* have identified themselves as *abotold* (father's children). Beside its name and the fact that the genealogy descending from the ancestor is known, there is little recognition of kinship among the many hundreds of members of any *tib*.

Maximal lineage group further segmented into major lineage segments to which Kistane referred as *kers* (belly), which formed by the sons of the *tib* founder (maximal lineage). The major lineage is founded by the lineage ancestors from the immediate generation makes much more feeling of kinship among its members. The unit includes the descents of the patrilineal ancestors whose name it bears.

At the lowest level of segmentation we can find *ge'e* (house), which formed the minimal lineage. Minimal lineage, in most cases is manifestation of territorial unity. Its members more often occupy contiguous land, though exceptions are observable. Land is owned and worked by the individual holders; however, the right to sale the land is prohibited to outsiders. This makes the minimal lineage a corporate land-holding body and transgressors of territorial rights are seen as a treat to the maximal lineage. Land can only be given to an outsider, if there is no one to buy it in the minimal lineage, major lineage and maximal lineage respectively (to be discussed below). At the level of minimal lineage a wealthy member is expected to provide members of his minimal lineage which ever they are in need. This custom of helping each other might extend to the major and maximal lineage, but this is not obligatory.

Social interaction within a lineage increased at the lower level of segmentation. The strength of interaction within the segment can be clearly seen in the level of gift exchange and incidence of get-together in feast. Members of the smallest segmentation, minimal lineage usually found within a *sabugnnt* (village). *Sabugnnts* as indicated above are composed of members of some of such agnatic groups, but guided and dominated by elders of the village.

FIGURE 2- THE SOCIAL UNITS OF THE KISTANE LINEAGE AN EXAMPLE OF WETETO PATRILINEAGE



4.3.1. Patrilineal Lineage Group Council (Ye-Abotold Shengo)

Ye-abotold shengo (patrilineal group council) has very important role to play with in the Kistane traditional local governance. The *shengo* is the only *ye-Gordena Sera* structure established on the bases of kinship ties. Its meetings usually convened in a periodic manner monthly at different places in rotation. A *shengo* meeting requires food for participants. During the *shengo* meeting the host has the responsibility of providing food for its guests. So that, this can reduces the burden of providing hospitability with food (local beer-*tella*, *enset* bread, roasted grain) for *shengo* participants. Meetings are usually arranged in rotation to share the burden by all its members.

The usual cases, which brought in *ye-abotold shengo* meetings, are; selling of land to other patrilineage member, family issues and some other issues, which require the solidarity of the whole lineage. For example, when there is a need to exact compensation for another lineage or to collect contribution to compensate another lineage for damage inflicted on it by their members.

The most important case requiring patrilineage action is the case of death of one of its members caused by the action of a person belonging to another patrilineage. The members of the two patrilineal lineage groups involved cannot meet each other until compensation (*guma*) is secured and the ritual of reconciliation (*guda*) has taken place (to be discussed below). Patrilineal lineage groups are also expected to intervene and mediate when two other lineage groups fight with each other.

The strength of a patrilineal lineage group in the political arena of the society is determined according to their member's number. Though in most cases the genealogical depth of Kistane lineages are more or less evenly distributed, some lineages multiply more rapidly than others and some lose many of their members through war, disease, and famine. This led to the uneven development of patrilineages over time, which led to an array of unequal balance of power. The disproportionate power relationship between patrilineal groups has great political significance in Kistane society. The strong, those who have so many members has superior political status than the weaker, or the small groups. Therefore, Kistane lineages always encourage their members to perpetuate more.

In principle each patrilineal group or *gebbars* of the *ager* owns the whole Kistane-land. Every member of the lineage has the right to work on the land that he inherited from his ancestors, but do not have the right to sell the land without the consent of his own lineage.

A Kistane usually refers his patrilineal group members as *abotold* (fathers descent) and looked to each other as brothers and sisters, whereas, he refers to his mother's lineage as *emayo* (uncle). When an injury is inflicted against one's *abotold* member on his life, property or interest, it is considered as an attack on the whole lineage. Therefore, it is the responsibility of the member and the whole lineage to initiate action against the rival to obtain restitution, compensation or even revenge. So that, minor offense against an individual sometimes might lead to clash between two patrilineages and it may invite some other lineage groups which finally may end up by civil disorder and open warfare. The involvement in clash of other patrilineages will happen through marriage relation with the disputant parties. Therefore, to avoid such unwanted clashes, *ye-abotold shengo* usually caution members to avoid transgression of laws and wrongdoings. Informants told me that in the past, notorious transgressors were susceptible for capital

punishment by their own patrilineage. The sentence of death by *ye-abotold shengo* on its member execute by apprehending the man and dropping him in to deep canyon.

4.4. Kistane Level Organization

4.4.1. *Ye-Gordena Shengo*

From the above analysis on the *ye-ager shengo*, one might conclude that, an *ager* is the highest territorial organization among the Kistane. But, an *ager* is linked with other similar territorial units at Kistane level organization called *ye-Gordena shengo*. It is the general assembly of all Kistane male elders. The *shengo* meetings were convened in the past during external attack by other ethnic groups and to revise the *Sera* rulings or to promulgate new ones. Meetings of the *shengo* convened vary occasionally with interval of so many years, sometimes once in about a decade.

Ye-Gordena shengo meetings convened whenever required and usually known elders of each constituting *agers* made the arrangements. The assembly met at conventional spot in one of the *agers*. As indicated in the introductory part of this chapter, the first meeting of *ye-Gordena shengo* was held in Chichit in a place surrounded by *Enjery* (strawberry). *Ye-Enjery shengo*, which is romanticized to this days, by most Kistane elders with nostalgia. It is referred to by most of them as *ye-Enjery Sera*. The elders in their day-to-day event of blessing immortalize the *Sera* by saying “*ye-Enjery Sera yehunkem*” (be like *ye-Enjery Sera*). The romanticism in elder’s memory is therefore the reflection and importance of the first conference in promulgating the Kistane customary law and its long existence. Since the time of *Enjery*, the *shengo* convened for several times to amend the customary law or to ratify new ones. Besides *shengo* meetings were convened to establish common front against external aggression like the long and devastating wars with the Oromo, Mareqo and Meskan. In most of these wars, the Kistane united to maintain Kistane solidarity, but in one event the *shengo* fails to bring unity among the Kistane.

In the mid 19th century the *shengo* faced in its history the most difficult time, in which the organization unsuccessfully tried to unite the whole Kistane *agers* to formulate a common front against an Oromo attack. According to the story, a man from the lineage of Daregot, who was at the time king of the whole Kistane, ask unusual blood-price (*guma*) from an Oromo clan called Dula in North West of Kistane-land, for alleged murder of a son from his own lineage. The

blood-price was not the customary payment of 100 cattle for homicide. Daregot, because of his role in *Ye-Gardena shengo* and military superiority over the small Oromo clan, boastfully asked the clan 5 extra ordinary *guma*.

1. “*Ye-chiffa wedere*” – a rope made of *chiffa*
2. “*Ye-natran waga*” – wooden vaults made of *natran* (a small plant with powerful aroma)
3. “*Ye-kechemo chibon*” – pillar (poll) made of *kechemo* (a kind of grass)
4. “*Sewat mule kunecha*” – basketful of fleas
5. “*Kit anget yalen ferez* – two headed horse.

Shocked by the extra ordinary terms of Daregot, Ariyo the leader of the Dula clan, returned home in despair. But his wife advises him to form alliance (*mogessa*) with other Oromo clans to fight against Daregot. With this, the brief amity between the two groups turns to animosity and intensive warfare. When the pressure on Daregot increased, they sought help from the rest of the Kistane through the organization of *Ye-Gordena shengo*. But their attempt failed in protest to their violation of the customary law. The only person who came to the side of Daregot was a famous Kistane warrior, Denne Adebay from Wegeram *ager*.

The story goes on saying that, Denne had supernaturally potent spear made of thunder. But, in the middle of warfare the spear proved to be inefficient and was taken by the opposite side. After lose of the spear, the Kistane side retreated saying “*Kelem tezeberem torim turim ye-Ariyo ge gebaw,*” (let us withdrew we lost both the *ture* and the spear). This signifies the defeat of Kistane side in both warfare and spiritual arena. The defeat signaled the final distraction of the Nurena barricade (*wergo*) by the Oromo chivalry and the invasion of the whole Kistane-land, with the exception of Wegeram, by the victors.

Daregot patrilineage was the first to suffer from the distraction of Oromo incursion and forced to disperse all over Kistane-land. The patrilineage lost their position in *ye-Gordena shengo* and their title of *negus* (king). After the Daregot and even before them, there is no single Kistane patrilineage that has the title and the office of kingship over the whole Kistane.

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4.4.2. *Gefeche* –An Appeal Court

A *gefeche* court is an appeal court. It is organized externally from the *ager* council. *Gefeche* courts are impromptu committee organized for specific cases in other *ager* out of ones own *ager*. For example by petitioning an appeal to the neighboring *agers* such as Keshet, Nurena or Eshegedeye cases from Endebuyuo would be seen.

When the aggrieved litigant made an appeal to an *ad hoc gefeche* court, he argues that the decision of the *ager* court against which he is appealing is wrong in interpreting the Kistane customary law and must not be allowed to stand. In this regard, the applicant and his supporters must clearly state the reality why the *ager* court went wrong and what they should awarded by the *gefeche* court.

The aggrieved party who brought the case to a *gefeche* court has the right to choose *Seneca* (judges) for the *ad hoc* Supreme Court. Out of the previous judges who hear the litigation in the *ager shengo* one present in front of the court to present how the pervious court reached the verdict and explain the procedures. The man who selected by the *ager* court to present the procedure and verdict of the *ager shengo* first have to give his testimony on oath. His testimony is the base of the appeal court to reach the final verdict. The importance of *gefeche* court is only to cross examine weather the *ager* court decision is based on the right interpretation of *ye-Gordena Sera* or not.

4.4.3. *Wemano /Gutache Sera*

Wemano (gutache) Sera is the highest Kistane court in relation to blood feuds, homicide, and bodily injury or damage. Judges of the *Sera* are known in the whole Kistane-land by their skill and knowledge in interpreting the Kistane customary law. They are known by their absolute aloofness and impartiality. The judges hold hereditary and permanent office, which is exclusively left for the five major lineages of the patrilineage of Genze-Adem in Nurena *ager*.

Elders of the patrilineage are known for their spiritual skill to see past misdeeds of one's descent, which is believed to cause harm on his descendent. If a man is affected with persistent misfortune, if he becomes poor and plagued in debts, if a member of his family is perpetually ill or if he gives birth to a child with disability, then he will go to *wemano* elders to ask their advice and its benediction. Causes for such misfortune and sicknesses may lie in earlier generations and

lose of *tur* (see below). One can lose *tur* if he benefit from lose of the other; if he kills or injures human being or animal and fails to compensate; or if one commits incestuous sexual intercourse with a member of his own kin. The sin can only be seen by *wemano/gutache* elders and they can tell the way out (*weg*) which can carry out the desired benediction.

Among the Kistane homicide is the most serious violation of law. If one kills another person accidentally or deliberately, the killer has to flee to the remote areas out of Kistane-land. Informants told me that, the murderer had to go 'crossing seven rivers'; if he fails to do so 'blood at his hand will not clot'. Moreover, the murderer's property has to be confiscated and his family had to be disbanded. His wife would return to her family, their children would be sent to close kin's of the murderer. The slayer would accompany by his brothers and elder sons. To start negotiation with the victim's lineage to have restitution and to pay compensation it would take several years (more than seven years).

Peace negotiation has its own procedures. It began with the begging of the elders of the murderer patrilineage accompanied by priests and deacons from the parish church. Girls and boys also take part in the ritual carrying plough on their shoulder. The begging ritual ceremony is a sign of shame for the misdeeds of the murderer side. The practice would carry out for several days in the victim's village until the latter side accepts the offer of peace.

All my informants state that, the patrilineage of the person who is killed is responsible for taking appropriate restitution action, and that the killer's lineage is corporately liable for his misdeeds. Murder requires the killer's patrilineage to pay *guma* (blood-price) for the victim's side.

Guma is paid partly by contribution from all members of the patrilineage of the killer and partly by the killer himself. Part of it would go to the victim's close relatives and remaining part would be consumed by both parties in the ritual of reconciliation (*guda*).

The level of *guma* payment varies in accordance with the type of murder. Among the Kistane there are two levels of murder. These are *gefetegne* (deliberate) and *sache* (accident). It is commonly said that in the past 100 *gobeze* (cattle) were payable for deliberate homicide and proportionally half for accidental murder.

But, with the introduction of money, Kistane payment of blood-price carries 15000 and 7000 for deliberate and accidental homicide respectively. The final arbitration and decision of the level of payment would revoke in front of the *wemano /gutache* judges. They have the right to reduce the level of compensation by saying for the earth, for the *Gordena*, for the sky or the mothers of human being and so on. After the final decision made, the ritual of reconciliation would follow.

Guda, ritual of reconciliation, among the Kistane is performed by both the contestant parties, which symbolized end of enmity and opening of new event of friendship. The ritual is performed by sacrifice of a black goat and the murderer and the close relative of the deceased person would be tied together by the intestine of the goat and swear a ritual oath to officially declare resumption of normal relationship between them. An elder from the lineage of *Malima* usually assigned as a judge of the ritual. The *Fuga* will consume the meat. *Guda* is also performed during peace negotiation between the Kistane and their neighborhood groups. It is also sometimes performed to signify a life long friendship between two individuals.

Instead of punishing a murderer by death, as indicated above, the Kistane adopted a fine in wealth, such as cattle and now a day's money payment, up on the murderer and his agnatic kin, to be paid to the victim's surviving patrilineal sibling. Unlike the modern law, this helped the society to reduce hostility in the future. The ritual of reconciliation (*guda*) further enhances the social order. This ritual is also found among other Gurage groups and among the Oromo and Mareqo with slight differences.

4.5. Titles

In Kistane-land there is some titles obtained individually and corporately. These titles are acquired through electoral bases and by hereditary means.

Among the Kistane there are three titles, which are given to individuals through election. These are *azmach*, *abegaz* and *negus*. The Kistane community gave all the three titles to an outstanding personality. The titles were given to members for their achievements in public affairs and warfare. These people were examined and elected by elders and other notables in accordance with the requirements. During nomination of these titles, the recipient would provide his countryman an extensive feast. The titles were prestigious not only for the individual holder but

also for his kinsmen. Therefore, the tasks of preparing the lavish feast were assisted by the individual's patrilineage too. The role of these titles and the nomination feast in some regards resembles the Melanesian Big Men and the Gamo *Halaka*.

The title and office of *abegaz* (commander) were in the past given to an individual known for his courage in warfare. To have the title one should register more than 100 dead enemy soldiers. In a parish usually there were more than two people holding the title. When one assumes such title he has to provide the community with lavish feast slaughtering more than 50 cattle.

