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THE CAUSES AND CONSEQUENCES OF CONFLICTS
AMONG THE NUER CLANS IN GAMBELLA

BY: LAM GANY DENG

ADVISOR: MEHERET AYENEW (Ph.D)

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Candidate: Lam Gany Deng

Approved by the Board of examiners Signature Date

Chair Person

Dr. Sirlaxmi Shanmugham

Amilawui

Dec 05. 2007.

Advisor

Meheret Ayenech Mihret Ayen

Dec 05/2007

Internal Examiner

Gebremeskel

Dec 5/2007

External Examine

Patrick Chanie

Jan

Dec 05/2007



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DEFINITIONS OF TERMS

Ethnic Group: *Relating to races or large group of people classified according to common traits language and customs*

Tribe: *A social comprising numerous families, clans, or generations*

Clan: *A number of households whose heads claim descendant from a common ancestor*

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LIST OF ACRONOMS AND ABBREVIATIONS

CSA:	Central Statistic Authority
GPNRS:	Gambella Peoples' National Regional State
GPED:	Gambella Bureau of Planning and Economic Development
GOSS:	Government of Southern Sudan
SPLA:	Sudan People Liberation Army
SPLM:	Sudan People Liberation Movement
SNNPRS:	Southern Nations Nationalities and Peoples' Regional State
NCCPD	Nuer Council of Churches for Peace and Development
NGOS;	Non Governmental organizations
ACORD:	Agency Cooperation for Research in Development
MSF:	Medicine San frontier
UNICEF:	United Nations Children's Education Fund
PACT:	PACT International
HEKS:	The HEKS International

ABSTRACT

This thesis is an initiative to explain the Nuer violent intra clans' conflicts in Gambella. The core objectives have been put forward as to locate the main causes of prevailed conflicts among Jikany Nuer in Gambella. Correspondingly, under this thesis seeking imposed consequences and ways to resolve conflicts in relation to Nuer way of life were being made use of. In Nuer land, such conflicts acutely shocked the life of those innocent minorities like women and children; disabled and physically impaired persons and other related victims.

Moreover, the circumstances of intra-clans' group conflicts among the Nuer became a draw back for efficient provision of government services in these particular localities. Those localities were over whelmed by the state of conflicts in Nuer land. Similarly, the Nuer intra-clans' conflicts involved major influential factors. And therefore, the thesis primarily aimed at assessing the main causes and consequences of intra-Nuer conflicts equally with those factors sought to have increased the state of hostilities among the Nuer ethnic group in Gambella.

CHAPTER ONE

INTRODUCTION

1.1 Background

Conflict ranges among nations, social groups and even the wars waged in the name of national liberation fronts are some of the manifestations of this truth (Galtung, 1990). Similarly, Horowitz, (1985) recorded that since the World War II different forms of conflicts have claimed more than ten million lives. He further noted that, even though the widely spreading conflicts are global in phenomenon, they are observed more in multi-ethnic countries. Like wise, (Levine; 1974, cited in Bezuneh, 2004) contented that Ethiopia is a multi-ethnic state where by over eighty different languages are spoken with in its borders. For this reason, the Nuer ethnic group as a part of the system has been also experiencing variety of intra-group conflicts.

This state of being is manifested from the fact that the Nuer are predominantly agro-pastoral people and had all their interests fixed on their herds. They live a wondering life in search of water and vegetation. Such a life nurtures qualities that enable the pastoralists to survive the hardship and the competition for scarce resources; such as cultivation land, pasture and grazing. And therefore, courage and skill in fighting are highly esteemed. Accordingly, one's status in a Nuer community is determined by the number of cattle he owns. Other than providing the means of lively hood, cattle is the sole means through which the Nuer pay dowry to get wives and also, to make other payments. In a society where cattle play such vital roles the desire to acquire more of them becomes an overriding concern (Shumet, 1986).

Evans-Pritchard (1940) remarked that, the Nuer fight on slight provocation and most willingly and frequently when a cow is at stake. This implies that, the economic and social value attached to owning cattle greatly influences the Nuer relationships among each others and also towards their neighbors. Further, the desire for the possession of cattle led the Nuer to Wage frequent warfare against neighboring people and it was also a source of strife among them selves. Further more, the Nuer community regards cattle stealing as laudable; justifying that, it gives rise to a chain of stealing and counter-stealing often leading to bloody conflicts even among members of the same

clan. Evans-Pritchard also continued by revealing that unsettled debts, no matter how old are claimed by the descendants of the creditors who in most instances take the law in to their own hands and drive away with their claim.

1.2 Description of the Study Area

Jikany Nuer in other wards eastern Nuer, like other indigenous inhabitants of Gambella both live both in Sudan and Ethiopia, sharing three major tribal categories on kin system basis. The Nuer tribal categories include the Gaajiok, Gaaguang and Gaajak tribes. There fore, this study is limited to Gaajiok, Gaaguang and Gaajak Nuer in Gambella.

Generally, the administrative system follows the tribal pattern with centers in each tribal area, and in some cases in each primary segment of a tribe. Nuer are agro-pastoralists that combine cattle keeping with cultivation of crops. During the rainy season roughly from May to November but, varying from year to year, they occupy higher ground which is better drained and comparatively free from flood (Howell, 19970).

According to (CSA, 1994) census, the total population of Nuer in Gambella was 64, 473, residents that makes 40 percents and holds the lion share of the regional total population. Moreover the recent population projection would be 90600 effective as of July 1, 2007 according to statistical abstract 2006, in which Akobo District holds a total population of 33,530 in an estimated area of 3,830.47 sq. km and in a similar manner, the Jikow District with 57,070 total population of residents in an area of 2,792.82 sq. km. This population estimate excludes the Nuer communities living in other districts in a mixture form with other Ethnic groups of the Gambella regional state.

1.3 Statement of the Problem

To cite a few of the recorded cases of conflict among the Nuer so far according to Shumet (1986), two men were killed in September 1950 in a fight between the Nuer living on the border between Akobo and Jikow districts. In 1952 a clash between the Nuer in Lare District left six dead and sixteen wounded and the Nuer of Lare District killed five men from their neighboring village that same year. A fight over land in Lare District in 1956 claimed the lives of thirteen men and twenty two men were wounded. Five men were killed in a fight over a girl in the same District in 1957.

Similarly, in the year 1956 the Ciengwaw and Ciengchany clans in Koatgar village in Nyinenyang District were frequently fighting over the land. And in January 7, 1960 the chief of Ciengchany clan forwarded a complaint to the government authorities that, his adversaries, the Cieng Waw clan were selling their cattle to Sudan in order to buy arms with in the aim of maintaining their supremacy in the conflict against his men (Shumet, 1986).

In 1960, a fight between the Nuer chief of Wanthoar District and the Nuer chief of Koatgar village in Jikow District resulted in the death of six men and the wounding of twelve. A similar incident was reported three years later. Sixty-two men were killed and ninety one wounded in a big fight over land between the Nuer chiefs in Jikow District in 1965. And in 1977 a report by local officials mentioned feuds between members of thirteen clans in the villages of kotgoar, Teluth and Jikow (Shumet, 1986).

Therefore, from September 1950 to 1977 one can see that, disputes among the Nuer clans claimed over 99 (ninety nine) lives and left over 141 (one hundred and forty one) fighters wounded in the past. Correspondingly, right after the fall of the military regime in 1991 to present, Nuer land has been exposed to consistent inter-group conflicts. The major ones are: Gaajiok against Gaaguang; Gaaguang in opposition to each others; Gaaguang versus Gaajak; and Gaajak against one another. Thus, the losses of human capital, material properties, and even the psychological anxiety of mind are considered to have been rampant as compared to that of 1950s and 1980s. This might have been to the fact that, the era of 1980s to present is being remarked by increasing modernization within the Nuer society. Generally, that might have facilitated easier acquisition of modern automatic weapons which in other cases might have increased the complexity of the sources of conflicts among the Nuer communities. Therefore, the thesis has been designed to have explored the following questions:

1. What were the major causes of conflicts among the Nuer clans in Gambella?
2. What were the consequences imposed by conflicts on the livelihood of the Nuer clans in Gambella?
3. What were the external factors responsible for the aggravation of conflicts among the Nuer clans in Gambella?
4. What were the traditional mechanisms used for intra-clan's conflicts resolution among the Nuer in Gambella?

1.4 Objectives of the Study

The core objective of this thesis is therefore, to assess the root causes and finding out the consequences of the existing hostilities within the Jikany Nuer communities in Gambella; where by the specific objectives of the study were the following:

- ❖ To critically assess and analyze the major causes of intra- disputes among the Nuer clans in Gambella.
- ❖ To analyze the effects of conflicts on the basis of economic and social life of the Nuer groups in Gambella.
- ❖ To critically asses the major influential factors for the escalation of Nuer clans' disputes in Gambella.
- ❖ To assess traditional conflict resolution mechanisms among the Nuer clans in Gambella; and suggest possible recommendations.

1.5 Selection of the Research Site

This research study was conducted in the Nuer land in Gambella region. The selection of the research site has been initiated by the researcher on the basis of convenience that, the researcher is one of the concerned ethnic identities. For this reason, considering the missing link of the Nuer clans' violent issue under academic discourse, the researcher has therefore developed courage and initiative to under take the research in Nuer conflict.

1.6 Methodology of the Study

The researcher explored and critically analyzed the tribal conflicts among the Nuer ethnic groups. Upon dealing with the problem, both primary and secondary data have been made use of. In order to find out the root causes of Nuer conflicts, seven focus group discussions comprising 420 participants have been conducted with those communities in focus. In similar manner, 15 participants were drawn from elder group's representatives and another 15 from youth group's representatives among all conflicting clans. Correspondingly, seven cases of conflicts exploring major clans' conflicts have been produced. In addition to, interviews aiming at the assessment of measures that have been put forward by the concerned local governments were assumed with 8 executives in four districts of Nuer communities. Data were also collected from government institutions, public libraries, churches and concerned non-governmental organizations.

1.7 Scope of the Study

This research study has been conducted in four Districts of the Nuer zone: Lare, Jikow, Wanthoar and Akobo Districts. The paper addressed the root causes of intra-clans' group conflicts among the Jikany Nuer tribes in Gambella. Specifically, the tribal conflicts between: (1) Gaajiok tribe opposed to Gaaguang tribe. (2) Gaaguang tribe in opposition to one another; which includes Ciengnyingier clan against Nyang clan. (3) Gaaguang tribe opposed to Gaajak tribe, putting forwards the case of Yang clan of Gaaguang tribe against Ciengkhan primary section of Gaajak tribe. (4) Gaajak tribe opposed to one another which consists of: Ciengnyajani clan versus Cieng Waw clan; Thiang clan opposed to Ciengchany clan; Thiang clan against Ciengnyajani clan; and Thiang clan in opposition to Ciengreng clan.

1.8 Limitations of the Study

Despite the fact that, the researcher had not faced any difficulty in language and culture to have obtained up to date information, however, as it has been stated earlier that, conflicts among the Nuer have never been studied academically so far. Therefore, it clearly indicates that there has been a shortage of related literature review in a printed pattern concerning the issue. Similarly, the issue under study is wider in volume; as a result the shortage of enough time was a constraint to this study.

1.9 Significance of the Study

So long so far, Nuer communities have been known for their intra-clan violent in Nuer land. However, the conflict phenomenon has never been brought to academic scene for systematic study. More over, there has been a huge loss of physical and human resources; loosened socio-economic ties of the communities; the growth of mistrust and hostility that has over shadowed the spirit of unity and at the same time has undermined the over all scope of development in the Nuer land. Therefore, this research will be reference to academicians, non-governmental organizations, civic societies, government sectors and the community at large.

1.10 Organization of the Study

The thesis is organized in four chapters: the first chapter is introductory part; addressing back ground of the study, statements of the problem, objectives of the study, research methodology and the related issues of the topic under study. The second chapter represents review of the related literatures. The third chapter consists of historical back ground; the profile of Gambella and the over view of the Nuer Livelihood in Gambella. Equally the fourth chapter is concerned with the conflict cases discussions and analysis. And the fifth chapter represents conclusions and recommendations to resolve Nuer disputes in Gambella.

CHAPTER TWO

REVIEW OF THE RELATED LITERATURE

2.1 Theoretical Concepts of Conflict

Over centuries conflict has been studied by several scholars, but more systematic study has been possible only in the twentieth centuries. Thus, theoretical controversies over conflict and its resolution took several years of study. According to (Dejene, 2002), conflict is considered as basic as culture in society, when it is possibly controlled and utilized for better cultural development and maintenance of social order.

Accordingly, the author refers conflict as a part of social life and in some instances actors learn from their mistakes in the course of maintaining stability among societies. Similarly, in the words of Burton, (quoted by Cunningham, 1998), what ever the definition we have of conflict, where ever we draw the line, right down to family violence, we are referring to norms and to authorities. Conflict is due to an assertion of individualism, it is a frustration based complaint against lack of opportunities for development and against lack of recognition and identity. Whether the violence conflict has origins in class, status, ethnicity, sex, religion or nationalism we are dealing with the same issue.

2.2 Sources of Conflict

In the realization of the story of conflict, controversies among scholars rely on whether aggressiveness is an inborn human quality or a reaction to socio-economic and political factors. According to genetic theoretical approach, the source of aggressiveness is deeply rooted in human instinct and the origin of interpersonal and intra-group violence tresses to biologically determined factors (Galtung; 1996; Jeong, 2000). Schellenberg (1996) accordingly, such an approach is an individualistic characteristic theory that focuses on individual and his acts, rather than the context of the act. Moreover, (Dejene, 2002) states that, this view of conflict has its root in the work of Freud, who believes that violence is rooted in human basic nature as animals. Human conflict is

inevitable not because it is part of social life, but for it is a biological fact lying in us all. Eventually, they linked the state of hostilities and war to inherently violent human genes.

As far as, the genetic perspective is concerned, violent behavior is genetically programmed into human nature. It concentrated on remarking insensible human urges, innate hidden and drives for violent behaviors. More to the point, it demonstrated that violent is expressed spontaneously and it is independent of learning. For this school of thought, innate latent aggressive tendency leads to seeking out lets in intra- group violence.

However, the idea that hostility and conflict are inborn human qualities has been disregarded by those opponents who deem that, social experience has a dominant impact on individual's behavior, and that cooperation is common in social relations. They keen that human behavior is socially learned and warfare is largely unknown in some societies.

Accordingly, there are peaceful societies fore instance, the Buid, the Semai, and the Xingu respectively. Similarly, there are several hunters and gatherers societies in Africa which are said to be relatively peaceful. Further, a given society or individual person could be peaceful and/or violent a cross time and circumstances. Thus, Anthropologists disprove biologically based explanation of the sources of conflict and show its inadequacy (Gibson, 1990; referred to by Dejene, 2002).

Some opponents of genetic theory suggest that, the point of view about instinctive origins of violence ignored problems rooted in organization and development of society. Human behavior has profound social roots, according to human need theoreticians, politics, economics, ideology and military structures have impact on human interaction. Moreover, they argue that unsympathetic relationships among classes, nations and states do not arise simply from a deep individual psychological environment but, from social interaction of groups (Bezunch, 2004).

As, of relative deprivation perspective, contradictory allocation of benefits combined with differential economic performance however, generate further anger and emotional frustration. In addition to, uneven distribution of wealth and power tends to generate feelings of a growing gap

between immaterialized expectations and perceptions. The discrepancy is anticipated and actual need satisfaction may generate conflict (Jeong, 2000).