The title of *azmach* (commander in chief) was rare than the title of *abegaz*. In a parish at a time there would be one person assuming the office. Informants from Wegeram told me that in the past the title was given for an outstanding individual out of those people who hold the title of *abegaz* to lead the parish in times of crisis for four years. To hold the title military skill is not the only requirement but also good knowledge in *Kistane Sera*. Nomination rite cost more than 100 cattle. The burden of preparing lavish feast at this time too needs the contribution of the patrilineage. After the end of office of 4 years the holder continues to be called as *azmach* until his death. Some times *azmach* referred as *ye-ager abi* (father of the parish).

Currently in Kistane-land there are several people holding titles of *abegaz*, and *azmach* without the consent of the parish council. Informants told me that, youngsters just because of their accumulated wealth and capacity to provide a lavish feast nominate such people. They further noted that, this uncustomary practice reduced the value of those titles and the titles seldom exist as they were in the nostalgic past.

The second variety of title society among the Kistane is corporately owned and transmitted hereditary for a single patrilineage. This variety of title institution includes titles of *goyta* (lord) and *simbita* (regent). In every Kistane *ager* (parish) there are patrilineal groups who owned the title and privilege of these offices.

The origin of the two titles as narrated by my informants some how has an interesting story. As previously noted, the Kistane formulated the customary law (*Sera*) in Enjery to govern them in equal manner (the very notion of *Gordena*) and there is no individual or corporate group holding

more than equal status. But, members of *ye-Gordena shengo* at the time felt the need to have a person or a group to distribute land to them; to administer public properties such as churches, *ye-Gordena Moche* (road), sacred forest, public gathering spots; and to give the final blessing or cursing in public issues. This needs arouse suspicion and competition among the participants. To protect the vary principle of the notion of *Gordena* and to avoid autocracy, they decided to bring people from the neighboring areas for the above mentioned needs and appointed a Kistane regent to patronize the alien comers in every parish.

Today in Kistane-land every *ager* has got a patrilineage holding the title of *goyta* (lord) and regent holding the title of *simbita*. With the exception of Wegeram, in every Kistane *ager* there is an Oromo lineage with the title of *goyta*. For instance in Aretege a patrilineage called Hunge, in Wacho-Wacchico, in Nurenna – Genze-Adem, holds the title of *goyta* and all said to be originated from the Oromo before 8 generations age. In the parish of Wegeram a *goyta* called Dengez came from Welene-Gurage. The people in the course of long years of interaction and assimilation with the local people these days claim Kistane-ness more than any single lineage in Kistane-land. For instance, a certain *fitawrari* called Ibbido, from the patrilineage of Genze-Adem, while visiting Addis Ababa in the early 1930s, looks a cart dragged by horse and fantasize a much harsher fate for the horse by recalling the destruction of the *wergo* (barricade) of his *ager* (Nurenna) by the Oromo chivalry.

The *Sera* of *goyta* and *simbita* still have important role in administrating *ager* lands and in occasions of blessing and cursing. People usually offer a symbolic respect for the elder members of the two patrilineages. Most Kistane believe that the blessing and cursing of the two are strong enough to be reality.

In Aretege area, there is an oral tradition, which can exemplify the above analysis. The parish *goyta*, Hunge, one's up on a time went as a guest in one of the *sabugnnts* of Aretege. People from different patrilineages offer him milk and honey, but a man from the lineage X gave him *kollo* (roasted grain), which is a sign of disregard. As a response to the offer, Hunge cursed the patrilineage saying “*ze hom kolle khunm*” (be like this *kollo*). Informants told me that the man and his decedents perpetuate slowly having only a child or two due to the curse and this made

them the smallest and the weakest Aretege patrilineage.

Although, elders from the patrilineages of *goyta* and *simbita* enjoy certain privilege such as getting first chance to have a portion of land during new land allotment, to cross rivers before the others, respect in *shengo* areas, to have the privilege of giving the final blessing in ceremonies such as *ye sat may* (*meskel* feast) and in marriage rite etc . . . In ordinary matters, however, they have no privilege and enjoy equal status with the other members of the community.

We can seldom find the title of *negus* (used in most part of north Ethiopian as a title refers to the head of the state or the king) among the Kistane. Paramount elders, knowledgeable persons, and bravest man in war field assume the title on elective bases in the past to lead the Kistane according to the *Sera*. With the exception of Daregot, my elder informants are unable to give me elaborate information on the title.

4.6. Infractions, Sanctions and Execution of Order

Under *ye-Kistane Sera*, transgressions such as damage of one's property, theft, and defamation are treated as private injuries. The injured party must be compensated for his injured feelings and for the violation of his right. Failure to compensate could incur sanction. In the remote past, for more serious crimes such as repeated murderers and common theft, as indicated above, in the Kistane especially the patrilineage council, adopted capital punishment. For damages inflated against one's own life or setting fire on one's own house, compensation would be the responsibility of the transgressor and of his patrilineage.

4.6.1. Ritual Oath of Innocence

When one suffers for instance from burglary or theft and accused another in suspicion he would present his petition to one of the above-mentioned council courts. Before he began to start his case he would take an oath before the court. If the plaintiff's claim accepted at once by the defendant, he would be liable for compensation. If the defendant contested the claim against him the plaintiff would ask for the ritual oath of innocence to satisfy him. At this time the defendant is liable to swear an oath of innocence. He has to present five persons who would be his relatives or neighborhood to testify his good behavior and innocence. If these people refrain to swear the

ritual oath because of suspicion and lack of confidence on the defendant he would be punished according to the rulings of the *Sera*.

To satisfy the court each one of the five witnesses has to testify the defendant's innocence. If one of them fails to testify, the defendant is liable to be guilty of accusation.

The ritual oath of innocence like in the western Gurage, as studied by Shack (1968: 4), among the Kistane usually swear by the request of the plaintiff to utter, which can bring on a man and his decedents *berche* (supper natural punishment). Therefore, in most cases witnesses are cautious not to give false witness.

Taking the ritual oath in order to clean oneself from suspicion made it sometimes unnecessary to require verification in respect to a fact to be supplied, because, the purpose of oath taking is to transfer to a supernatural power. Taking the oath would be applied at every stage of the case and the satisfaction it provide would give the opposing party a reason for preventing the need to bar all the events or to provide reliable evidence.

4.6.2. Sanctions

Sanctions were used to ensure the ruling of the *Sera*. People rarely refuse the *Sera* ruling without good reason. However, people who failed to accept the decisions of a *shengo* are liable to a range of sanctions. The sanctions are *yeka*, *zebo* ostracism and cursing. These sanctions are functional on infractions according to the severity of the offence.

Yeka – in Kistane tradition, when a guilty party to a dispute refuses to accept a *shengo* decision the institution of *yeka* is used to resolve the problem. People would visit the transgressor and stay until the person accepts the judgment of the *shengo*. If the person gives up, he makes a symbolic offering by slaughtering an animal and feeding his 'guests'. But, if he continues to refuse to accept the decision the number of people who would come as a guest to receive hospitality would increase in geometrically progressing manner. Being visited by *yeka* involves social stigma and a great deal of expense, as the individual must provide hospitality for his visitors. If he refuses offering *yeka*, he would be cursed, and then ostracized. The matter is escalated up to the *ager shengo*.

According to informants, the sanction is used rarely and when it is used it is unusual for it to escalate beyond a visit of two elders which serves as warning of a more drastic sanction likely if the matter rise up further.

Zebo - is a practice of removing an item, such as agricultural tools, household utensil, or cattle, from a person's house to remind him to meet his obligations. In most cases it has been used to remind people to pay *sabugnnt* contribution, to participate in communal work, fines for minor transgressions or the person is not willing to offer *yeka*. This sanction is only used once a decision has been made by a *shengo* at each level and regulated by *ye-Gordena Sera*.

Ostracism—is the final sanction. When invoked it become impossible for a household to function socially or economically. This involves the household being expelled from participating in the community's social life and, therefore, unable to receive any form of communal assistance, such as agricultural labor or protection of cattle and exclusion from all rural social affairs. Due to its harshness, this sanction occurs very rarely, as normally the treat of ostracism is sufficient to ensure compliance. For the Kistane ostracism is a symbol of curse.

Cursing is linked to ostracism and is considered as the ultimate sanction. The treat of cursing is a major element in ostracism. A curse would also affect the patrilineage of the person; the treat of it encourages them to put pressure on the transgressor. As a sign of ostracism and curse the homestead of the malefactor would fence with thorny material. Once a person is ostracized and cursed, he would practically alienate from his countrymen and kinsmen. People's obedience to the rulings of the *Sera* are thus, underpinned by a range of powerful sanctions.

4.6.3. Execution of the *Sera* Ruling

The Kistane use no coercive force to enforce the rulings of the *Sera*. However, the general fear of *yeka*, *zebo*, ostracism and cursing against contravention of the law stands in the position of an enforcing authority. As previously noted, a guilty party is not the only responsible party for the infringement of the law he breaks but his patrilineage too have liability to pay damage or compensation for the misdemeanor. This is particularly true if the case is homicide. If the offender does not want to compensate for the infraction in accordance with the ruling of the *Sera* to the plaintiff, the offender and even his relatives are vulnerable of curse and ostracism. Besides,

the notions of *berche* and *ture* play vary important role to enforce to *Sera*. Therefore, the above-mentioned reasons enhance the execution of order and force the offender to follow the complete acceptance ruling of *ye-Kistane Sera*.

4.7. The Notion of Justice

Generally the Kistane are Christens. They respect and follow the christen wisdom and doctrines. Their principal morality is derived from their belief in the Christian God. The people strictly follow the judo-Christian doctrine and the 10 commandments. The rulings of the faith can be seen in the people day-to-day activity. The prevalence of exogamy and incest prohibition; child circumcision on the 7th day for male and on the 14th birthday for the female; monogamy as a general rule etc are examples of such tradition.

But the Kistane basic principles and wisdom of the *Sera* also derived from pre-Christian notions and beliefs. For the Kistane these notions serve as the custodian of justice and for the ruling of the *Sera*.

Writing on the Kistane notion of justice, I should have to refer to the general understanding of the Gurage towards the very principle of justice. According to Shack (1968: 229) from his study on the Western Gurage, justice is noted as “the quality of being morally just or righteous, or exhibiting just conduct in dealing with others”. He further reflected on the notion as:

Justice in Gurage thought embraces such evaluative words as fairness, integrity, rectitude, equality, and the like. These words connote Gurage cardinal virtues or values associated with the maintenance of rights, duties and obligations between individuals and groups related by ties of kinship and clanship, or not. Justice as fairness . . . serves as a moral referent of ought behavior, the ideal standards fact and believed in, not so much is behavior, that is, the discrepancy in observed social conduct between ideal and reality in everyday situation of social interaction (Shack, 1968: 229).

From my field experience as participant observer among the Kistane, the above optimistic generalization, though deteriorating due to long years of contact with the urban center, also fits to the Kistane understating of justice. Kistane use the term *huq* to denote justice. Any one who suffers from injury considered as losing justice called *huqetegne*, and should be compensated and

receives his *huq* or justice. According to my informants, *huq* or justice is maintained by the presence of the sprites of *Tur* and *Berche*. The two sprites existed in polar opposition. The sprite of *Tur* always manifested in good value. One can maintain the sprite of *Tur* through his and his ancestor's good deeds and would live with prosperity. Blessing with so many children, having good harvest etc... are important features of the existence of the sprite of *Tur*. On the other hand, one who failed to have the above blessings and heated by various sicknesses, disasters and misfortunate is considered as the absence of *Tur*. For the Kistane living without *Tur* is considered as living with the sprite of *Berche*. Living with *Berche* is considered as the result of taking once *huq* (justice). Injustice should compensate; *huqetegne* should satisfy. The result would be liberation from the sprite of *Berche*. The manifestation of the two opposite sprites, therefore, enforced the Kistane *Sera* and its rulings, the infraction of which could cause supernatural calamity.

Chapter Five

The Role of *Ye-Gordena Sera* in Social, Cultural and Economic Life of the People

5.1. Family and Marriage

5.1.1. Family

Family is a micro-society, which expands to make a larger society and is ultimately the origin of nation (Makec, 1988:54). The Kistane family is a nucleus type, which consists of a man, his wife and child or children. Accordingly a childless marriage is not considered as a true family. Property is transmitted from father to son, if a man dies, his widow may hold the land and other immovable property in lieu of her son(s) and or daughter, or she would marry by the rule of levirate marriage to one of the relatives of the deceased husband to manage the property. If she wants to marry out of the patrilineage of her previous husband she would lose the land and other major properties without any compensation.

The respect and authority pattern within the family are strongest between child and his parents especially the father. The mother is in a position to take the place of father in the case of the latter's death, but if she prefers to remarry by the rule of levirate, provision is made for her second husband to stand as father to the children from her first marriage. The authority and respect pattern among the children follows junior to senior.

Children always show respect to their parents and should receive their blessing throughout their life. Blessing among the Kistane is considered as an asset for one's success. Therefore, to get their parents blessing, children usually support their father and mother while they were under their guardianship by following the herd and tilling the land to their father and by providing additional income for their mother. Daughters usually help their mother in fetching water, collecting wood for fuel and helping in domestic work. Children's assistance to their parents would continue even after marriage. This relationship would continue strongly if the parent became aged or sick. Children's assistance to their parents would be supervised and evaluated by

the close relatives and neighboring families. Failing to have parents blessing will cause cursing and ostracism at the time of bereavement of one of the parents (will discussed below).

As in most patrilineal society, Kistane prefer male children than female. Male child is considered as an additional asset for the strength of the family and for the patrilineage as a whole. Owing to such reasons male children enjoy some privilege in the household. For instance, they have the right of property inheritance and share of a portion of land to establish their own family. Contrary to these, female children have minimum privilege in the family because they would be member of another lineage by marriage affinity. They have no right to own any form of property from their natal family except their personal property.

Kistane call father *aba* and their mother *ayo* or *daco*. A son call as *goshe* and a daughter call as *girid*. Children call each other as *zemi* or *zemilo* for junior and senior brothers and *etit* or *etito* for junior and senior sisters respectively. The Kistane kinship systems in general follow the bifurcate collateral type; father's brother and mother's brother are differentiated from each other by the term *anssabi* and *emayo* respectively. Likewise mother's sisters and father's sisters are differentiated from each other by the terms *endoto* and *etabuye* respectively. Grandparents are known by the term *meteye*.

Kistane wife address her husband and her in-laws in a polite form using the term *dehem*. Besides, she will never call her husband and in-laws by their names. Commonly a Kistane wife while addressing her husband and in-laws never use the impersonal jussive of any verb *nehe*-singular form for the verb 'come', rather she would say '*yemto*' means 'let one come'.