Other contending theory of conflict is the identity formation theory, which involves two controversial approaches, namely the primordial theory that explains the process of group identity and the constructivist theory that deals with the forces driving the need for identity.

In primordial theory, a group is turned in to natural community by the common bonds shared by the group members. Individuals belong to a group, through primordial ties of blood, Kinship, language, and customs. Accordingly, primordial paradigm argues that, common history, traditions, language, race, color, beliefs and values are the attributes that distinguish one group from others. Besides, historical continuity is maintained through shared culture transmitted over generations (Ghai, 2000).

In addition to (Weinberg, 1991, cited in Bezuneh, 2004) states that in the view of primordial, violent conflict may arise due to competition over scarce resources such as land and water especially in regions where resources are not able to support the population. Efforts to control fertile cropland, forests and water create conditions for conflict. Heightened ethnic group tensions can rise from social stress following environmental degradation. Political asymmetry aggravates economic marginalization caused by declining resource basis.

Constructive theory on the other hand, regarded identity as manufactured rather than given. It argues that, identity emerges from dialect between similarity and difference in group interaction. Identity is produced and reproduced by social process and this theory does not consider ethnic identity fixed as suggested by primordial theoreticians. Ethnicity can be regarded as a cleavage splitting groups between 'us' and 'them' in a politicized setting (Jenkins, 1997; Anderson, 1993; Referred to by Bezuneh, 2004).

According to constructive theory, motivational forces behind the mobilization of ethnic groups can be used to promote individual or collective interest in their struggle for power. Competing traditional elites use ethnicity as a tool to mobilize popular support. Ethnic categories can also be

manipulated to maintain the power of dominant group, and justify discrimination against other groups in conferring opportunities to monopolize the scarce resources (Bezuneh, 2004).

The understanding of dispute in the words of (Roberchek, 1990), “requires putting the brute material facts in to cultural and social contexts attempting first, to comprehend how the situation was conceptualized and defined by the people involved.”

"Why local groups of some cultures are internally more peaceful than others in relation to social structure with reference to their residential pattern, decent system and marriage rules? Different scholars examined the phenomenon and displayed their findings as follows:

Accordingly, (Velzen and Wetering 1960, cited in Dejene, 2002), first developed the fraternal interest group theory which is a power group that constitutes related males residing close together. They noted that, when ever the interest of one of these group members is threatened, such a group responds aggressively. In view of fraternal group theory, conflicts in societies with power groups are more often and peaceful conflict resolution is hardly attained because actors would posses group support. Like wise, in consideration of the Nuer clan's conflicts in Gambella, the so-called Bunamni (men groups) which are made up of groups of the same clan, are the key facilitators in conflict situations.

2.3 Classification of Causes of Conflict

Scholars have classified conflict into factors, such as structural factors and accelerating or triggering factors.

Structural factors encompass broad aspects like, economics and social directions. It incorporates lack of good governance, unequal distribution of wealth (Regunamu, 2001; cited in Alem, 2004). According to (Wenden, 1995) structural violence mostly works slowly in eroding human values and shortening cordial relationships established in societal structure.

Several political scientists argue that, the cause of violence in society depend significantly on group politics and ideology. With regards to this, intra- group comparisons may lead to

competition. Similarly, the process of economic development; the advance of industrialization and the introduction of new technologies enforce a wide variety of profound social effects like migration, urbanization, and undermine traditional and political institutions. It could raise awareness on economic and political expectations; if expectations are not met, it may result in instability and social disorder. Concerning discriminatory economic systems like unequal economic opportunities, unequal access to resources (such as land and capital), vast differences in standards of living, are signs of unfair and illegitimate economic systems (Brown, 1996; quoted by Bezuneh, 2004).

Economic related problems, discriminatory economic systems, and the trial and tribulations of economic development and modernization according to (Zartman, 1991; quoted in Bezuneh, 2004), are the three broad economics and social factors of internal conflict. Further he argues that, to exist in semi-permanent state of economic shambles, economic free-fall, unemployment; inflation and scarce resource competition contribute to societal frustrations, tensions and conflicts. Conflicts could be driven by economic scarcity and sharp competition for resources. Besides, it may also arise from socio-economic imbalance, poverty, under employment and the denial of basic needs.

Accelerating or triggering factors encompass events that bring underlying tensions to the forefront and cause the situation to escalate. These include sharp economic shocks, collapse of central authority, external outlets and weapon proliferation (Galtung, 1996).

2.4 Consequences of Conflict

Individuals as members of identity groups will strive for their needs within their environment. If they are prevented from securing those needs by elites; other identity groups; institutions or other form of authority there will inevitably be conflict. Moreover, the effects of conflicts are certainly faced by those in conflict.

According to (Subow, 2007), conflict increases the flow of small arms to the one in conflict. Additionally, (Markakis, 1987, 1990, 1994), points out that the state of conflict imposes devastating effects on those involved individuals and some of the major effects of a violent

conflict usually result in deaths; destructions; drain on resources; displacement of clans; increased probability of future conflict and the forceful territorial changes. In his intensive work on pastoralists' conflict case between the Ngok Dinka tribal section and the Arab Hemr tribal group in Sudan (Markakis, 1986; 1990; 1994) contends that, conflict inflicts grievous damages on the livelihoods of pastoralist communities. Proper life ceases and people survive like wild creatures in the bush. Similarly, conflict adversely affects tribal cohesion and in similar manner, it undermines the function of traditional authorities.

2.5 Mechanisms of Conflict Resolution

Scholars agreed on the point that, in every society there exist mechanisms of dispute settlement. Conflict avoidance is not conflict resolution; there is a distinction between conflict resolution, conflict management and settlement. Conflict management is “by alternative dispute resolution skills” and can confine or limit conflict. Conflict settlement is by authoritative and legal process and can be imposed by elites. By contrast; conflict resolution means terminating conflict by methods that are analytical and that get to the root of the problem. Further; it is a permanent solution to problem (Burton, 1991, cited in Cunningham 1988).

Mediation is an assisted negotiation; the intervention of a third party is necessitated when traditional parties in dispute face challenges in resolving conflict on their own. However, the role of third party in this process is not making decision but, facilitating the negotiation (Dejene, 2002).

2.6 Traditional Mechanisms of Enforcing Decisions in Conflict Resolution

In traditional societies, varieties of institutions and personnel function as agents to resolve conflict. However, scholars argue that traditional agents lack coercive force to support their decisions. Similarly, settling dispute with in traditional institutions is hardly encouraged by authorities. Nevertheless, traditional agents of conflict resolution impose sanctions on the verdict. Sanctions are being classified in to secular and sacred or supernatural. Accordingly, both the sacred and the secular sanctions are effectively employed in different traditional societies. The Meta of Cameroon fore stance, execute fellow villagers, Kinsmen and friends for their wrong doings. Among the Montenegrins, trouble some member of a community is isolated and even executed (Pospisil et al., 1967; referred to by Dejene, 2002).

In his writing on the Yagoka “the high court of the Gurage in south west Ethiopia, (Shack, 1966, cited in Dejene, 2002) explained that, the agents of traditional conflict resolution use social sanctions like ridicule; opprobrium; ostracizing and super natal sanctions as enforcing mechanisms. In the same manner, the decision of assemblies is enforced by excluding the offender from “nega Borana” (peace of the Borana). It is an action practically the same as excluding such person from community cooperation, which is in tolerable among the Borana. Similar culture is applicable in Sidama of South West Ethiopia. Sidama Elders enforce decisions by ostracizing a person who refuses to accept a verdict. It goes to the extent of total exclusion of the person from all social and ritual contact (Bassi, 1992; 1954, Hamer, 1972; referred to by Dejene, 2002). Cursing is the severest sanction among the Nuer in Sudan; more over; an earth custodian uses leopard skin for spiritual power to curse as an enforcing mechanism to resolve conflict among the Nuer (Evans-Pritchard, 1940).

2.7 The Role of Rituals in Peace Making

Scholars agreed that, dispute processing involves rituals and in the same manner, rituals embrace the power of reinforcing collective sentiment and forming group cohesion. Further, rituals play a great role in aiding the survival of the larger system. Similarly, (citing Seymour in smith, 1986, and Gluck Man in Lewellen, 1983), Dejene, (2002) revealed their opinions as that; rituals are not simple means of expressing feelings but, symbols that emphasize superiority of the system over individuals. More over, rituals are acts believed to maintain the existing situation or accomplish specified end.

Similarly, in her writing on Gondaro rituals of conflict resolution in Wolayta, (Tsehay, 1992, cited in Dejene, 2002) interpreted the symbolic meaning of rituals as rebirth of local people together with their enemies. Likewise, (Abera, 1998, referred to by Dejene, 2002) recorded that, in Oromo while homicide is compensated, a ram is slaughtered in which the actors wash their mouths with its blood to signify successful settlements of the feud

The chapter has addressed theoretical frame works of conflict, general conceptualization and how conflict was perceived by different researchers through out its study. Source of Conflicts have also

been highlighted by scholars through critical assessment of; whether the violent act is an inborn human nature or socially learned. In spite of their commitments to attain a universal conclusion of their study, however, they hardly agreed on universal approach of conflict. Authors too, tried to forward devastating effects usually inflicted on victimized communities due to the present of conflict. Eventually, scholars tried to communicate that, conflict is an inevitable phenomenon in human life but, it is more importantly resolved through employing various approaches.

CHAPTER THREE

AN OVER VIEW OF THE LIVELIHOOD OF THE NUER AND THE PROFILE OF GAMBELLA

3.1 Overview of the livelihood of the Nuer

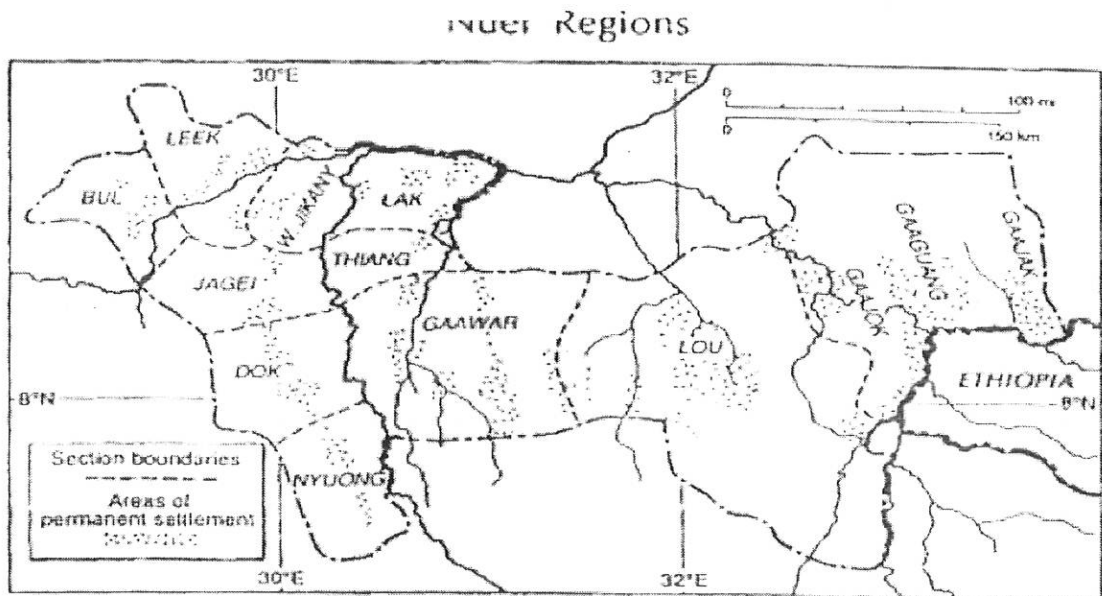
3.1.1 The Nuer Regions

The Nuer ethnic group is one of the major Nilotic families geographically located at the north eastern corner of South Sudan to south west Ethiopia. Naath /Nuer/ are divided into a number of tribes. Tribe is the largest group which has the real sense of corporate unity. Each tribe is further divided into segments and sub-segments /clans and sub-clans/ each occupying a common name (E.E, Evans-Pritchard, 1951; Howell, 970).

The authors also noted that, depending on their geographical settlements Naath are administratively divided in to three Districts: Western Nuer District, locally known as /Jikuec Cieng/ includes the Bul, Leek, Jikany-cieng, Jagey, Dok (and Hak) and Nuong (and Dur) tribes, with its head quarters at Bentiw; on the Bahr el Ghazal.

Central Nuer District /Jidaar-cieng/ which includes the Lak, Thiang, Gawaar and Low tribes, with its head quarters at Pangak on the Bahr el zeraf: And the Eastern Nuer District /Jikany/ consists of Gaajiok, Gaajak and Gaanguang tribes with its head quarters at Nasir on the river Sobat.

Figure 3.1 map of Nuer Regions in Cieng Tang/ Cieng Nath in Southern Sudan



Source: P. P. Howell (1954).

3.1.2 Marriage, Kin, and Generational Continuities among the Nuer

In a traditional society, family institutions are key parts of governance arrangements among individuals in society. It is in the process of family formation that kinships and cross-cutting alliances are formed. Individuals must develop their own methods of: resolving conflicts among individuals in society; punishing those who do not behave according to the rules generally accepted in a society and developing ways of insuring commitments to the long-term arrangements necessary for productive undertakings. The family is one of the major institutional arrangements used by the Nuer to achieve these objectives (Duany, 1992).

The majority of legal disputes which are brought before a Nuer court also includes: marriage relationship; matters arising out of marriage; claims to a share in bride wealth cattle or a return of bride wealth cattle when the marriage is dissolved (Howell, 1970).

3.1.2.1 Formation of marriage among the Nuer

Marriage is conceptualized as a re-arrangement of social structure. Social structure is any arrangement of persons in institutionalized relationships (Redcliff-Brown, 1951, referred to by Duany, 1992). As a result of marriage certain existing relationships are changed. New social relations are created between the husband and the wife, between the wife and the husband's relatives and also, between the relatives of the husband and those of the wife. All of whom have an interest in the marriage and in the children that are expected to result from it. Marriages, like birth, deaths, or initiations at puberty are structural arrangements that are constantly recurring in human societies. They are movements of the continuing social process regulated by rules and custom (Duany, 1992).

In Nuer beliefs, the institution of marriage is "ordained" by God. Man and woman are joined to gather to establish **Cieng**, human family for the main purpose of **Dieth**, reproduction of human kind to glorify the creator. "Sexual activities are from their earliest manifestations given the approval of cultural values. They are from the beginning associated with marriage. It is the chief ambition of a youth to marry and have his/her **gol** (home). When a Nuer speaks of marriage, he means a home. Having a home of hi/her own symbolize success and responsibility (Evans-Pritchard, 1951).

3.1.2.2 The Processes of Lawful Marriage among the Nuer

In a modern state system, a marriage is lawful only if it is registered and licensed by the state. In a traditional society a lawful marriage by which children who will be born are given "legitimate" status in the society requires a series of transactions and formalities in which the sets of kin, (those of the husband and those of the wife) are involved. The making of bride wealth, payment to the bride's family is an essential part of the establishment of the lawfulness of marriage (Duany, 1992).

Matrimony among the Nuer is brought about by payment of bride wealth and observation of procedures. In a society where individuality of the persons seeking attachments is strong, the marriage procedure begins when the young man and girl concerned give their consent to the marriage. Grounding a marriage in the consent of both parties is considered a requirement for its

success. The second step is the process of negotiation and payment of bride wealth cattle by the groom's family to bride's kin. Once the cattle negotiations are concluded and certain ceremonies have been performed, the marriage process is considered completed (Howell, 1970; Duany, 1992).