5.1.2. Marriage

The institution of marriage is ubiquitous for all humankind. The theory that marriage was an advanced form of a union between man and women and that in primitive societies promiscuity prevailed has been disproved by anthropological writings (Ayisi, 1972:7). Westmark was the first to state that marriage was part of human culture. Marriage in Kistane is the means by which a man and women came together to form a union for the purpose of procreation. A marriage is basically intended for this purpose and therefore a childless marriage ceases to be meaningful.

Marriages, for the people under the study, to be legal, certain customary observances should be fulfilled.

In Kistane social life marriage *Sera* has a central place. Due to the rules of exogamy, which regulate the choice of a wife, a Kistane boy prohibited to marry a girl of his own patrilineage and of his matrilineage. If one breaks this rule of exogamy he would be liable for public curse and ostracism. The first ethnographer of the Kistane, Fekadu (1986:24) stated the curse as, "you have broken our bone and cut our intestine; may you bear a black dog and a white cat". (Bone and intestine represent patrilineal and matrilineal kinship relations respectively).

Kistane not only prohibited marriage within lineage but also sexual relations. It is considered as a serious offense to the Kistane *Sera*. Sexual intercourse between two kin, whether distant or close, is considered incestuous and it might cause harm not only to the individual but also to descendants and if this happens it needs a ritual of purification, which as indicated above, is treated under *wemano /gutache* elders. The rules of incest prohibition command people to marry outside their kin groups.

For the above-mentioned reasons, the boy's parents spend much time in selecting a girl for their son. Spouse selection also incorporates certain criteria such as, the purity of the partner. For Kistane purity refers to the absence of genealogical link to despised caste-like occupational groups like the *Fuga*, *Ejama* and *Wokach*. Without genealogical proof Kistane by no means marries an alien. Besides, the feminine quality of the girl, politeness, truthfulness, attractiveness and beauty are some other requirements. Kistane also investigates the girl's family background whether there is a barren sister or any other female relative who is unable to bear children. They believe this would help them to know the girl's reproductive ability.

In the past, the task of mate selection was entirely the business of the parents and their patrilineage. But, currently this trend is changing. At the present, a Kistane boy seldom marries a girl he has not seen, or meets at least on events of ceremonies like *adabena*.

After the task of mate selection, the first formal task of the boy's parents, would be asking the

parents of the girl for their compliance to establish marriage relation. The suit would start by sending three elder representatives as go-between to the homestead of the girl's parents. At this level, the elders would never enter in to the homestead. After discussing with the girl's father about the matter they would return back arranging an appointment for another time. In the meantime, the girl's father informs his kinsmen and the girl's mother and brothers and looks for their approval and would critically examine the boy's family background, genealogical proof of purity, his wealth status and expected amount of land share and the like. If they satisfy with the suit, at the second meeting they would arrange another appointment for the elders without telling their preliminary approval. If they were not willing to give their daughter, they would withhold further negotiation immediately.

The third meeting of the elders with the father of the girl is known as *migu*. At the meeting the girl's family would provide the elders with a feast of roasted grain, local liquor, and *enset* bread and cheese with butter (locally known as *bocore*). For the first time both fathers would discuss face to face at the homestead of the girl's father about the matter. *Migu* ceremony would end up by fixing *cheg* (betrothal) ceremony day.

At the day of *cheg*, there would be a modest feast in the girl's parent's house prepared for the betrothal ceremony. The feast signifies the approval of the girl's party for the marriage alliance. The number of elders at the level increases from both sides. There would be one engagement negotiator to lead the ceremony of the *cheg Sera*. The groom father at the day would bring gifts like blanket made of animal skin (*kurbet*) to the girl and money ranged from 200-to 500 *birr* for her parents to be used for the preparation of feast for the final *rite-de-passage*. At the moment both parties would negotiate the level of bride wealth payment. The payment would take place at the day of the final wedding ceremony in kind for the girl and money for her close relatives. At the ceremony they swear oath of alliance in the name of the negotiator person and would arrange a date to fix the final day of wedding feast, the ceremony would end up by the usual blessing of the *goyta*.

After the day of *cheg*, the girl would know her status and to whom she is betrothed and would begin to follow strictly the rule of avoidance. By this rule she has to avoid any contact with her

fiancé. If this happen she should run away before he catches her. If she fails to do so, he is entitled to bit her. The rule of avoidance also works for both the girl and her fiancé towards their in-laws. This indicates that both couples should out of sight to their affined patrilineage till the final *rite-de-passage* take place.

Three months before the weeding ceremony the nail cutting rite, *tifer*, would took place in the bride's homestead. By the rule of this ritual the girl's fingers nail would pull off from their root. The observance of nail cutting is probably intended to minimize the resistance of the girl at the first night of her marriage with her fiancé. Currently, due to a campaign against harmful traditional practices, nail cutting is seldom practiced. Besides, the newly codified *Kistane Sera* reject it. The *Sera* not only rejected the practice, but also imposed a fine against transgressors of the new ruling.

For the Kistane wedding ceremonies are the most serious events. They usually arrange, especially the male side, colorful ceremonies.

5.1.3. Wedding Rituals and Festivities (*Shebal*)

The ceremony at the girl's house start four days before the major feast, which is customary held on Sundays. The feast among the Kistane is usually made after the harvest in the month of January (*Tir*) or after the long Ethiopian Orthodox Christian day's of feasting in the month of April (*Miazia*).

Bisqot (Thursday ceremony)-Activities would take place in the girl's homestead including gift giving, singing, dancing, and drumming. The songs usually glorify the patrilineage and stories of great deeds of their ancestors. This day is known most importantly for observation of the feast of *kinche*, which is provided by the girl's family to the participants of the ceremony.

Enso sela (Friday ceremony) - On the day the bride would take *kosso* (drug with unpleasant test used to remove tapeworm parasite. The drug would cause pain on one's stomach). The ceremony would follow by three day's of fasting of the girl. In order to encourage her, friends and little sisters may accompany her in taking the *kosso* and fasting with her. Throughout the weekdays

before the final wedding, it is common to observe dancing, singing and drumming events.

Rite of Passage- (Sunday ceremony)- On the wedding day the groom's family provides a lavish feast to the public. Wedding feast requires huge expenditure and it needs years of preparation. The ceremony would start with the blessing of elders. At the moment the groom would receive gifts from friends and relatives. After having *tella*-beer and *chiko*, the boy with his close friends and a few elders would start his journey to his bride's home on horseback.

On his arrival to his bride's village, the groom and his companion would receive challenges from his spouse's side. Her relatives, companions and maids (*mezea*) would not allow the groom and his companion except the elders, to enter in to her homestead. The girl's side provoke challenge the other by ridiculing the groom how he is ugly and weak. After long haggling, the girl's side would allow the groom to enter in to the homestead and claim his bride.

At this moment, the family of the bride provides lavish feast only to their side's guests. With the exception of a non-alcoholic drink *birz* (made of honey) for the groom and his men, and barley for their horses, they are not allowed to have the feast. The bride and her maids should show their hospitability to their side's guests in providing the feast. After the feast is over, the bride side would begin the usual song, which glorify their patrilineage. Meanwhile, the elders from the groom side present their gift. This includes dress and ornament for the bride and money ranged from 5-10 *birr* for her close relatives, as decided on the day of the *cheg*. Usually the bride's side tries to resist by claiming more gifts and refuses not to give their girl. In most cases such resistances could cause chaotic situation. In recent times, the Kistane elders, in the attempted codification of the customary law, clearly stated the haggling and resistance of the bride's side as uncustomary and imposed fine ranged 100-200 *birr* on transgressors.

Securing the bride, the groom and his companion would return to their village. On their way to their patrilocal, one of the brothers of the bride or any close relative would carry her half way, but the task of delivering her to her new village would be the groom's best man. With great care on mules back he would deliver her to the spot. At the groom's homestead they received with pumping ceremony, dancing, drumming, and singing. Before the provision of the major wedding

feast, the newly wed couples would receive gifts from the parents and from the maternal and paternal relatives of the boy. The gifts includes portion of land, household equipments and some valuables. With the blessing of elders the lavish feast would start. The main food would be *kitffo/berendo* with *anqoqerat* (bread made of finely processed *enset*) the most lavish foodstuff among the Kistane, which is made of raw meat and butter.

When the night falls the boy would enter into his bride's room to have the first sexual intercourse with her. Among the Kistane virginity is highly valued. Consequently, girls in their first night of marriage are expected to be virgin. As noted above, it is to this end that the girl passes the rituals of nail cutting, taking of *kosso* and three days of fasting, to hand over her virginity peacefully. On the second day of the ceremony parents of the girl receives gifts. The day is known among the Kistane as *Urga*. If at the first night the bride bleeds and soils the bed, it is considered as sign of the girl's virginity. If this was not the case, the girl would be accused of pre-marital sex, which in most cases could cause the marriage cease to exist. The usual *Urga* gift would be a handkerchief fleshed by blood. In the past, a girl accused of being having sexual intercourse before the formal rite of passage would send back to her parents, wearing an *enset* leaf.

Three days after a successful night, the bride would begin the long period of seclusion within a small room made under the main hut called *golet*. During the period of seclusion the girl is not allowed to see her in-laws and she can only see her husband at night. Throughout these days she would receive great hospitability from her mother in-law. The mother has responsibility to provide her daughter in-law with special food every day. Once the days of seclusion end up, the couples would call up by the wife's parents to see their in-law and to make sure weather their daughter was treated well or not. This event is known as *angetegdan*. The moment marked the beginning of formal marriage life for the couples.

During *angetegdan*, the new-wed couples and their best men would receive hospitability in the homestead of the wife's parents from one to two weeks. The long days of feast giving would cost the parents of the women a bull and huge amount of butter. Besides, at their way back to their patrilocal the couples would tack some parts of meat of a bull to the man's parents. Due to its expensive nature, the codified *ye-Gordëna Sera* rejected the practice of *angetegdan* as

detrimental and imposed fine on transgressors.

Angetegdan would follow by *tentereshat*, a practice of showing up of the couples to the wife's parents for a second time without companion. The event marked the beginning of new life for the newly wed-couples. After completing the show up, the husband would receive from his parent's his share of a plot of land and construct his own homestead.

In the above description I tried to present the customary marriage practice of the Kistane society. Besides, the popular marriage *Sera*, there is marriage by abduction. A Kistane, whose request to have the hand of a girl is rejected or who is unable to provide the lavish feast due to his poorness will observe abduction. But the practice, according to my informants, is not customary to the Kistane and strictly prohibited by the newly codified *Sera*. Accordingly, a fine up to 2000 Ethiopian birr would be imposed on any one who is engaged in abduction (including his companion in pursuing the practice and elders who engaged in legitimizing the marriage by abduction). Besides this fine the state courts would punish transgressors.

The other type of marriage among the Kistane is called *sho-huncho*. At the present time, Kistane seldom practice this type of marriage. According to the tradition of *sho-huncho*, one, whose request to marry a girl he is in love most rejected by her parents, would enter into the homestead of her parents and stay there serving them without their consent to show them his affection to the girl. As a general rule, they would allow him their daughter only to keep their *tur* (sprite of good value) and to prevent *berche* (sprite of misfortunate). *Sho-huncho* would follow by the customary rite of passage.

Polygamy is also practiced by some Kistane men, but not as a general rule, since the Kistane are predominantly Christian and too poor in terms of land and wealth; for the most part they avoid polygamy. But, for some who reside in urban areas and have some business acumen to control the rural land sometime marry more than one wife. In fact, in the rural area too, one can observe the practice of polygamy. The reasons for such practice are: first, for pleasure, to a man who has accumulated a lot of wealth and, second, due to childless marriage of the first marriage.

Kistane sometimes practice levirate marriage. Through the operation of levirate marriage a man inherits his deceased brother's wife. Children's produced by such a union belongs to the women's deceased husband. Such marriages are arranged to control the patrilineal land under the lineage. Through levirate, the widow's property would combine with the property of her new husband; the children by her first marriage inherit in equal proportions with those of her husband's brother.

5.1.4. Divorce

Among the Kistane divorce dose not frequently occur, especially if male children accompany the marriage. Despite the huge wedding feast and celebration, the several rituals and gift giving; marriage contract can ceased to exist even on the second day of wedding.

The first cause for divorce to new-wed couples as noted above would be the absence of virginity. Since the Kistane seriously forbid pre-marital sex for girls, failing to offer virginity at the first night of marriage to her man would cause abrupt divorce.

The second and the most important reason for divorce among the Kistane is failure to bear a child. As indicated in the definition part, for a Kistane, marriage is an act by which a man and a woman come together to form a union for the purpose of reproduction. Hence, childless marriage is meaningless and would end up by divorce. After few years of unfruitful marriage, the husband and relatives would solicit for divorce. Kistane overlooks infertility caused by sterility of the husband.

The other reason for divorce among the Kistane is laziness of the women in keeping the house, in taking care of children and in preparing food for her husband. Once a woman is divorced, she returns to her patrilineage. She has no right to claim any property except her dress and ornaments.

5.2. Rituals

5.2.1. Death and Burial Rites

Death within one's household would follow by an elaborate rite of passage. The burial rites of Kistane attract large people in accordance with the age, sex and status of the deceased. The death of an elderly man or woman may call on several people within the parish (an *ager*). In cases of death of an important man the mourning lasts several days.

When death happens in a family a member of the household or a neighborhood at once goes to inform the people from the deceased patrilineal and matrilineal lineage; member of his *sabugnnts* and friends would gathered immediately. Before funeral ceremony the ritual of death dances and songs would follow. People to show their condolence for the deceased should participate in death singing, dancing and drumming. Both men and women would tack part in such occasion.

The song varies according to the age, sex and the status of the deceased. From the songs one can identify whether the deceased is male or female; or unfortunate or well-off; or intelligence, braveness etc. Death songs not only explain the role, status and contribution of the deceased, but also reflect on some general social issues.

Entombment among the Kistane took place within the compound of the parish church. At the ceremony, children of the person would be brought in front of congregates and evaluated whether they helped their parents or not. The Kistane as *ye-bishe Sera* knows the ceremony. The judges of the *Sera* are known as *ye-wedabo dagna*. The judge would ask selected witness from the relatives and neighborhoods of the deceased for their testimony. Each witness would start the testimony by saying *yedere* (let it be with me). A successful child who proved getting the blessing of his parents during their lifetime for his assistance and regard to them would be blessed in front of his countrymen. But, one who fail to get the parent's blessing and unable to get the affirmative testimony in front of the people would be ordered by the judge to turn back home and would be cursed by the congregates. Therefore, this very fact forced the Kistane to uphold good parent – child relationship. Parents should inform their close friend, relatives and neighborhoods about their children conduct.