3.1.2.3 Bride Wealth Negotiation, Payment and the Process of Bride Wealth Cattle Distribution among the Nuer

Young are free to choose their own spouses so long as they avoid certain categories of Kin. Those categories of kin establish the rules of incest. The initiation of a marriage entails a number of different transactions in which cattle, sheep, goats, and other items are transferred from the groom's to the bride's family (Evans-Pritchard, 1940, Kelly 1985, Cited in Duany, 1992).

Bride wealth negotiations are thus concerned with determining the precise number and kind of cattle to be transferred. It is usually administered by taking in to account the customary claims and expectation of the bride's kin, on one hand, and the economic circumstances of the groom's family on the other (Duany, 1992, Kok, 1989, Kelly, 1985, Evans-Pritchard, 1951).

The typical number of bride wealth cattle offered in Nuer marriage varied over years in response to recurring wars, cattle epidemics, floods, and famines as well as structural transformations in the market as whole. According to (Evans-Pritchard, 1951) the usual pay is 20 to 30 head of cattle. The most interesting thing is that these cattle are being contributed by the Kinsmen of the bride groom.

The process of distributing the bride wealth cattle among the bride's kin is mainly the responsibility of the father of the girl. He apportions the cattle according to the predetermined rules. Cattle are the most valuable assets Nuer own. The distribution of bride wealth cattle is an important means of maintaining ties of kinship.

Distribution is organized according to the principles (1) equality in distribution of bride wealth cattle and (2) fixed apportionment to appropriate persons of right. There is equal division of the bride wealth payment between the bride's paternal kinsmen (including her father) and her maternal Kinsmen (including her mother). The second rule is that the cattle are distributed in fixed

proportion between three groups. These groups are the bride's immediate family, her father's family, and her mother's family (Duany, 1992).

3.1.2.4 The Nuer Quest for Alliances

Marriage alliances reduce the incidence of feuding between clans and lineages in Nuer society. They generate trust and confidence between disparate people so that they can carry out mutually beneficial relationships between themselves. The relationships among networks of people bound by patterns of reciprocity constrain and guide the choices that individuals make. They place the limits on the capacity of each member to decide independently in order to coordinate key tasks within the alliances aimed at mutual interests (Duany, 1992).

Resources for cattle are scarce and widely scattered, and neighboring groups have to share these resources. Nuer as Pastoralists move about to take advantage of the sparse seasonal rainfall and in their ways they necessarily pass through each other's grazing zones. Threats of non cooperation or hostility can result in the breakdown of the patterns of this movements upon which all depend.

3.1.2.5 Sexual intercourse with unmarried Girl

The seduction of a young girl (Nyal) is considered a wrong. Nuer will say it is a great offense. Usually girl's kinsmen wage offensive attacks on person who have committed such a crime and it may also lead to death. What Nuer mean of great wrong done over the girl is that they consider a girl who gains the reputation of offering her self indiscriminately to any man will not be approached with genuine offers of marriage. She will be a bitch. Such a girl, once she has gained an unsavory reputation, may have to wait for a long time for marriage and she will be merely unmarriageable girl beyond the age at which girls are usually expected to marry. Her parents are likely to ask fewer cattle for her than is usual. Therefore, illicit sexual intercourse with unmarried girl is a wrong it self, but it is the effects that public knowledge of her wantonness will have on her reputation which are regarded as important (Howell, 1970).

3.1.2.6 Divorce Laws among the Nuer

Divorce involves no public ceremonies or ritual, but only the return of bride wealth cattle, with various deductions in respect of rights received and in the case of children, rights retained by the husband. A distinction must be made between active divorce in which both parties are living at the

time of the proceedings, and dissolution of marriage which some times follows the death of wife, though not the death of the husband. There is no distinction in terminology. Both situations are *Dak Kuen* the breaking of marriage, and the same general principles apply, but the details vary (Howell, 1970; Duany, 1992).

The death of wife is usually considered to give the husband some right to claim the return of his cattle, although he will not always exercise that right. It will depend on a variety of circumstances. If the union has lasted a long time and the husband is on good terms with his wife's family he may not bother his x-in-laws, though he will usually demand return of the bride wealth cattle if she had born him no children at all. Her family will not necessarily dispute the case and often wish to assist him. The birth of one or two children will alter the situation substantially. The father will in any case leave sufficient cattle to retain legal parent hood over them (Howell, 1970, Duany, 1992).

Marriage relationship is maintained by a complex system of reciprocal obligations, duties, and conventional patterns of behavior. In connection with the actual relationship of the couple as individuals, however, there are errors breaches of good behavior or of recognized rights which the Nuer will quote as the usual causes of divorce (Howell, 1970; Evans-Pritchard, 1951).

For such grounds pertaining to husband are: (I) *Barrenness*, if his wife fails to produce children at all, a divorce will usually be demanded by the husband, and all the cattle will be returned to him. (II) *Nagging and Grumbling*, a Nuer may institute a divorce against his wife if she is an unpleasant character and wearies him with her continual grumbling, especially, if in a polygamous household, she fails to get on with her co-wives or with her husband's female relatives. (III) *Laziness*, a Nuer has domestic and economic rights in his wife, and he may call for a divorce if she is lazy in running of her household affairs. (IV) *Adultery*, a Nuer man usually institute a divorce if he discovers that his wife has committed an adultery. (V) *Desertion*, if a wife runs a way to live with another man, her husband is more likely to seek a divorce and the return of his cattle, although he may ignore the loss of her physical assets if she has borne sufficient children to his name (Evans-Pritchard, 1951; Howell, 1970).

Similarly, the grounds for a divorce in the parts of wife are: (1) *Impotence or sterility of the Husband*, A woman may divorce her husband if she bears no children and it is known that her husband, a man of virile years, is impotent. (ii) *Stinginess*, the husband may resent his wife's hospitality to her friends and neighbors and meanness of this sort is considered particularly reprehensible by the Nuer. (iii) *Failure to support the wife*, if the husband fails to fulfill his economic activities to wards his wife and children; if he is too lazy to cultivate, too lazy or weak to hunt or fish, or too poor in cattle to provide sufficient milk; her family may seek a divorce. (IV) *Ill-treatment*; a woman may demand a divorce and receive the support of her family if her husband persistently ill-treats her (Howell, 1970; Duany, 1992).

3.1.2.7 The Structure of Nuer Village

A Nuer village is organized on the basis of segmental lineage system in which there is a *diel* (dominant) clan to furnish a *maar* (Kinship) frame work on which political aggregations is built. The largest political and territorial body is made up of a village (*cieng*). Each village is composed of homesteads consisting of a cattle byre (*Luak*) and houses. Each homestead may contain a simple family group or a polygamous house hold.

The village is further divided into hamlets which consist of a group of homesteads and the gardens and grazing land surrounding it. The name of each hamlet is derived whether from a local land mark or from the name of a senior kinsman living there. A hamlet is generally occupied by close kinsmen often brothers, and their house holds. This kind of group is considered a joint family (Duany, 1992; Evans-Pritchard 1940).

The way villagers think of their way of life is reflected in the political structure of a village the Nuer love of autonomy and individual responsibility has a great impact on the design of the village administrative structure. Every village maintains a council of elders made up of household heads who are responsible for the normal running of villages. Elders decide when seasonal moves are to be made and where cattle camps are to be formed, negotiate marriage contacts, advice on the question of exogamy, perform ritual of sacrifice, and assist in the establishment of covenantal relationships. Decisions are made by consensus among council members often after long debate (Duany, 1992).

Villagers do not rely only on their own territory to meet their needs while people try to do so, they can not due to the differential in endowments of resources, the uncertainty of rainfall, and the risks of flood and so on. Thus, people have to conduct transactions beyond their village borders to meet those needs that they can not satisfy locally. Many lineages and villages expand their territory and their population at the expense of neighbors (Jal, 1987; Duany, 1992).