According to *ye-beshe Sera*, any one commits homicide and living in exile or one who commits adultery (*aqideгна*) is allowed to participate in the mourning ceremony for 80 days. The *Sera* protected such people from the vengeance of their enemy. The event would end up by cursing people who involved in theft, sorcery, slander, arson, and other transgressions of the Kistane *Sera*.

For Kistane mourn could take several days. They observe the 3rd, 7th, 12th, 30th and the 40th days with on elaborate feast; these feasts are known as *teskar*. These ceremonies would continue on yearly bases up to the 7th year. Relatives of the deceased usually wear black items of clothing. If the deceased were the head of the household his widow for a period of a year would never eat meat. Remarriage is difficult for the widow up to the 7th year of her husband bereavement. On the 12th day of the mourning ceremony a ritual of *mabered* (cooling up) would be performed, the tent (*seqela*) would be removed at the day. *Mabered* is a ritual to pray to God to protect the rest of the relatives of the deceased. The ritual would end as usual with the blessing of the elders.

5.2.2. Festivals

As in any other human society festivals are common among the Kistane. Within a year there are several festivals observed, lavish feasts, dancing, drumming and singing constitute the main instruments of festivals. Most of these festivals are religious.

In Kistane social life, Christianity plays a major role in the people's everyday thought and action. According to the Ethiopian Orthodox Christianity tradition several festivals are observed within a year. Out of these festivals, Christmas, Epiphany, Easter, New year and *Meskel* (the finding of the true cross) are the most important one's. Out of these, *Meskel* has special place for the Kistane. It is celebrated for several days with colorful ceremonies. The Gurage in general and the Kistane in particular celebrated *Meskel* more than any other Ethiopian Orthodox Christian. The Festival signifies the end of the long Ethiopian rainy season and the beginning of New Year. The feast needs several months of preparation. The festival officially started on the 13th of *Meskerem* (September) and ends on the 5th of *Tikemet* (October). Starting from 13th up to 19th of *Meskerem* each day has got its own name. In each day specific ceremonies would be observed. The days are: *Welqene* (women's day), *Dengasat* (Mother's day), *Cherqos* (father's day), *Ye-sat may* (bonfire),

Maleq-bal (the great holiday), *Males-bal* (the smallest holiday) *Feqaqo* (girls day). But, of all these days, the feast that is observed on *Ye-sat may*, on the 16th of *Meskerem* is probably the biggest and the most colorful among the Kistane. On this day the special Kistane *brendo/ kitffo* would be served for the members of the household. Besides the elaborated feast, at the night of *esat* (bonfire) ceremony would take place first at the heart of the village (*sabugnnt*) than in front of every household. This event marked the apogee of the *Meskel* festival. At the moment of *esat* (bonfire) pumping ceremonies with dancing, drumming and singing are common. On the next day, early in the morning members of the *sabugnnt* would gather at the place of bonfire and renew the yearly oath of proper conduct. Every member of the *sabugnnt* would swear the oath holding the charcoal left over from the bonfire in his teeth.

The examples of the oath are given in Fekadu (1986:38) in the following manner.

- I will not steal or fail to report when I see any one stealing;
- I will not bewitch anyone or fail to report when I see anyone bewitching others;
- I will never bear false witness;
- I will speak out against anyone who tries to undermine the integrity and rules of *sabugnnt*;
- If I break any of these oath, let me burnt up like these ashes and charcoal . . . and let my descendant get burnt up too.

The Oath of good conduct would carry out when a new member joined the *sabugnnt*. Usually new members who join would be a newly married couple.

Right after the 17th of *Meskerem*, for about two weeks the *adabena* festival would follow to the 5th of *Tiqemet*. The festival usually conducts in market and religious places with songs, dances and drumming. Youngsters and *meyets* are the main participants. The festival has important role in Kistane mate-selection, since both girls and unmarried boys gets the opportunity to show up. But, for the *meyet* society members, few Kistane *Zera* women and law caste-like occupational groups, who possessed by the spirit of *Demmamit*, the festival has special place. They perform in *adabena* day's chanting, singing and drumming to their goddess. In recent times, the *meyet* are prohibited by the government and by the Church to perform the ritual and I am only able to

observe the festival in Kala market.

5.3. Feast Clubs (*Senbete Mehber* and *Talaq*)

Senbete meetings are gathering after weekly regular Sunday sermon in a compound of a church. At the event the congregation eats together and discusses communal affairs. For example, in Endebuyuo area people usually go to a parish church called Endebuyuo *Medhani-alem*, which is found at the heart of the locality. At a time, in the weekly gathering about 80-100 people would participate.

In Kistane-land in most cases the entire population attends *senbete* meetings, since the community predominantly follows Orthodox Christianity. One of the members of a *senbete*, weekly in a rotation manner, brings *tella* (local beer), bread or if he is well-off *injera* and *wett* to the church gathering. The host household serves members with a glass of drink and a slice of bread. After having the drink people usually discuss local issues and depart to their home in-group.

In Ethiopian Orthodox Christianity tradition there are several saints' days, which observed by its followers each month. *Mehbers* are gatherings to celebrate these saints days and involves communal eating's and drinking and provide a forum for the discussion of communal issues. Kistane observe monthly day of the patron saint of the parish churches and the monthly celebration of St. Marry, St. Michael, St. *Medhani-alem* (savior of the world), St. Gabriele and *Abuna Gebra-Menfesqedus*. In some Kistane *agers*, for instance in Wegeram, there is a feast club called *Talaq*. *Talaq* is a feast, which is celebrated by all members of the *ager* on monthly bases in every first Sunday.

5.4. Voluntary Associations

5.4.1. *Sabugnnts*

As noted above, *sabugnnts* are the smallest Kistane territorial organization. In addition to their role as the Kistane village level customary court where legal dispute are settled according to *Sera*. The institution has a function to provide its members with social and material support at times of

bereavement. All Kistane households are members of their village *sabugnnt*. The institution requires members, with the introduction of money, a monthly financial contribution from members and would provide them with financial support on the bereavement of a member of the household. Members of the *sabugnnt* would also provide services for the victim in the mourning ceremony.

Member of the *sabugnnt* requires attending funerals and providing food and coffee as refreshment during mourning. They also communally construct tents (*seqela*). The mourning and refreshment would continue up to the 12th day of funeral. Feasts in the memory of the deceased, *teskar*, would be prepared by contribution of the member of the *sabugnnt*.

5.4.2. *Eqqub*

Traditionally the Kistane has the institution of *eqqub*. The institution exists not as in the modern form of rotating credit association in which members pay a set of regular sum to the treasurer and in turn draw the money collected. But, the customary Kistane institution of *eqqub* was a social security forum. When a Kistane household fails to function properly due to illness, death, or damage or catastrophe, his lineage members (both matrilineal and patrilineal) neighboring people or affinal relatives would provide him assistance by the rule of the institution. For instance, if a person loses his cattle, they would offer him herd (*wecha*). If he lost his house due to thunder or arson, they would help him in the house construction and the like. Due to urbanization and the introduction of money, the institution has been exhibiting changes with great modification. Currently, the modern type of the institution of *eqqub* prevailed over the traditional.

The Kistane have been migrating to the urban centers mainly to Addis Ababa starting from the last quarter of the 19th century. At the moment, according to CSA (1998), more than half of the people of Kistane live in the urban areas. The migrants maintained several kinds of indigenous voluntary organizations, which have been practiced by the rural community. In the absence of other kinds of organizations in the urban areas for their social, economical and psychological needs, rural types of voluntary organizations had to be kept. Rural forms of organizations like *ye-abotold shengo* (patrilineal lineage council), *sabugnnt* (village council) and *ye-Ager shengo* (district council— there are about 22, which represent migrants from each of the Kistane district) are common among the Kistane of Addis Ababa in the form of the modern type of *eddir* and

eqqub. (Several literatures on *eddir* and *eqqub* mention the Gurage particularly the Kistane group as the pioneer of these institutions. For instance, Pankhrust and Endryas (1958) suggest that, although *eddir* and *eqqub* have spread to all urban ethnic groups they originated in Gurage-land). Fekadu in his Ph.D. dissertation (1972) argued in support of this position, and points out that, the rural types of voluntary organizations are organized in towns, not only to satisfy the needs of the urban migrants but also to improve the conditions of the rural people in rural development arena. For example, A. W. R. C. A. and the successful accomplishment of nearly 250 km road is the urban Kistane people achievement and was the success of their association and its integration with the rural people.

5.5. Labor Organizations

Traditionally Kistane developed several forms of labor organizations to help each other in times of cultivation, harvest, house construction, *enset* processing and herding. As noted elsewhere, the Kistane subsistence economy in most part of the land is depending on the cultivation of *enset* using digging stick (*dedeqa*). For a single individual, it is difficult to manage the annual work independently and needs intensive labor. Therefore, during such times a household needs labor out of the family. For such reasons the Kistane developed several forms of labor organizations.

Wanfel- it is a communal labor group organization to carry out an agricultural work in times of cultivation. It is the most common form of labor organization. When work group takes the form of *wanfel* it needs 3-6 people in rotation manner to help each other. Participants in this form of labor often are the heads of household. Sometimes elder sons would represent the household. The other form of labor organization in Kistane-land is *gibo*.

Gibo is a form of labor group of 8-15 people. In the earliest time, according to informants this was the main form of agricultural labor. Unlike the above form of reciprocal labor exchange, *gibo* needs the host providing a feast for the participants. Currently, due to its costly nature, *gibo* is practiced rarely. Only the well-off family organized such labor. Generally, the two forms of work groups organized within members of village and agnatic groups.

In the past, according to informants, for the purpose of establishing new settlement area and to construct public service centers, which needs the consent of the entire community, like churches, roads and bridges, the above mentioned work group has been formed used to clean the land, to remove trees and wild bush etc.

Tija-Due to the fact that, Kistane live together in villages with kin groups and neighborhood, they developed a form of labor organization to help households, which face difficulties to function properly as a consequence of death of the head of the household or owing to natural calamities or sickness. This form of labor is known as *tija*. The host households who receive *tija* labor is not oblige to prepare a feast. Besides the kinship ties and friendship as a member of the village, the sprite of *Tur* play important role in the organization. Helping the needy is one of the pillars of the sprite of *Tur*.

Wejo-The other most important labor organization among the Kistane is known as *wejo*, usually a village has got one *wejo* group. The purpose of the organization is to help each other in keeping the herd of the village. *Wejo* arranged in rotation manner. Members have the responsibility to properly manage the duty at his turn. Failure to take part at one's own turn in undertaking *wejo* can cause punishment. In most cases the sanction at this level would be *zebo*. When damage caused by animal on one's property (*afe-lama*), compensation and responsibility would be the household on duty of *wejo*.

5.6. Social Stratification

The Kistane society is stratified in to two major groups: *Zera* (noble) and low caste-like occupational groups. The majority of Kistane being farmers and priests are *Zera* (noble), where as few Kistane crafts further stratified in to *Wokach* (smith), *Ejama* (tanners) and *Fuga* (wood workers). Of all these groups *Fuga* (wood workers), since they are non-Christian and follow the caste of *Demmamit* unlike the other two low caste-like occupational groups occupy the lowest structure in the social pyramid. Their social status is lower than even below the *Wokach*, occupying the highest rank, and the *Ejama*, who occupy the next rank among the low caste like occupation groups.

Zera avoids the rest considering impure and polluted. Endogamy is practiced within each level of social groups. Even though, the *Zera* did not consider the smiths and tanners as impure as the wood workers, inter-marriage between them is strictly forbidden. Since *Ejama* and *Wokach* are adherents of Ethiopian Orthodox Christian like the *Zera*, they enjoy some status than the *Fuga*. All the low caste-like status groups were not allowed holding property like *enset*, land, and cattle they are also forbidden to participate in *shengo* meetings.

The other most important case in this connection is the situation of Kistane women. Since the Kistane are patriarchal society, women are not allowed to own main items of property, such as land, *enset*, cattle and so on. The role of woman in the political system as well is limited. Ideologically women's position in the society considered as reproduction. Otherwise they contribute a lot to the production activity.

5.7. Inheritance and Property Ownership

5.7.1. Inheritance

As in most African society, the Kistane people inherit property through one line, following the direct male descent. This patrilineal institution as I indicated elsewhere is important in the Kistane political system. Since the Kistane economy is subsistence and little accumulation of wealth, items of inheritance are very few. Male children inherit from their parents a small plot of land for the purpose of farming *enset*, livestock, and some other property. In most cases the eldest son occupies a special position in inheritance law in relation to the rest sons.

In some Kistane household, where polygamy existed, there would be more beneficiaries competing for property. Here inheritance becomes more complex. In such cases a daughter without full brother would inherit the patrilineal property. Informants told me that such inheritance would compensate the girl for the lack of full brother. But, secreted behind for such inheritance law seems to protect the girl from the ignorance of her half brothers. Her usufruct right over the land continues so long as she is alive. In most cases, such lands would return to its patrilineage after her death.

5.7.2. Ownership Right

For the Kistane, the most important property item as in any agrarian society is land. Every married male Kistane have the right to own a corporate land. Since Kistane follow the principle of patrilineal decent system, land is owned by the minimal patrilineage. In such cases holders of the land have theoretically usufruct right. A man owns his land so long as he occupies it and he, therefore, cannot sell, pledge or otherwise dispose it without the consent of his patrilineage. This system involves no insecurity of land tenure, because the holder cannot be dispossessed of his land for any reason. If a man wishes to sell a portion or the whole land, he can sell it with the consent of his patrilineage, first to his close kin if there is no one wishes to hold the land from his minimal lineage, then privilege of holding the land would be for any one from the major and the maximal lineage respectively. If there were no one wishes to hold the land by purchasing, the privileged would go to any one with in the parish. Finally, the privilege to purchase the land would go to any one out side of the parish. Even though such cases seems rare, these are people in Kistane-land who hold and till lands outside of their patrilineage and parish. Due to such reasons *gebbars* (original patrilineages of a parish) have been changing. Currently we can find an Abo, a *gebbar* of Endebuyuo, in Aretege, or we can find a Hunge, a *gebbar* of Aretege, in Endebuyuo.

Even after the incorporation of Kistane-land in to the Ethiopian domain, the traditional form of land holding and ownership right did not exhibit much change. The main reason for this was due to the minimal impact of *Neftegna-Gebbar* relationship. The Kistane continue to practice the traditional land ownership right only by paying tax to the alien governor. However, with the coming into power of EPRDF, the state owns rural and urban lands (EDRE constitution, 1994: Article 10/3). The constitution of the state some how contradicted with the traditional Kistane ownership right principle.

As indicated above, these are lands corporately owned by territorial organizations such as *sabugnnts* and *ager*. Access to such lands is equal for all members. These lands include rangeland and paths to it, sacred forestland (timber from the forest would be used for the construction of churches, bridges etc . . .), public places like pariah churches, spots of public

gathering for *shengo* meetings, rivers, swampy areas etc. Before the reign of the *Dergue*, there were lands for the church services called *semon*.