3.1.2.8 Traditional Conflict Resolution Mechanisms; Feuding Obligation and Rules among the Nuer

Conflict occurs in all human societies, what differs is its degree and how people deal with it. Mechanisms for resolving conflict enable a society to maintain its cohesion. Its viability depends upon effective methods of conflict resolution. Constant disputes will breakdown a society if there is no way to handle them. Because a society needs a considerable measure of peace an order in order to be able to develop its resources. Social groups with along history such as the Nuer must have effective ways of resolving conflict. Therefore, an understanding of how the Nuer resolves their disputes will provide an insight in to how traditional political system works to govern their villages (Duany, 1992; Howell; 1970).

Before, looking into the mechanism for conflict resolution among the Nuer society, it is important to address some of the major sources for conflicts among The Nuer.

Feuding (**ter**) arises when a person has been killed, but no compensation has been paid by the killer and his or her kin. The kinsmen of the victim avenge themselves by killing a member of the killer's family or lineage if compensation on cattle was not made. According to (Evans-Pritchard, 1940, Middleton and Teit, 1970; referred to by Duany, 1992), feuding is subject to law and the rules stipulated circumstances in which vengeance might properly be taken, included (1) when a close relative had been killed, (2) when a woman had been killed, (3) When there had been a transverse killing. A transverse killing was a killing that occurred in the context of inter-clan conflict where the enforcement of compensation was impossible.

Further more, they noticed that feuding had to be accepted in principle by a community, at least in the initial stages. If members of a community did not sanction a blood vengeance, it was virtually

impossible to carry out the disputing process because the persons involved would be denied support and protection. Once a person had been killed both, the family of the victim as well as that of the killer understand that they are in a state of war

3.1.2.9 Conflicts over Right to Land Tenure, Cattle camping, water use and Fishing Activities among the Nuer

Conflicting claims to rights in Land is one of the most common causes of disputes. Disputes over cultivable land and grazing lands are affected by the extremely complex system of property rights. Most Land belongs to families and villages communities not to individual. Right claimants frequently hold use rights with others. Use rights in Land are mainly transmitted through inheritance and marriage, but they can also be sold in order to compensate the developer for his labor (Duany, 1992).

In the nineteenth century the likely hood of conflict over land among Jikany Nuer was increased by two general trends: first, the rise in population, which intensified competition for already scarce resources. Second, the gradual strengthening of individualistic and absolute notion of property as against the complex traditional conception of use rights (Jal, 1987; Johnson, 1980).

This second trend implies the weakening of traditional governance structures. Most land disputes arise over the location of the boundaries of plots of cultivation land. People may verbally agreed where the boundaries lie at the time of allocation but later try to push their claims beyond the agreed up on line. Hence this sort of behavior is constant source of dispute (Jal, 1987).

When the Nuer Leave their village in the dry season; they regroup in large cattle Camps located near reliable water sources. In the camps a higher level of solidarity, both spatial and moral exists than does during the rainy season. People live very close to one another. They keep their cattle in the same Kraal or in adjacent kraals. In the rainy season when the water and pasture are abundant, families herd their own cattle. But in the dry season cattle camps, the cattle of all camp residents are watered and pastured to gather and the different families take turns to provide herd men. Despite the solidarity of people in the cattle camps, conflicts are easy to begin because people who live very close to one an other are competing over limited resources these conflicts some times lead to destructive violence (Jal, 1987; Duany, 1992; Howell; 1970).

The scarcity of water and grazing in Nuer land leads to conflict between regional divisions that do not usually share resources during the rainy season as well as between members of different regions, especially those living in frontier communities. Because of the need for a seasonal Migration to a limited numbers of perennial water resources, members of Nuer villages, which are the chief interacting groups in Nuer society, have to cross to neighboring portions of Land to share cattle camps, water and fishing pools (Evans-Pritchard, 1951; Jal,1987;Howell; 1970, Duany, 1992).

Although the general facts of life of the Nuer society demand that there should be peace and cooperation between regions and with in regions, and even though seasonal migrations are carried out with the prior agreement of the right claimants, conflicts arise over the use of grazing lands and water sources. Some of the disputes arising from proximity and use of scarce resources in common may lead to destructive violence The most common approach used in conflict settlement process among the Nuer is Mediation (Evans-Pritchard, 1951; Howell; 170; Jal, 1987; Duany, 19920).

Fishing at any threshold of supply of fish may impair the value of water supply to each individual herd owner. In most Nuer Areas, natural pools are used as source of drinking water for both human beings and animals. Fishing in a pool or lake makes the water dirty and undrinkable because of the presence of rotten fish and other debris. Therefore, fishing reduces and drives out other patterns of water use. People and their cattle will suffer and there will be a deterioration of the quality of life among the population dependent on a particular water source. Although, there are shared interests in the common good of the residents and cattle in the camps some individuals fish in the pools even through fishing is not allowed. This causes conflict between residents of the camps and threatens to undermine the covenantal relationships among the residents. If fishing continues some camp residents will stop it by force (Duany, 1992).

3.1.2.10 Nuer Traditional Process of Mediation

Incase of conflict, the open contestation and disputation bring in persons who seek way to resolve the conflict. An earth Custodian is one of the key persons in a community for the mediation of conflict he is a neutral person with some additional spiritual sanctions to curse or ban the individuals obstructing his efforts to settle dispute. Besides, Elder groups are pivotal actors in resolving conflicts with in an individual person, household and groups. Their roles also extend to

regional or inter-regional level conflict. The process of mediation begins by making sure the relevant elders of both parties are present. Then, the principal parties in the case are called in for a hearing of the case. Usually the hearing takes place in the byre of custodian. The disputants usually describe the circumstance in which an incident occurs. Victim gives his account of incident and then the offender attempts to justify his action. The elders and any one else who is present at the proceedings and wishes to express an opinion on question can be recognized by the chief to do so. After the council of elders has listened to all the relevant presentations, the earth custodian and elders withdraw to discuss the matter among themselves and to agree up on the decision. After re-entry to the byre the mediator and the elders acquaint the disputants of their decision. The parties to the conflict accept the decision of the earth custodian and the elders because they believe the verdict is right. If there are any doubts about the facts of a case certain oath will be employed such as the wearing statements on the chief's leopard skin. This is a spiritual fact that reveals the truth about the case (Evans-Pritchard, 1951, Howell, 1970, Duany, 1992).

3.2 The Profile of Gambella

3.2.1 The Nilotic Expansion

Gambella and the neighboring South Sudan Regions have experienced three great Nilotic migrations (Johnson, 1986 cited in Dereje, 2006). The first wave of migration was in the Shilluk and the Luo. The Anywaa together with Shilluk took a north westerly direction probably from the central part of South Sudan, or South-eastern region near Lake Turkana in Kenya. They settled along the major tributaries of the Nile in what today are the south-eastern part of Southern Sudan and the Gambella Region of Western Ethiopia (Pemer, 1994 cited in Dereje, 2004). This was followed by the Dinka migration of the 18th century and the massive expansion of the Nuer in the 19th century (Jal, 1987). Most of these Anywaa and Dinka settlements were latter taken over by the Nuer who expanded from their homeland CiengNath/Ciengtang/ west of Bahr el jebel in Southern Sudan. The Nuer made it possible through a combination of conquest and effective assimilation beginning in the 1820's and continuing to the present. This Nuer expansion was led by Latjor Duach; nick named Latjor Ding yian. By the early 20th century, there were already groups of Gaajak Nuer (of eastern Nuer or Jikany Nuer) who were permanently settled in Gambella. In

addition to, a more sizeable group who crossed the boundary in search of dry- season grazing grounds (Johnson, 1986; Hutchinson, 1996.cited in Dereje, 2006).