As noted above, slaves and low caste-like occupational groups have no right to own land. With the proclamation of 'land to the tiller' in 1975, some of such groups have got the momentum to hold land. However, soon after the proclamation most of such people were forced to sale the land to its original patrilineage groups (*gebbars*). The state was unable to protect them. According to informants, particularly after the *Dergue* almost all such lands went to their original holders.

5.8. Social Control

Among the Kistane there are various levels of social control, each level linked up with another level either of equal authority stream – or subordinate authority stream.

The first level is the family level. Within a household, the family head, the father, is responsible for order and harmony. He is in charge for matters affecting each member of the household regarding any person outside the household. Consequently, the father has an autonomous right in all issues, which could affect members of the household.

The second level of social control would be lineage level. At this level, the patrilineage council (*ye-abotold shengo*) would exercise social control. As noted in the above chapter, the council is composed of representatives of the various household heads. At this level there is no head, but authority is vested on the consensus of the members.

The third level of social control among the Kistane is territorial level. The *shengo* (council) at the various levels of Kistane territory (village and pariah) is the recognized authority. The *shengo* has judicial, political and social functions. Each *shengo* comprise the elders of the territory. At this level too, there is no *de-facto* head authority is vested on the consensus of the members.

5.9. The Contribution of *Ye-Gordena Sera* to Local Development

The Kistane *Sera* as noted elsewhere play an important role in regulating the social, economic

and political life of the people. *Shengo* meetings whether at territorial levels or at patrilineal levels are not only politico-jurial forum but also socio-economic development forums. Before looking at the contribution of the *Sera* to local development endeavors, we have to see Kistane rural-urban migration and migrant's major occupation in the urban context; that is trading, which have importance to the specific topic under the study.

As indicated in chapter three, the Kistane have been migrating to the urban centers mainly to Addis starting from the last quarter of the 19th century. At this moment more than half of the people of Kistane live in the urban areas. In most cases the Kistane migrants engaged in trading activities. The Gurage in general and the Kistane in particular in Ethiopia are distinguished for their ability of trading.

The incorporation of Kistane in to the Ethiopian state under Menelik II marked the beginning of Kistane inception in to the political economy of the modern state. According to SHEMELES (1997: 100) since then labor migration becomes the most important driving force of Kistane society as the basic instrumentalities of integration. He further noted:

These were internal and external factors, which induce migration on an unprecedented scale and a permanent nature. On the one hand there were overwhelming push factors such as population increase, shortage of land and subsequent decline in subsistence economy, which had always resulted in small scale and short term local migration. On the other hand, the imposition of new tribute and labor obligations in after math of conquest contributed to the deterioration of economic situation in the country side (Ibid: 100).

The best way out the Kistane felt to secure their survival was, therefore, to "exploit the opportunities that was presented by the conquest itself" (Op. cit). According to Fekadu (1972:34), migration was intensive from *enset* producing areas, which was mainly directed to the capital Addis Ababa. Most of these migrants were/are engaged in the economic sphere of the capital.

The greatest change in the history of Addis Ababa had come from the Italian racist policy. During the occupation of the country under the Fascist Italy in 1936, the new alien rulers follow a policy of segregation; accordingly the city was isolated between Ethiopians and Italians. The local people were to be moved to western section of Addis, and the major market center transformed from the area of *Arada* (Piazza) to Merkato (Pankhrust, 2000). With the establishment of the new

marketing center in Merkato, according to Bahru (1994), expatriate domination of trade in Ethiopia faced serious challenge from the Gurage merchants. The process was further facilitated by the Italian policy of “destroying the expatriate mercantile tradition in favor of state:

The Merkato become the strong hold of these national traders, most notably the Gurage traders-their displacement of the Yemenite Arabs, who had earlier dominated retail trade, remains a remarkable example of national enterprise (Op. cit)

Kistane migrants maintained several institutions of *ye-Gordena Sera* organization. In the absence of other forms of institution in the urban areas for their social, economic, and psychological needs, rural types of voluntary organizations had to be kept. Both territorial level and lineage level segmentary organizations such as *ye-abotold shengo* (patrilineal council), *sabugnnt* (village council), and *ye-ager shengo* (parish council) are common among the Kistane of Addis Ababa in the form of the modern type of *eddir*. Fekadu (1972) points out that the rural types of *ye-Gordena* organizations are structured in towns not only to satisfy the needs of the urban migrants but also to improve the conditions of the rural people in rural development arena. For example, AWRCA (Aleme-gena –Wolyta Road Construction Association) and its successful achievement of nearly 250 km road were the urban Kistane people success and their integration with the rural people (Fekadu, 1972).

In terms of their contribution to rural development, the most significant organization in the urban areas are *eddirs*, which in addition to their welfare function have provided a forum that gives access to the urban community (Henry, 2001). Even though most Kistane people in Addis involved in *eddir* based on residence or occupation like any other ethnic groups, they are also members of *eddir* based on patrilineal groups (*abotold*), *ager* (parish) or *sabugnnt* (village) councils, which were transplanted to the urban areas by early Kistane migrants. It is the *ager* level *eddir*, which contributed a great deal to the rural socio-economic development. These *eddirs* are not established primarily for development purposes. However, as their structure provides access to networks of urban Kistane, they have played crucial role in mobilizing urban resources to rural development. Besides, after the demise of AWRCA, with that coming in to power of the *Dergue* régime, most development undertakings among the Kistane have been conducted through

ager eddirs under an *ad-hoc* committee for rural development. Usually *eddir* meetings provide a forum for discussion about rural development.

As indicated above, the majority of Kistane reside outside of Kistane-land. However, development activities are focused on their original homeland. This was reflected in most of my urban informants. This shows *ye-Gordena Sera* obligation towards an individual to provide resources first to his parents then to his patrilineage, *ager* and Kistane as a whole respectively. Those who participate in development activities for the local development of their original homeland usually gets blessing by their countrymen, while those who are hesitant to provide resources for development activities are considered as selfish and have the danger of cursing and ostracism. (Such cases are rare for those who are out of Kistane urban networks. The group includes those who engaged in the civil services and those who born in the urban areas).

In the past urban Kistane development activities were focused on road construction. The efforts of AWRC and several other road projects can exemplify this fact. According to most of my urban informants this was due to the seasonal nature of migration and to facilitate the urban-rural link in times of death and ceremonies

Currently Kistane rural development activities emphasize on construction of schools, health posts and potable water supply, which, according to most of my urban informants can provide 'modern' way of life for the rural kin. From my fieldwork in Endebuyuo and Wegeram rural areas, it is evident that there are several rural development projects undertaken by the integration of urban and rural Kistane communities. For instance in Wegeram both communities successfully constructed 18 km road, which link Wegeram to Butajira; health station with 20 bed rooms; 1st and 2nd cycle primary school and a kindergarten. In Endebuyuo locality the community constructed 5 km road and 1st and 2nd cycle school. In all these community development projects the urban community have played significant role in problem identification, planning, commencement, resource mobilization and implementation of projects. However, from my observation in the rural areas there were minimum rural communities input in project identification and planning process. According to informants, rural community participation in development is significant in resource mobilization, implementation and sustainability of projects.

In all the above-mentioned projects, as noted previously, *ye-Gordena Sera* played significant role as a moving sprit behind. For instance, a case of Endebuyuo Medhani-alem second cycle primary school construction can exemplify the role of the *Sera* in local development activity and the integration between the rural and urban communities.

According to urban informants, the issue of upgrading the first cycle primary school into second cycle was raised at Endebuyuo *ager eddir* in Addis during a quarterly general meeting of the *eddir* in 2001. Accordingly, the need to construct a school in the homeland to produce educated farmers in the rural areas and to halt new migration to the urban areas in search of modern education was capitalized. After the discussion an *ad-hoc* committee established for implementation of the project. The committee's immediate action was to secure rural communities acceptance for the project. Securing acceptance by the wider rural community especially by prominent elders and the local government officials, gave the project access to harness *ye-Gordena Sera* and its traditional sanctions to enforce those who do not participate in the school construction process. The second step the committee made was resource mobilization from both the urban and rural community. The wider urban Endebuyuo community participation takes the form of cash contribution. Some well-off members contributed up to 10,000 birr for the purpose. (During road construction in Wegeram two brothers alone contribute 300,000 birr). On the other hand, rural resource mobilization was made through rural development committee for the school construction, which composed of members of each patrilineage, *sabugnnt* leader and some important elders of the parish. Each rural household contributed for the project according to his ability. In addition to cash contribution to the development project as a permanent institution, rural community organized by the 12-Endebuyuo *sabugnnts*, made an ongoing contribution to the sustainability of the project. They funded a community sponsored teacher and a guard paying 120 and 80 birr per month for each, respectively.

The school construction project was implemented through hired skilled labor which supplemented by *gibo* labor organization, which mobilized by each of Endebuyuo *sabugnnts*. Not participating in *gibo* was punishable by the *shengo* fines and by traditional forms of sanctions. These sanctions as indicated in chapter four are *yeka*, *zebo* and ostracism.

According to Fekadu (1972), during the Aleme-gena- Wolyta road construction period, the above-mentioned sanctions were used to ensure participation. However, according to both my urban and rural informants, the effectiveness of these sanctions is deteriorating. This is particularly true to those people that are born in Addis and those who are employed out of trading activity.

Beside traditional forms of sanction, cursing and blessing play an important role in development. According to Fekadu (1966:6) Kistane say “a person is ‘cursed’ if he leads a bad life and ‘blessed’ if he leads a good life”. He further stated “the blessing of elders work like magic in social conflicts” (Ibid: 7).

For example, during [in one of AWRCA meeting] day there was disagreement among to committee. Order was disrupted, logical argument did not produce much tangible result, but it only heightened the intensity of the crisis. Suddenly a distinguished elder got up and kept blessing the members of the Association. Through, he was one of the most intelligent and experienced member of the elders, he ignored logical argument and kept blessing until every one cooled down. Thus, self-esteem and great satisfaction is achieved by the individual when he is blessed for his contribution. Blessing in this case is a mechanism for the inducement of group loyalty.

To conclude, *ye Gordena Sera* has significant role in rural Kistane local development. It contributes in legitimizing a development project, which is usually identified and planned by the urban community. The *Sera* also facilitates resource mobilization, project implementation and its sustainability. Generally, the *Sera* has great role to play in the continuity of urban and rural community linkage.

Chapter –Six

Changing Circumstances and the Current Conditions of *Ye-Gordena Sera*

The process of state formation Ethiopia experienced at the turn of the 19th century under Menelik II (r 1889-1913) through territorial expansion of the empires from the 'historic core lands', as noted in chapter three, created the modern empire state. The episode coincides with the colonialists 'scramble for Africa'. Since then the Ethiopian society in general and the Kistane in particular underwent several changes. Subsequently, they have been experiencing a new form of land tenure, system of modern centralized state bureaucracy, a new economic order and a new judiciary system.

These new political developments had significant importance on the Kistane traditional political system. Thus, in this chapter, I will try to look at the process of changes in the political system and its enduring impact on the *Sera* during the three Ethiopian régimes (the Feudal, the *Dergue*, and the EPRDF régimes). The second section of the chapter looks at the current status of the *Sera*, in which the recent revitalization movement through the codification and subsequent developments discussed in detail.

6.1. The *Sera* under the Three Ethiopia Régimes

In late 19th century, as noted above, great social and political transformation in Ethiopia was induced as a result of the expansion of the state to south, west and east of the empire. The process of expansion of the northern highland Christian kingdom (whether it is an act of unification or as some scholars says, an act of colonial expansion like that of the European scramble for African is still debatable) successfully brought the Kistane in to its historical domain. The Kistane peaceful submission to the Christian army, as Bahru (1991:61) noted, attribute to two main reasons. The first was the constant raid and attack of the neighboring groups most notably the Oromo; and secondly, Kistane geographical proximity and religious affinity with the Christian kingdom.

As noted in chapter three, the Kistane in the middle of the 19th century, had early contact with the

Shewan kingdom. These contacts were inspired by the continuous attacks and enslavements of the people by the more vigorous Oromo attacks. As a result a Kistane mission led by a man called Oda Lelisso during the reign of king Sahela-Sellasse (r1813-1847) had the most remarkable impact for the history of the people under study. The famous Kistane politician, Oda as narrated by Kistane elders, initiated a nominal recognition of the kingdom's sovereignty over the Kistane. Early travelers like Isensabg and Krapt (1843) also noted that the kingdom established its rule over Kistane-land.

When Menelik II, grandson of Sahela-Sellasse, came to the region in the mid 1870s, Kistane showed no opposition. Bahru (1972:61) commented that, Menelik "only had to renew the contract first signed by Sahela-Sellasse". Their peaceful submission to Menelik helped the Kistane to retain a degree of authority. Unlike those who resisted the king, the Kistane incorporation in to the empire did not witness the imposition of a great deal of feudal regime's system of multiple appropriations of labor and surplus production. However, the Kistane did not enjoy indirect rule on the bases of annual fixed tribute to the emperor, as in areas which submit to Menelik without resistance like the sultanate of Jimma, Nekemte, Qellem (Gambella), Asosa and Benishangul, Ausa, and parts of Gojjam, largely because of the absence of traditional political elites (Bahru, 1991).

Unlike the Kistane, the western Gurage and Silti fought against the imperial army under the leadership of Hasson Injamo of Qebena. The Gurage resistance lasted for more than 10 years until the final defeat came at Jeldu Meda in March 1889. The incorporation of these areas witnesses the imposition of so-called *gebbar -melkegna* system. Under this system most part of the fertile lands of Gurage were appropriated and disposed by the state and distributed to the warlords. Most of the people of Gurage who live in the appropriated lands become tenants (serf-like status) of their own lands and forced to share their produce in kind and labor to the new rulers (Getnet, 1994).

Due to their peaceful submission and the ubiquitous production of *enset*, which is not edible for the new ruling class, Kistane were saved from large-scale land appropriation. Therefore, the Kistane were obliged to pay dues, to the new administrators of the land and maintained the

inherited lands from their ancestors as far as they paid dues properly. (The incorporation and the new system of land appropriation and its impacts over the Kistane are well documented in historical studies of Bahru (1972) and Shemeles (1997)).

The administrative structure of the Imperial régime before 1930s consisted of three main levels. These were the district, province and the empire. Lords, governors and the emperor administer over the areas, respectively. The emperor appointed provincial governors. They were in most cases the king's military rulers. For instance, in Kistane-land the governors were *Ras Gobena Dachi*, *Ras Wolde*, *Fitawrari Gebeyhu* and *Fitawrari Habtegiorgis*. Governors exercised real power over their provinces. They had the right to organize public works, to adjudicate disputes, to collect dues, and to evict anyone who is unable to pay his tribute etc. They recruited state representatives at local level called *balabbats*, who performed function similar to that of the governors over their small area. In most cases *balabbats* were recruited from the local people of Oromo origin, through the institution of *goyta*. The offices of *balabbats* further strengthened by the appointment of *Ras Gobena*, an Oromo governor of Kistane-land.

With the incorporation of Kistane enjoyed greater degree of peace and stability. Inter-ethnic war between the Kistane and the neighboring groups like the Oromo, Meskan and Marako came to an end. The territorial and political boundaries of each ethnic group were drawn. The event also provides for the introduction of monetary economy and helped the expansion of trade beyond Kistane-land.

In contrast, the incorporation brought the imposition of two new 'modern' institutions namely a new judicial system and a new administrative bureaucracy. Although, these institutions facilitated the government's administration of Kistane-land, the administrative officials appointed by the central government undermined the traditional Kistane system of governance. The incorporation also witnessed a period of ruthless economic expropriation of Kistane-land owing to the measures introduced by the feudal régime. The expropriation of the most fertile lands (especially in lowlands areas) and the introduction of heavy taxes and labor services affected the rural life which forced so many people either to migrate in to the new urban areas out of Kistane-land in search of new job or to join the military force. With the incorporation, the traditional system of

land tenure was also changed as the people were forced to pay tribute and provide corvee labor.

As noted above, with the incorporation of the Kistane 'political community' to use Scapera's term, in to the bigger Ethiopian domain, the traditional political system lost its independent control over its internal and external affair. Due to such factor, the system began to weaken. But, as Bahru (2002:25) noted, it is "far from dead". The process was especially more and more intensified with the coming to power of Haile-Sellasse I (r.1930-1974) and his policy of centralization. After his coronation as king of kings of Ethiopian in 1930, the emperor began to launch nation-wide 'modernization' program immediately.

The emperor embarked on a number of reforms. He pursued the policy of institutional innovation, which Menelik had begun when he established the first cabinet and ministerial appointments in 1908 (Abbera, 1998: 5). In 1931, the emperor promulgated a new constitution. Before this "modern type of state constitution, the foundation of the régime was based on the ancient religo-legal code of the highland Christian empire called *Feteha -Negest* (law of the kings)". The new constitution "set up jurial framework" of the régime (Bahru, 1991:140). With the enactment of the first Ethiopian written constitution in 1931, the dual exercise of power by the emperor and regional lords (provisional governors and *balabbats*), who were empowered to levy and collect taxes and impose other dues on their subject as their wish and pay a pre-determined amount of tribute to the central government, abolished and replaced by governors appointed by the emperor (Abbera, 1998:7). This gave Haile-Sellasse greater control over the "the local authority by placing it in the hands of the central administration in Addis Ababa" (Op. cit).

The process of centralization continued in the post Italian period. A new regional administration structure established in 1941 which provides for 12 (later on 14) provinces (*Taklai-Gezat*) under governor general and around 100 counties (*Awraja*), over 500 districts (*Woreda*) and several sub districts (*Miketel Woreda*). This gave the king a firm sovereignty over the empire and a strong bureaucratized central government with a modern judiciary system and police force (Clapham, 1969:67).

In 1955 the emperor enacted a revised constitution, which further strengthened his rule. He also promulgated six modern types of law codes between 1957 and 1965. The major source of these codified laws and constitutions, according to Abbera (1998:15), was 'Roman law and jurisprudence'. With the enactment of such laws, he further noted, customary laws of different ethnic groups partly maintained as it was in actual practice, and in other cases incorporated in the civil code of 1960, particularly in areas of family, succession and property law (Op. cit). The civil code permitted the application of customary laws under Article 3347/1. This shows that customary laws were allowed to continue to work.

The process of centralization of the state administration system continued during the *Dergue* régime. The coming to power of military forces, the *Dergue*, ousting emperor Haile-Sellasse, marked the breakdown of feudalism in Ethiopia. The *Dergue* assuming Marxist ideology soon moved to nationalize the economy, including rural and urban lands. Farmers were given usufruct rights over their inherited lands. The régime maintained the pre-existing *Woreda* and renamed imperial *Taklai-Gezat* as *Kifle-Hager* (Clapham 1988:128). At local level a new administrative unit was established called *Kebele*. Under the *Kebele* system, the rural people were organized in to PAs (peasant associations) "each covering a defined territory and responsibility for all the people in it" (Ibid: 13). This institution played important role in order to strengthen the régime's effort of the centralizing process of state machinery. The process of centralization did not change with the promulgation of a new constitution in 1987.

More than any other régimes, during the *Dergue*, the *Kistane ye-Gordena Sera* severely weakened. The *Dergue* worked to abolish traditional systems of local governance, which it considered as a threat to the "national unity and progress of Ethiopia" (Markakis, 2000:16). In 1991 the *Dergue* was overthrown by a group of rebel called EPRDF (The Ethiopian People's Revolutionary Democratic Front). The new régime promised to follow a system of federalism essentially based on ethnicity. A constitution of EPRDF was ratified in December 1994. The constitution formalized the division of the country into 9 federated states (*Kilil*) "delineated on the bases of settlement pattern, identity, language and the consent of the people concerned" (FDRE Constitution, 1994: Article 46).

Throughout the three Ethiopian régimes in Kistane-land two legal systems existed. The government judicial institutions at the *Woreda*, *Awraja* or *Zone* and *Taklai-Gezat* or *Kifele Huger* or *Kilil* levels, and the traditional institutions at various levels of lineage and territorial segmentations. Decisions at the governmental legal courts are based on the Ethiopian 'Western style' codified laws. While, traditional Kistane courts, with elder's councils at every level of traditional segments, used *ye-Kistane Sera* as the bases of their adjudication.

The overwhelming majority of my rural informants noted that, in the past, Kistane prefer to be governed by its traditional system than the government jurisprudence. They further noted that the majority of civil cases such as land tenure, inheritance, matrimonial cases, and debts and other contacts etc . . . were seen in traditional courts. There were times in which criminal cases ranging from theft to homicide were treated under the *Sera*. On the other hand government courts were served basically to treat infractions of state law such as failure to pay taxes properly and to regulate public order. Nevertheless, with the expansion of 'modernization' people's loyalty and preference to their custom have been declining. Currently, we can see state courts adjudicating so many cases ranging from torts to crimes. However, this does not mean the government courts effectively won people's favor.

The *Sera* have been modifying to meet the changing socio-economic and political conditions. For instance, money is now the principal medium of trade. The imposition of taxes by the government administration has made its acquisition a universal necessity. Due to such changes customary fines now changed to be paid not in kind as in the past but in money. For example, for murder cases *guma* (blood-price) is now changed from payment in cattle to money, ranging from 7000 to 15000 birr.

The present status of the traditional courts often differs in many ways from that of what it was a century ago. According to most of my informants, the transformation is due chiefly to large-scale migration of the people out of Kistane-land, the process of urbanization, and the spread of 'modernization'. These factors brought several interrelated problems for the Kistane. Currently, in Kistane-land there are several return migrants who were unsuccessful in the urban areas. In most cases these people and other youngsters with urban exposure are busy of consumerism,

alcoholism and gambling. These problems according to my elderly informants could be seen as the most serious challenges for the *Kistane Sera*. In my short stay as participant observer in Kistane-land, I saw several adults engaged in drinking *tella* and playing games for money that could lead to failure to fulfill their major work and home responsibilities. Alcoholism and gambling could also exacerbate ones relationship with others, which could aggravate conflict among the people.

Incidentally, the declining feature of people's loyalty to their custom due to the expansion of modern education and the latest development of new personality makes the traditional institution with minimum offices and minimum sanctions unable to manage conflicts properly. On the contrary, the government modern judiciary institutions have the advantage of coercive forces and variety of enforcing mechanisms.

6.2. Codification of the *Sera*

Customary laws of more than 80 different ethnic groups in Ethiopian have been the major source of law since antiquates. According to Abbera (1998) customary laws were used for criminal cases side by side with *fetha negest* until the enactment of the first penal code of 1930, and for civil matters until the promulgation of the civil code in 1960. However, article 3347 (1) of the civil code limits customs saying "unless otherwise expressing provided all rules whether written or customary previously in force concerning matters provided for in this code shall be replaced by this code and are hereby repealed". In spite of this repeal act, customary laws continue to be the major source of law in most parts of Ethiopia. For instance Dejene (2002: 58-59) documented how government legal courts and state bureaucracy unable to penetrate amongst the Weliso Oromo. However, he further noted, due to the increasing influence of the state the traditional Oromo legal system have been showing changes.

Even after the enactment of the repeal provision of article 3347 (1) of the civil code of 1960, the operation of customary laws were not entirely debarred. According to Verhelst (1968:14) it remains applicable through the outright integration of a rule of customary law. The writer gives a number of examples from the code in relation to person and family law, in property law and in extra contractual liability law.

According to Rani David, the drafter of the civil code, as cited in Verhelst (1968:24) "Custom were vague and contradictory and, worst of all, they constituted an obstacle to the necessary transformation of society". Thus, he preferred the Western model of legal system and institutions as a pillar for the Ethiopian code. However, in the prefatory note to the civil code (1960, v-vii), emperor Haile-Selassie I claimed that "the code is in harmony with the custom as well as with the needs of the Ethiopian people".

All the three régimes of Ethiopia gave the people constitutional right to govern themselves in accordance with their custom. For instance the existing EPRDF constitution says:

This constitution shall not preclude the adjudication of disputes relating to personal and family laws in accordance with religious or customary laws, with the consent of the parties to the dispute. Particulars shall be determined by law. (FDRE Constitution December, 1994: Article 34/5).

According to Abbera (1998:40), customary laws in Ethiopian are largely unwritten and unknown by the majority of the people. But, currently the Kistane *Sera* witnessed an important transformation in its history. That is, the process of codification of the *Sera*. The process, as my rural informants indicated was initiated due to the increasing number of transgressions of law and the people's negligence towards the *Sera*. Elders of Bue'e and its surrounding *Kebele's* undertook the project of codification of the traditional law. As was indicated in Bahru (2002) there was similar process of codification of the *Sera* in Addis Ababa. The urban project was made under the auspices of a political party called SGPDO (Soddo-Gordena People's Democratic Organization). The process takes over 10 years of study which involves according to informants the participation of rural elders and members of the urban elites, particularly professional lawyers' urban intellectuals, civil servants, big businessmen and so on. Since the urban process of codification of the *Sera* elaborately indicated in Bahru (2002), I am only concerned on the process of codification of the *Sera* in the rural Kristine land.

The codification under the rural project, according to my informants was initiated due to the rising number of misdemeanor and the growing negligence of the people towards their custom as a result of 'modernization'. Elders of Bue'e and its surrounding PAs embarked on the project of codification of the traditional law. At the initial stage of the project the government actively participated and encourages the project.

In 2000, the rural elders successfully documented the customary law. In its introductory part, the document explicitly used the term 'modernization' to refer the codification process. It also indicates the applicability of the *Sera* in line with the government legal codes and procedures. It also states the need of the customary practice to regulate peace and stability in the rural Kristine-land.

The document has got 25 articles that can be broadly classified in to 6 categories. These are *shengo* meeting procedures; rules in relation to marriage and wedding ceremony; family and inter-personal relationship; harmful traditional practices; customary rules and regulation in criminal matters such as theft; and natural resource management.

As noted above, the Kistane *Sera* exhibiting changes, which can be seen in the codified law with regards to traditional fine and compensation for transgression of law. The codified *Sera* states the need to bring the customary law in line with the state code and the modern idea of women's right by rejecting early marriage, huge amount of bride wealth payment, nail cutting, taking of *kosso* and 3 days of fasting on the side of the bride etc . . . The code also banned extreme wedding feast considering as harmful practice which drained resources and cause rural poverty.

The code identified several activities, which reduced agricultural production. Accordingly, these are extreme use of taking of *tella* (local beer) and home made liquor, and gambling, which is mainly practiced by the most productive groups like youngsters. In the code natural resource management has got special place. The code strictly prohibited participating in cutting of trees and plantation of eucalyptus trees considering it as a threat to the natural ecology.

Most informants prefer the traditional *Sera* than the government's courts for both criminal and civil cases. According to these informants, government courts are costly in terms of time and money in comparison with the traditional system. Kistane traditional courts serve the people with minimum expenditure. Both the injured party and the defendant need no transportation expenses to go to the *Woreda* administrative centers as in the government courts and there is no need to pay for cases for adjudication. The informants added that, time is another significant factor for their preference towards the traditional system than government courts. Government courts need much time to resolve disputes. Some times simple cases would take years, on the other hand

traditional courts relatively take few months to resolve such matters. The other most important factor is corruption. Government courts are known by their huge involvement in bribery. Corruptions are barely known among the traditional courts as in its modern meaning.

Traditional courts are more effective and efficient than the government courts in their mechanism in resolving peace after disputes and in reducing tensions. For instance the system of ritual of reconciliation (*guda*) as noted in chapter four is an effective mechanism to mingle the disputing parties in one and resolve conflict and keep away from vengeance. Traditional mechanisms are important to reveal truth through the ritual oath of innocence. Cases without witness can be investigated through the oath. Such cases are difficult in government courts. These two mechanisms are also prevalent in most ethnic groups of east African. For instance as indicated in the literatures Bassi's (1992) study on the Borena of Northern Kenya and Dejene's (2002) study on the Weliso Oromo of south west Shewa are good examples.

Certain groups of rural informants commented that some active participant elders in the *Sera* judgment are dishonest and engaged in fraud by receiving provision of alcoholic drink as reward for misjudgment. They further said that, the codified law undermined the bases of the basic principles of Kistane legal tradition. In this regards they noted the newly codified *Sera* disregards the notion of *Tur* and *Berche*. The new development also overlooks collective responsibility in times of compensation payment, as in times of *guma* payment. Above all these weaknesses, the codified *Sera* were not implemented in all Kristine-land.

In early 2004, the government prohibited the codified *Sera* and traditional *shengo*. Officials from the *Woreda* Administrative council suggested that it is difficult to hold two different legal systems in one locality. They further noted that, elders who are actively participating in the customary law suit are biased and not in the position to treat cases fairly. Besides as the head of Soddo *Woreda* Social Affairs Co-Ordination Office boastful say, "custom has no place in Ethiopia". He further noted as a result of thorough examination of their weakness through criticism and self-criticism during the 2003-reform program of the ruling EPRDF at the *Woreda* investigated the practice of customary law as a threat to the government. He looked the newly strengthened *Kebele* structure and the formation *nehus Kebele* (sub-*Kebele*) and *got* (village) as the best 'modern way of governance'.

Chapter Seven

Summary and Conclusion

As noted in the literature, with the advent of colonialism, the African traditional systems of local governance were systematically weakened, and the relationship between traditional local political institutions and the people was gradually declining. The epoch not only deprived the people their culture but also their land and property. Menelik II made a comparable process with the European colonialism in Ethiopia. On the basis of medieval history, the king successfully incorporated most parts of the south, west and east parts of the modern Ethiopian state.