The Nuer in present day Gambella Region belongs to Eastern Jikany branch: Consisting of Gaajak, Gaajiok and Gaaguang. The majority of the eastern Nuer live in the Upper Nile Region of Southern Sudan. Most of the Anywaa live along the four major rivers of Gambella: Baro {opeeno}, Akobo, Gillo and Alwero. Minority live in Pochala District in the Jongley Region of Southern Sudan (Dereje, 2004).

3.2.2 Gambella and its People

Gambella is one of the nine regional states of the federal Democratic Republic of Ethiopia, establish in 1991. It is located in the south western part of the country; with 777 kilometers away from the Ethiopian capital Addis Ababa. The region borders Beneshangul-Gumuz in the north, Oromia in the east, Southern Nations, Nationalities and peoples regional State (SNNPRS) in the south, and the Government of Southern Sudan (GOSS) in the north, south and west (Lam, 2001; Dereje, 2004; Bezuneh, 2004, the revised constitution of Gambella, 2002).

Gambella is situated between 7° to 8° 17N latitude and 33° E to 35° 2 longitude. It covers an estimated area of 34,063 square kilometers. The region has varied topographic features and this influences an agricultural production. The altitude of the region ranges between 300-2300 meters above sea level (m.a.s.l.) and it slopes gently to the west while the eastern part consists of high plateau, mountain peaks and rugged terrain. The average annual rain fall of the region ranges between 800 to 2000 mm³. The annual temperature of the region varies from 40°C to 20°C . According to the 1994 census the total population of the Gambella region figures 22, 8000. With a population growth of 4.1 per annum (Meheret, 2001; Dereje, 2004).

In addition to, the statistical abstract of population projection, predicted the population of the region to be 253,000, effective as of July 1, 2007 (CSA, 2006). Gambella is a home of the black skinned people. It is indigenously occupied by the Nilotic language speaking ethnic identities namely, the Nuer, Anywaa, Majangir, Komo and Opo (Lam, 2001; Bezuneh 2004; Dereje; 2006; the revised constitution of Gambella, 2002). Currently the region holds thirteen district councils in

three administrative zones and two town administrative councils. The Nuer zone consists of Lare, Jikow, Wanthoar and Akobo Districts. Anywaa zone includes Jior, Dimma, Gok, Abobo, and Abuol, And the Majangir zone with Godera Mangesha District (Peter, 2001; Bezuneh; 2004; 2006). In addition to gambella and Itang town administrative councils. Demographically, the Nuer form the majority with 40% of the population, followed by the Anywaa 27% Majangir 6% and Komo and Opo constitute 3% of the population (Revised constitution of Gambella, 2002, Bezuneh, 2004, Dereje, 2006).

Besides the highlanders (The brown faced Ethiopians) ethnically the Oromo, the Amhara, Tigre, Kembata and others are also found in the region. They moved to as traders, laborers and civil servants, besides the large number of resettles of drought-affected farmers, from north and south Ethiopia in the early 1980s (2003).

3.2.3 Key Natural Resources

The majority of the people in the Gambella region make a living from three key natural resources; cultivation land, grazing land and fish. The availability, quality and distributive pattern of these natural resources are regulated by the major rivers that flow through the region. Gambella is watered by four major tributaries of the White Nile River: the Baro Akobo, Gillo and Alwero (Dereje, 2006).

The river system of the Gambella region involves a four months flooding period (between the month of August and November) and it is particularly vital for moisture cultivation and dry-season pasture. Perhaps it is the ebb and rise of the rivers that regulate both crop and livestock productions. The Gambella region contains 129, 014 hectares of cultivable land but currently only 2.4 percent of this is being cultivated (GPBED, 2000).

Land holdings on average are 0.5 hectors cultivation in the region involves three farming system: sedentary rain fed cultivation, moisture cultivation, and shifting cultivation. Of the total cultivable land, 65 percent is savannah, 30 percent forest land and 4-5 percent marsh land. Only 0.5 percent is suitable for moisture cultivation, but it never the less supports a significant number of the

farming population. (In this fertile land, peasants harvest maize and sorghum twice a year (Ellman, 1972, cited in Dereje, 2006).

Grazing land is another important key resource in the region. The plains of Gambella are one of the most suitable areas for cattle production. Major sources of live stock feed are the open wood lands, riverine forest and wood land during the wet season, and the savannah grass land during the dry season no other food supplement is provided to livestock. The relatively scarce pasture type is the savannah grass land which provides the main source of animal feed during the dry season. Settlements near the major rivers are best positioned to access these lands. Of the total land area classified as natural grassing area, only 64.2 percent is currently utilized by livestock. Livestock production is sustained by transhumance between wet season villages and dry season camps. Depending on the availability of grazing lands, the movement might also entail a third temporary dry season site in some parts of the region (Dereje, 2006).

Fish is an import source of food particularly at the height of the dry season when cereal and diary food sources are in short supply. And in some parts of Gambella, there is commercial fishing in the form of sun-dried fishes. Gambella is one of the main riverine fishing regions of the country, next only to the Rift valley lakes. The total amount of fish produced along the major rivers is 2409 tons a year. And the average per pita fish consumption is estimated at 10 kilograms a year, which is considered to be the highest in the country. The availability of fish in the river and the various lagoons created by the over flow of the rivers is one of the pull factors for the seasonal population movements in the region. As the river goes down, lungfish and turtles replace fish as a major source of food (Dereje, 2006).

Further more, the region is endowed with varieties of natural resources with diverse climatic conditions, possessing high rain fall, fertile soil, dense forest, hot springs, water falls, seasonal and perennial rivers, varieties of wild lives and species of birds. More over, the region is potentially endowed with oil resource which is currently under exploration (Bezuneh 2004). Generally, life in the region depends on agriculture, finishing hunting, forestry and logging, mining and quarrying for subsistence, own account construction, fixed assets for self use, production of goods and services for sale, or exchange for other commodities and the like (CSA, 1994, referred to by Bezuneh.2004).

3.2.4 The Jikany Nuer (Eastern Nuer)

The Jikany Nuer live both in Sudan and in Ethiopia, following similar tribal lineage system of categorizations. They are Gaajiok, Gaanguang and Gaajak tribes. Jikany Nuer are descendants of **Kiir** Lineage category. Each tribe is being classified in to clans and sub-clans. Further, sub-clans are also sub-divided in to minor sub- clans. The division goes to house hold levels following kinship format grouping (E.E .Evans-Pritchard, 1940, Jal, 1987).

Table 3-1 Gaajiok tribe's lineage categories

	Primary Section (Clan)	Secondary Section (Sub-Clan)
1	Lang	Duong sub- clan Thoor sub- clan Kueth sub- clan
2	Dhool (Wangkec)	Jock (minyaal) sub- clan Bech (Nyathol) sub- clan Bichiok sub- clan
3	Yoal	Kual sub -clan Yiic sub -clan Puot sub- clan Kuol sub- clan

Source: Evans-Pritchard, 1951

Table 3-2 Gaaguang Tribe's line age categories

	Primary Section (Clan)	Secondary Section (Sub-Clan)
1	Ciek	Cieng Doweeng Cieng Man Puot
2	Nyinggiy	Cieng Cieen Cieng Ruaang Cieng Dap
3	Nyang	Nyang Nyadoor Nyang Gueec

Source: Evans-Pritchard, 1951

Table 3-3 Gaajak Tribe's lineage categories

	Primary sector (Clan)	Secondary Section (Sub-Clan)
1	Guong	Nyayan sub – clan Caany sub – clan Waw sub – clan
2	Reng	Koang sub – clan Col sub – clan Dhilek sub – clan
3	Thiang	Taar sub – clan Kang sub – clan Luony sub – clan

Source: Evans-Pritchard, 1951

3.2.4.1 The Gaajiok Tribe in Gambella

Gaajiok are part of Jikany Nuer lineage tribal category that is loyal to Ethiopian government administration. Their settlement patterns are based along Akobo, Gillo and Baro rivers. Presently, the majority of Gaajiok are being administered in Akobo district and a part of them in Wanthoar District in the center of Gaaguang tribe. Their administrative groupings follow the proximity of villages. Gaajiok border Anywaa in Akobo District.