Menelik's incorporation of most parts of the present day Ethiopia was followed by political centralization process. The process affected most societies in the newly incorporated areas. Traditional local political systems like the *Gada* and *Sera* that are found elsewhere in the south amid the Cushitic, Omotic and Semitic people of Ethiopia were systematically undermined.

After Menelik's peaceful incorporation of Kistane-land in 1875-76, the fate of Kistane political system, *ye-Gordena Sera*, was not different from that of the incorporated areas of the country. My study shows that *ye-Gordena Sera* did not have fixed period of time for which its immemorial antiquity started. This study shows that the *Sera* was started after a conference was held at a place surrounded by strawberry tree (*enjera*), hence, the *Enjery* convention is popular among the Kistane. Before *Enjery* convention, the Kistane were in state of hostility with each other. They were also involved in feud with the neighboring groups. Such external and internal conflicts forced the people to formulate a common front and a system of local government called *Gordena*. The word *Gordena* signifies the unity and integrity of the people. Under the system, all Kistane lineages and *agers* were ruled according to the norms and codes of conducts locally known as *ye-Kistane Sera*.

Since the inception of *ye-Enjery* convention and the introduction of system of local governance, *ye-Gordena Sera*, the Kistane society maintained and perpetuated for centuries showing some changes in the absence of formal "Western" type of political institutions as present in the modern state system. The practice continued to exist until the incorporation of Kistane-land in to the Ethiopian state. One of the positive modality the incorporation conveys to the people was peace.

Before the event, Kistane were in state of conflict and war with the surrounding society, such as the Oromo, Meskan and Mareqo. This hostile state was halted and the territorial and political boundaries of the people were drawn.

However, incorporation has brought the imposition of Menelik II generals as the new administrators of Kistane-land. This alien rule has significant impact on the traditional system of governance. The Kistane political system resembles what anthropologists prefer to call 'segmentary' type, with elders' councils (*shengo*) at the apex of the system. The system has title offices and other institutions at various levels. But, with the incorporation all these institutions were weakened.

Elders' councils among the Kistane are customary courts where legal disputes are settled according to *ye-Gordena Sera*. The various levels of Kistane traditional councils or locality known as *shengo* are largely divided into territorial and kinship level. The smallest and the most important territorial council among the Kistane is *sabugnnt* (village) *shengo*. *Sabugnnts* are made up of socially and geographically defined contiguous households, each of which belongs to separate land-holding groups; the land is worked by the family which occupies it. Primary *sabugnnts* provides the community with social and economic support at times of birth, death, marriage, farming, house construction, land clearance, road and bridge construction and so on. Besides, *sabugnnts* have important role in conflict resolution and serves as a coordinating unit for local development endeavor.

Sabugnnt shengo convene monthly and meetings usually took place in a fixed place and time. The institution has elected chairman. He can be considered as the head of the village. As the lowest political territorial unit, *sabugnnts* have provided for Kistane judiciary services in resolving disputes among members. The second most important territorial level council among the Kistane is known as *ye-ager shengo* (parish council). There are about 22 *agers* that have their own autonomous customary courts, where legal disputes are settled according to *ye-Gardena Sera*. In principle *ye-ager shengo* decisions are binding on all Kistane living in a specific *ager Sera*. In principle *ye-ager shengo* decisions are binding on all Kistane living in a specific *ager* and backed by the *Sera* and a range of powerful sanctions. Meetings at various levels used traditional sanctions to enforce the ruling of the *Sera* against people who refuse the *Sera* rulings without satisfactory reasons. However, people who failed to accept the decisions of *shengo* are

liable of a range of sanctions. These traditional forms of sanctions are: *yeka*, *zebo*, ostracism and cursing. These are functional on infractions according to the strictness of the offences. People's obedience to the *Sera* is, therefore, underpinned by the range of powerful sanctions.

Shengo meetings usually attended by male heads of household and dominated by *senecha* (prominent elders). Unless directly involved in a case at all levels of *shengo* meetings women and marginalized caste-like groups like *Fuga* (carpenters), *Wokach* (smiths) and *Ejama* (tanners) rarely participate in a *shengo* meeting. In addition to settling dispute, *shengo* meetings provide a forum for elders to discuss community issues. Recently this becomes important especially in issues like development interventions.

Appeal courts are organized externally from an *ager* council. These courts are known as *gefefeche*. *Gefefeche* courts are impromptu committee organized for specific cases in other *ager* out of ones own *ager*. Cases in relation to homicide, blood feud and bodily injury or damage will take to *wemano* or *gutache* courts. Judges of *gutache Sera* are known in Kistane-land by their skill and knowledge in interpreting the Kistane customary law.

An *ager* is linked with other similar territorial units at Kistane level organization called *ye-Gordena shengo*. It is the general assembly of all Kistane male elders. The Kistane level *shengo* in the past used to meet at times of external attack by ethnic groups such as the Oromo, Mareqo and Meskan-Gurage. It also convened to revise the *Sera* laws and to promulgate new ones.

Beside this territorial segmentation, the people under the study also observe lineage segmentation. The Kistane society organized patrilineally, claiming one line of decent from the male founder of the lineage. There are four levels of patrilineal segments. These are maximal, major, minimal, and nuclear family. Maximal lineage or *tib*, constitute the whole agnatic decent groups. Founders of *tib* are actual men, not legendary ancestors; decedents of *tib* are identified as *abotold*. The sons of the *tib* founders formed major lineage or *kers* (belly). Below the major lineage there is minimal lineage structure or *ge'e* (house). At the lowest level of segmentation we can find the nuclear family. Social interaction within a lineage increases at the lowest level of segmentation.

In Kistane local governance patrilineal group council or *ye-abotold shengo* has important role. This *shengo* is the only *ye-Gordena Sera* structure organized on the bases of kinship ties. Cases, which brought at *ye-abotold shengo* in most cases, are issues of family, land, and matters, which require the solidarity of the whole lineage such as collection of contribution for damage inflated against another lineage. The *shengo* in the past had the power even to pass death penalty against notorious transgressors.

One of the major concerns of this study has been the inter-relationship between the political system and the cultural and socio-economic life of the people. The study shows that the *Sera* play's significant role in the social and cultural life of the people. In this study, therefore, I examined the relationship between the political system and other social systems within the wider Kistane social structure.

With the incorporation, changes in *ye-Gordena Sera* have been taking place. The *Sera* lost its power as the highest institution of governance. However, the declining role of the *Sera* as the highest political institution among the Kistane did not lead to the complete breakdown of the whole system. The *Sera* has continued to exist throughout the three Ethiopian modern regimes, despite challenges incurred by the state through modern type of government bureaucracy and modern judiciary.

With the incorporation the Kistane enjoy greater degree of peace and stability. Inter-ethnic war between the neighboring groups came to an end. The process also provided the introduction of monetary economy, which helped Kistane to expand trade beyond Kistane-land. On the contrary the incorporation brought the imposition of institutions such as new forms of judiciary system and a new administrative bureaucracy. The process also brought ruthless economic expropriation due to the measures introduced by the feudal regime.

The incorporation and subsequent introduction of new modern government system highly endangered Kistane traditional local polity. The *Sera* has lost its independent control over its internal and external affair. This process was especially more and more intensified during the reign of Haile-Selassie (1930-1974) and to the military régime (1974-1991) through centralization process of the state bureaucracy. More than any other régimes, during the *Dergue*

the *Sera* severely weekend. The *Dergue* régime was overthrown by EPRDF, who follows a system of federalism based on ethnicity.

In all the three régimes in Kistane-land two legal systems existed; the government judiciary system at various levels of the state structure and the traditional institution based on *ye-Gordena Sera* as the bases of their adjudication. Traditional courts enjoy the majority of civil cases such as land tenure, inheritance and matrimonial cases. The study shows that traditional courts also involved in adjudicating criminal cases ranging from burglary to murder. However, with the expansion of 'modernization' people's loyalty and preference to their customary law seen better days. This does not mean the government courts won the people's favor. So many people still prefer the traditional courts due to its effectiveness and efficiency in resolving disputes and in maintaining and reducing tension as in the *Gada* system among the Borena of north Kenya (Bassi, 1992) and Weliso Oromo of south west Shewa (Dejene, 2002).

The current status of the traditional courts often differs in many ways from that of what it was in the past due to large-scale migration of the people out of Kistane-land, the process of urbanization, and the spread of 'modernization'. These factors brought several interrelated problems for the Kistane, such as, consumerism, alcoholism and gambling. These problems could be seen as the most serious challenges for the Kistane *Sera*. The declining feature of people's loyalty to their custom due to the expansion of modern education and the latest development of new personality makes the traditional institution with minimum offices and minimum sanctions unable to manage conflicts properly. On the contrary, the government modern judiciary institutions have the advantage of coercive forces and variety of enforcing mechanisms. Owing to such reasons people especially for criminal cases began to prefer the government courts for adjudication.

Recently the Kistane *Sera* witnessed a significant change in its long history, to be precise, codification of the customary law. Due to an increasing number of transgression and people's negligence towards their custom, elders decided to codify the custom. We can see the Kistane *Sera* changing pattern in the codified law. The change is mainly directed towards matrimonial issues and modern ideas of gender equality. In the codified *Sera* the majority of the articles are

linked to cases in relation to marriage and wedding ceremony. The code also gives emphasis to prevention of harmful traditional practices and natural resource management.

To conclude, the Kistane traditional political system, as noted elsewhere, underwent several changes especially after incorporation. However, the system continues to play major role in the social, cultural and economic life of the people. As there cannot be total change or neat continuity, the Kistane *Sera* continued relevance differs between different fields of Kistane social life. The study shows that the *Sera* plays strong role in judiciary practices in clear continuity with the past. *Sera's* involvement in 'modern' development project is a new function that shows changing role of the institution.

At this junction, it is worth to mention the relevance of the processual approach in anthropology. As indicated in the literature part, the approach is relevant in explaining transformation and continuity of the Kistane wider political system in it's time immemorial history. My investigation showed that, the *Sera* has been transforming itself to adopt the changing situations.

BIBLIOGRAPHY

- Aadland, Oyvind. (2002). "Sera: Traditionalism or Living Democratic Values? A Case Study of the Sidama in Southern Ethiopian". In: Bahru Zewde and Siegfried Pausewang (ed.), *Ethiopian: The Challenge of Democracy from Below*. Uppsala: Nordic African Institute
- Abeles, Marc. (1981). "In Search of the Monarch: Introduction to the State among the Gamo of Ethiopia". In: Donald Crummy and C.C Stewart (eds), *Modes of Production in Africa: The Pre-Colonial Era*. London.
- Aberra Jambara. (1998). *Legal History of Ethiopia 1434-1974: Some Aspects of Substantive and Procedural Laws*. Rotterdam: Erasmus Universities.
- Amare Kasa. (1985). "The Kistane Community of Addis Ketema". A Senior Essay. Department of History Addis Ababa University.
- Asemerom Legesse. (1973). *Gada: Three Approaches to the Study of African Society*. New York: Free Press.
- Avruch, Kevin. (1998). "Conflict Resolution": In *Encyclopedia of the Cultural Anthropology* V.1
- Bahru Zewde. (1972). "The Aymalal Gurage in the 19th Century: A Political History". In: *Tansafrika Journal of History*.
- Bahru Zewde. (1991). *A History of Modern Ethiopia, 1855-1974*. London: James Currey.
- Bahru Zewde. (2002). "Systems of Local Governance among the Gurage: The *Ye-Joka Qicha* and *Ye-Gordena Sera*". In: Bahru Zewde and Siegfried Pausewang (eds) *Ethiopian: The Challenge of Democracy from Below*. Uppsala: Nordic African Institute.
- Bahru Zewde. (2002). "Introduction". In: Bahru Zewde and Siegfried Pausewang (ed.), *Ethiopian: The Challenge of Democracy from Below*. Uppsala: Nordic African Institute.
- Bailey, F. (1963). *Politics and Social Change*. Berkeley: University of California Press
- Baker, J. (1972). "The Gurage of Ethiopia: Rural-Urban Interaction and Entrepreneurship". In: Baker, J. and P. Pedersen (eds.). *The Rural-Urban Interface in Africa*. Uppsala: Scandinavian Institute of African Studies.
- Barth, F. (1969). *Ethnic Groups and Boundaries: The Social Organization of Cultural Differences*. London: Allen Unwin.

- Bascom, William and Melville. (1959). *Continuity and Change in African Cultures*. Chicago: CUP.
- Bassi, Marco. (1992). "Institutional Forgiveness in Borena Assemblies". In: Ahemed Zekaria et al (eds.) *Sociology Ethnology Bulletin*, Volume 1, No. 2, March 1992 pp. 50-54.
- Bassi, Marco. (1996). "Power's Ambiguity, or the Political Significance of Gada". In: Baxter et al. (eds) *Being and Becoming Oromo*, Uppsala: Nordiska Afrikainstitutet.
- Baxter, P. T. W. (1977). "Boren Age-Sets and Warfare". In: Fukui, Katsuyoshi and David Turtun (eds.). *Warfare among East African Headers*. Osaka: National Museum of Ethnology.
- Baxter, P.T.W and Uri Almagor. (1978). "Introduction". In: Baxter, P.T.W. and Uri Almagor (eds.). *Age Generation and Time*. London: C. Hurst and Company.
- Blackhurst, Hector. (1978). "Continuity and Change in the Shoa Galla [Oromo] Gada system". In: Baxter, P.T.W. and Uri Almagor (eds.). *Age Generation and Time*. London: C. Hurst and Company.
- Bohannon, Paul and Laura Bohannon. (1968). *Tiv Economy*. London.
- Bohannon, Laura. (1958). "Political Aspects of Tiv Social Organization". In: Middleton, John and David Tait (ed.) *Tribes without rulers*. London.
- BoPED. (2000). *S.N.N.P.R.G. Department of Planning Economic Development*. Awassa
- Clapham, Christopher. (1969). *Haile Selassie's Government*. London: Longman.
- Clapham, Christopher. (1988). *Transformation and Continuity in Revolutionary Ethiopia*. Cambridge: Cambridge University Press.
- Cohen, Abner. (1969). "Political Anthropology: The Analysis of the Symbolism of Power Relation". In: *Man* Vol. 4 no 2 PP.215-235.
- Cohen, Ronald and John Middleton. (1967). *Comparative Political Systems: Studies in the Politics of the Pre-Industrial Societies*. New York: The Natural History Press.
- Cohen, Ronald. (1978). "Ethnicity: Problem and Focus in Anthropology". In: *Annual Review of Anthropology*. Volume 7. Palo Alto: Annual Reviews Inc.
- Colson, Elizabeth. (1968). "Political Anthropology: The Field". In: *International Encyclopedia of the Social Sciences*. Vol. 11. New York: The Macmillan Company.
- Coser, Lewis. (1968). "Conflict: 'Social Aspects' ". In: *International Encyclopedia of the Social Sciences*: Vol. 11. New York: The Macmillan Company.

- Coser, Lewis. (1968). *The Functions of Social Conflict*. Glencoe, Ill: Free Press.
- Dejene Gemechu. (2002). "Some Aspects of Conflict and Conflict Resolution among Weliso Oromo of Eastern Mecha, With Particular Emphasis on the guma." Unpublished M.A. Thesis in Social Anthropology. AAU.
- Denberu Alemu. (1999). *Gogot: Ye-Gurage Hizeb Tarik*. Wolkite: Gurage Zone Department of Culture and Information.
- Dinsa Lepisa Aba Jobir. (1975). "The *Gada* System of Government and *Sera Caffé* Oromo". Unpublished LLB Thesis, AAU.
- Empire of Ethiopia. (1960). "Civil Code of Ethiopia". In: *Negarit Gazeta: Extraordinary Issue* No.165. Addis Ababa: Berhannasalam Printing Press.
- Empire of Ethiopia. (1965). "Civil Procedure Code of Ethiopia". In: *Negarit Gazeta* 24th year Extraordinary Issue No.1. Addis Ababa
- Evans-Pritchard, E.E. (1940a). "The Nuer of the Southern Sudan". In: Meyer Fortes and E.E. Evens Pritchard (eds.), *African Political Systems*. London: Oxford University Press.
- Evans-Pritchard, E.E. (1940b). *The Nuer: A Description of the Modes of Livelihood and Political Institutions of the Nilotic people*. Oxford: Claridon.
- Federal Democratic Republic of Ethiopia, Office of the Population and Housing Census Commission, Central Statistical Authority. (1998). *The 1994 Populations and Housing Census of Ethiopia: Results at Country Level, Vol. I Statistical Report; Results for Each Region*.
- Federal Democratic Republic of Ethiopia. (1994). *Constitution*. ratified by the National Constituent Assembly. 8 December 1994.
- Fekadu Gedamu. (1966). "The Social and Cultural Foundations of Gurage Associations". In: *Proceedings of Third International Conference of Ethiopian Studies*.
- Fekadu Gedamu. (1972). "Ethnic Association in Ethiopia and the Maintenance of Urban / Rural Relationship, With Special Reference to the Alemgona—Wolamo Road Constriction Association." Theses Submitted to the Degree of Doctor of Philosophy in the University of London.
- Fekadu Gedamu. (1986). "Traditional Local Setting of the Kistane (Soddo) in Central Ethiopia". In: *Padieuma* 32
- Femi, Ade-Ojo. (1989). *On Black Culture*. Ile-Ife :O.A.J.P.L.

- Fortes, M. and Evans-Pritchard. (1940). "Introduction". In: Meyer Fortes and E.E. Evens Pritchard (eds.), *African Political Systems*. London: Oxford University Press.
- Fortes, Meyer. (1940). "The Political Systems of the Talensi of the Northern Territories of the Gold Coast". In: Meyer Fortes and E.E. Evens Pritchard (eds.), *African Political Systems*. London: Oxford University Press.
- Getnet Bekele. (1992). "Ecology and Society, The Dynamics of Social and Economic Development in Gurage History 1889-1984". M.A Thesis, Department of History, AAU.
- Getnet Bekele. (1994). "The State Market and Ethnic Groups: Migration and Rural – Urban Integration in Gurage History". In: 12th *International Conference of Ethiopian Studies*. East Lansing: Michigan State University. Vol. 1 p.709-722.
- Gluckman, Max. (1940). "The Kingdom of the Zulu of South Africa". In: Meyer Fortes and E.E. Evens Pritchard (eds.), *African Political Systems*. London: Oxford University Press.
- Gluckman, Max. (1955). *Customs and conflict in Africa*. Oxford: Basil Black well.
- Gluckman, Max. (1955). *The Judicial Process among the Barotse of Northern Rhodesia*. London: Manchester University Press.
- Gluckman, Max. (1960). *Order and Rebellion in Tribal African*. Glencoe, Ill: Free Press.
- Goldenberg, Gideon. (1983). "Northern Gurage-Land About 1880 According to Gurage Oral Tradition". In: *L' Africa a Tempi di Daniel Comboni*. Roma: Istituto Italo-Africano.
- Gulliver, P.H. (1936). *Social Control in an African Society: A study of the Arusha, Agricultural Masai of Northern Tanganyika*. London.
- Hallpike, C.R. (1972). *The Konso of Ethiopia*. Oxford: Clarendon Press.
- Hamer, John. (1980). "Preference, Principle, and precedent: Dispute Settlement and Changing Norms in Sidamo Associations". In: *Ethnology* Vol. XIX No. 1 pp. 89-109
- Henry, Leroi. (2001). "Doing Development and Being Gurage". Ph.D Thesis Submitted to Open University
- Hetzon, Robert and Marvin L. Bender. (1976). "The Ethio –Semitic Languages". In: M.L Bender et al (eds.), *Languages in Ethiopia*. London: Oxford University Press.
- Hinnant, John. (1977). "The *Gada* System of the Guji of Southern Ethiopia". A Ph. D. Dissertation Submitted to Faculty of Social Sciences. Chicago; Illinois.
- Isenberg, C.W., and Krapf, J.L. (1843). *Journals*. London (reprinted, 1968).

- Kelemwork Tafere. (2000). "Indigenous Institutions of Conflict Resolution among the Ab'ala Afar North Eastern Ethiopia". M.A. Thesis in Social Anthropology. AAU.
- Kertzner, David. (1988). *Ritual, Politics, and power*. New Haven: Yale University press.
- Kurimoto, Eisei and Simonse, Simon, (1998) "Introduction". In: Kurimoto, Eisei & Simonse, Simon (eds.), *Conflict, Age & Power in North East Africa*. London: James Currey.
- Label, P. (1974). "Oral Tradition and Chronicles on Gurage Immigration". In: *Journal of Ethiopian Studies*. Vol.12, no.2
- Leach, Edmund. (1954). *Political Systems of Highland Burma*. Boston: Beacon Press.
- Leslau, Wolf. (1945). "The Influence of Cushitic on the Semitic Languages of Ethiopia". In: *Word*. I pp 59-82.
- Leslau, Wolf. (1950), "Ethiopic Documents- Gurage". In: *Viking Fund Publications in Anthropology*. New York.
- Leslau, Wolf. (1992). *Gurage Studies*. Wiesbaden: Otto Harrassowitz.
- Lewellen, Ted C. (1983). *Political Anthropology: An Introduction*. New York: Bergin and Garvey.
- Lewis, I. M. (1961). *A Pastoral Democracy*. London: Oxford University Press.
- Lloyd, Peter. (1967). "The Traditional Political System of the Coruba". In: Cohen, Ronald and John Middleton (eds), *Comparative Political Systems: Studies in the Politics of the Pre-Industrial Societies*. New York: The Natural History Press.
- Mair, L. (1962). *Primitive Government*. London: Penguin.
- Makec, Jone. (1988). *The Customary Law of the Dinka People of Sudan: In Comparison With Aspects of Western and Islamic Law*. London: CPH Printing Ltd.
- Mamdani, Mahmood. (1996). *Citizen and Subject: Contemporary African and the Legacy of Late Colonialism*. Princeton: Princeton University Press.
- Markakis, John and Nega Ayele. (1978). *Class and Revolution in Ethiopia*. Nottingham.
- Markakis, John. (1974). *Ethiopia, Anatomy of a Traditional Polity*. Addis Ababa: Oxford University Press.
- Markakis, John. (1998). "The Politics of Identity: The Case of Gurage in Ethiopian". In: Salih, M and J. Markkis (eds.). *Ethnicity and State in Eastern Africa*. Uppsala: Nordiska Afrikainstitute.


- Markakis, John. (2000). *Ethnicity in Political Mobilisation, Conflict Resolution, and State Organisation in Ethiopia*. Report for the Netherlands Organization for International Development Co-operation, den Haag, and the Inter-Africa Group, Addis Ababa.
- Marshall, Lorna. (1967). "The Kung Bushmen Bands". In: Cohen, Ronald and John Middleton. *Comparative Political Systems: Studies in the Politics of the Pre-industrial Societies*. New York: The Natural History Press.
- Middleton, John, and David Tate . (1958). *Tribes Without Rulers*. London: Rutledge and Kegan Paul.
- Nader, Laura. (1969). "Conflict: Anthropological Aspects". In: *International Encyclopedia of the Social Sciences*. Vol.11. New York: The Macmillan Company.
- Nwonunbi, Onyeke. (1992). *African Social Institutions* .Lusaka: University of Nigeria.
- Pankhurst, Richard. (1968). *Economic History of Ethiopia 1800-1935*. Addis Ababa: Haile-Sellasse I University.
- Sahlins, Marshall. (1967). "The Segmentary Lineage: An Organization of Predatory Expansion". In: Cohen, Ronald and John Middleton. (eds.). *Comparative Political Systems: Studies in the Politics of the Pre-industrial Societies*. New York: The Natural History Press.
- Sahlins, Marshall. (1969). "The Segmentary Lineage and Predatory Expansion". In: *American Anthropologist*. 63: PP. 332-45
- Schlee, Günther. (1998). "Gada Systems on the Meta-Ethnic Level: Gabbra/Boran/Garre Interactions in the Kenyan/Ethiopian Borderlands". In: Kurimoto & Simonse (eds) *Conflict, Age & Power in North East Africa*. Oxford: James Currey.
- Seymour-Smith, Charlotte. (1986). *Macmillan Dictionary of Anthropology*. London: Macmillan.
- Shack, W.A. (1964). "Notes on Occupational Castes among the Gurage of South-West Ethiopian". In: *man*. March-April 1964 pp 50-52.
- Shack, W.A. (1966). *The Gurage: A People of Enset Culture*. London: Oxford University press for the International African Institute.
- Shack, W.A. (1967). "On Gurage Judicial Structure and African Political Theory". In: *Journal of Ethiopian Studies*. Addis Ababa. V(2):89-101.
- Shack, W.A. (1968). "Guilt and Innocence: Problem and Method in the Gurage Judicial system". In: M. Gluckman (ed.), *Ideas and Procedures in African Customary Law*. pp, 153-168. London: O.U.P.

- Shack, W.A. (1976). "Guilt and Innocence: Oathing, Evidence and the Judicial Process among the Gurage". In: *Journal of African Studies*. 3: 297-309.
- Shack, W.A. (1979). "Sacred and Secular Leadership". In: Shack, W.A. and Cohen, Percy. S. (eds.). *Politics in Leadership*. Oxford: Calderon Press.
- Shack, William. (1977). "On *Deus Otiosus*: In Gurage Religious Traditions after the Accession of Menelik II". In: *Proceedings of the 5th International Conference of Ethiopian Studies*. Nice, December, 1977. pp 491-498.
- Shack, William. (1984). "Gurage". In: Weekes, Richard (ed.). *Muslim Peoples: A World Ethnographic Survey*. West Port: Greenwood Press.
- Shack, William. (1996). "The Good of Justice in Gurage Myth". In: *Essays on Gurage Language and Culture: Dedicated to Wolf Leslaw on the Occasion of his 90th Birthday*. Wiesbaden: Harrassowitz.
- SHEMELES BONSÁ. (1997). "Migration, Urbanization, and Urban Labor Undertakings: A Case of Kistane Gurage of Addis Ababa". M.A. Thesis, Department of History, A.A.U.
- Singer, Norman. (1977). "The Relevance of Traditional Legal Systems to Modernization and Reform: A Consideration of Cambata Legal Structure". In: *Proceedings of the 5th International Conference of Ethiopian Studies*. Nice, December 1977.
- SMITH, M.G. (1968). "Political Anthropology: Political Organization". In: *International Encyclopedia of the Social Sciences*. Vol. 11, New York: the Macmillan Company.
- SODDO GORDENA SEBÁBE DEMOCRACIÁWI TEKELÁLOCH (1986), *Ye-Kistane Gurage Emet Tarik*. Addis Ababa. (In Kistanegna)
- SOUTHALL, A.W. (1953). *Alur Society*. Cambridge: Cambridge University Press
- SWARTZ, M., TURNER, V.W., TUDEN, A. (1966). *Political Anthropology*. Chicago: Aldine
- TADDESSE BERISSO. (1988). "Traditional warfare Among the Guji of Southern Ethiopia". Unpublished M.A. Thesis Michigan State University.
- TADDESSE TAMRAT. (1972). *Church and State in Ethiopia, 1270-1527*. Oxford: Clarendon Press.
- TADDESSE TAMRAT. (1977). "Ethiopia, the Red Sea and the Horn". In: Roland Oliver (ed.) *the Cambridge History of Africa*. Vol. 3. Cambridge: O.U.P.
- TEDETCHA GOLOLCHA. (1988). "The Politico-Legal System of the Guji Oromo". Unpublished LLB Thesis, A.A.U.
- TRIMINGHAM, SPENCER. (1965[1952]). *Islam in Ethiopia*. London: Frank Cass & Co. Ltd.

- Turner, V. W. (1957). *Schism and Continuity in an African Society: A Study of Ndembu Village Life*. Manchester: Manchester University Press.
- Ullendorff, Edward. (1955). *Semitic Languages of Ethiopia*. London: Taylor's Foreign Press.
- Verhelst, Thierry. (1968). *Safeguarding African Customary Law: Judicial and Legislative Processes for its Adaptation and Integration*. African Studies Center. Occasional Paper. No.7. Los Angeles: California University Press.
- Vincent, Joan. (1978). "Political Anthropology: Manipulative Strategies". In: *Annual Review of Anthropology*. Volume 7. Palo Alto: Annual Reviews Inc.
- Vincent, Joan. (1990). *Anthropology and Politics: Visions Traditions and Trends*. Arizona: The University of Arizona Press.
- White Paper Process on Traditional Leadership. (2000). "A Daft Discussion Document Towards a White Paper on Traditional Leadership and Institutions". In: <http://www.polity.org.za/html/govdocs/discuss/draft-traditional1.html?Rebookmark=1>
- Worku Nida, (1995). "The Impact of Urban Migration on Village Life". Unpublished MA Thesis in Anthropology.
- Yacob Arsano. (2002). "Seera: A Traditional Institution of Kembata". In: Bahru Zewde and Siegfried Pausewang (eds.), *Ethiopian: The Challenge of Democracy from Below*. Uppsala: Nordic African Institute.
- Ye-Gordena Shengo Wogetege. (1886). *Ye-Gordena Shengo*. Addis Ababa. (In Kistaneḡna.)

Declaration

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

Name-----Lalegisa Tadesse
Signature-----

AAU, June 2005