3.2.4.2 The Gaaguang Tribe in Gambella

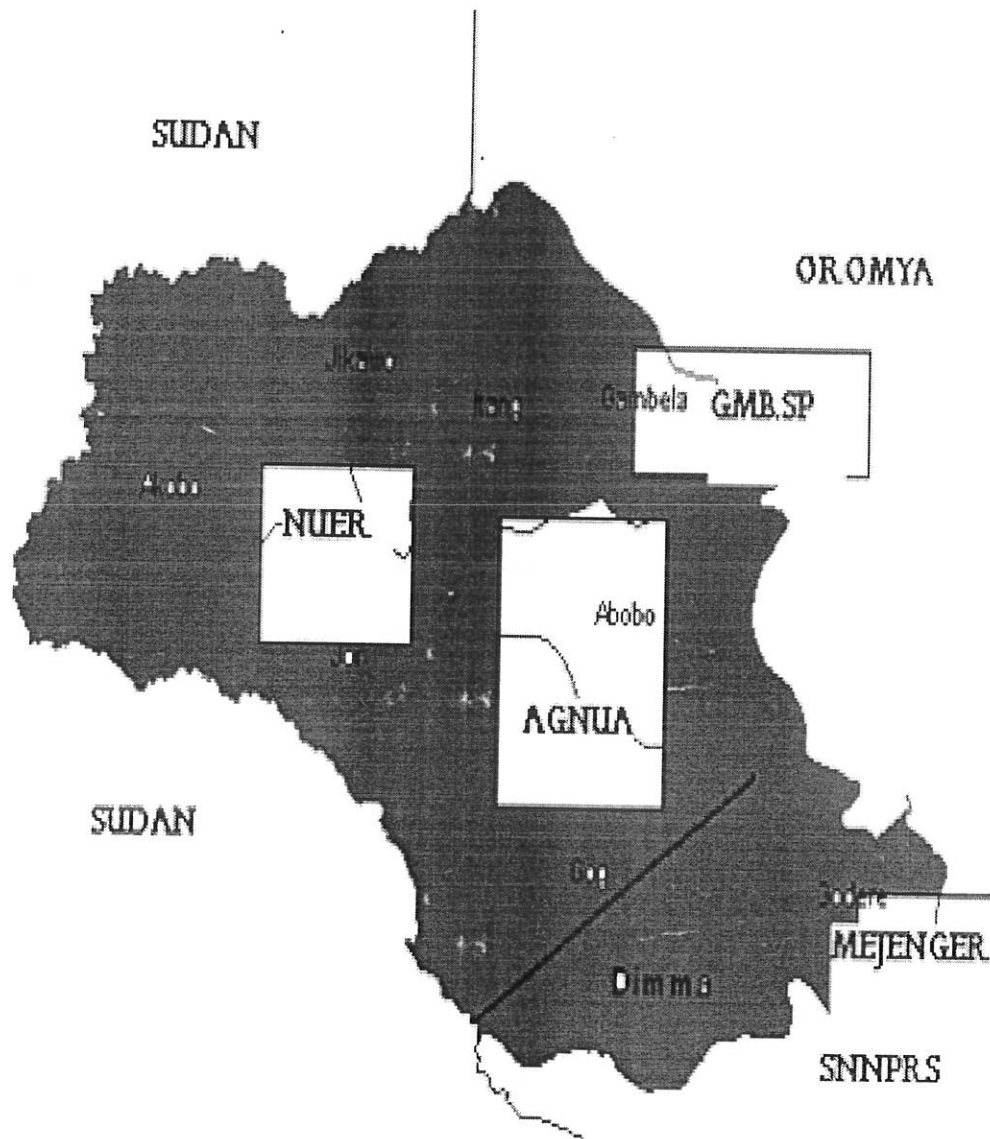
Similarly, Gaaguang are part of Jikany Nuer lineage tribal categorization which is also accountable to the Federal Democratic Republic of Ethiopia. They are situated along Baro river. Wanthoar District is the central unit of Gaaguang tribe. It borders Akobo and Jikow Districts of Gaajiok and Gaajak respectively.

3.2.4.3 The Gaajak Tribe in Gambella

Like, Gaajiok and Gaanguang, Gaajak tribe is also a part of Jikany Nuer Population under the Federal Government of Ethiopia. Gaajak form the majority of Jikany Nuer who are under the administration of the Ethiopian Government.

Currently, Gaajak are being governed in Lare and Jikow Districts. Their positioning follows the closeness of their localities. Gaajak are located along Baro River and along Kong de Kuac tributary. They border Wanthoar District in Adura and border Anywaa in Makuey and Makuach areas. Additionally, apart of Gaajak share Itang Administrative District with the Anywaa and Opo.

Figure 3.2 the Map of Gambella describing the Nilotic groups' composition



CHAPTER FOUR

DISCUSSIONS AND INTER PRETATIONS

4.1 Discussions

Seven group discussions were conducted; discussions were administered through the participation of representatives from the groups in dispute. This was done in order to find out immediate causes of conflicts among the Nuer clans in Gambella. Eventually, seven cases resulting from the focus group discussions have been produced.

Case 1: Gaajiok versus Gaaguang Conflict (1993-2005)

Immediate Cause: Cattle Robbery

In the year 1993 a man by the name Puok Chuol, from Cieng Lang clan of Gaajiok tribe, herded his cattle for a dry season grazing and pasture at Liet chori village in Gaaguang area. As he was living in his cattle camp, a group of cattle robbers from Nyang section of Gaaguang tribe raided his herds of cattle, taking all them and left him dead. A year later, his relatives (homicide) killed one person in the same Nyang section in revenge.

In similar occasion, Nyang waged another offensive attack and killed two persons, however, not from their initial opponents (the Cienglang section) but from Ciengkuek Section of Dhool clan of Gaajiok. In reaction to incident, Gaajiok tribal clans with the only exception of Cieng Yol clan, Waged transverse attacks on Gaaguang tribal sections. The state of such a conflict resulted in destruction, burning, and evacuation of inhabitants to neighboring villages. Bonyyaonymach; Muon; Kuanylow; Yoak wuol; Malual and Lueel villages have been with out residents for several years. Eventually, such conflict lasted for 10 years and over 200 people between disputing clans are reported to have been killed.

Case2: Gaaguang Tribe's Intra-Group Conflicts: *Nyang versus Cieng Nyingier (late1970s-2005)*

Immediate Cause: Bride Wealth Cattle Raiding

The conflict between Nyang and Cieng Nyingier sections of Gaaguang Tribe was caused over a divorce case of a woman named Nyalual Pal from Nyang section, who was married to Chuol Deng from Ciengnyingier section. The case was discussed before the village elders' council with the presence of the concerned kin of divorcing couples. The couple's request for divorce was accepted and ruled out by the council and the Kin of the divorced women were acknowledged that they were liable to return the bride wealth's cattle.

Sometimes latter however, they refused to return the bride wealth cattle. Eventually, Chuol Deng decided to collect his cattle by force from his ex- in-laws byre. Chuol with his kinsmen together, rushed into the byre and forcefully loosened the cattle from the ropes. While chasing the cattle away from the byre, Tang Yol (a kin of the x-wife) was sleeping in his mosquito net near by the byre and he suddenly shouted over the raiders.

Unfortunately, he was shot dead by Tuchar Chuol (a kin of the x-husband) as a result; Nyang attacked Cieng Nyingier and began to fight responsively. Over 17 people were killed between the actors in years of casual combats.

Case3: Gaaguang Versus Gaajak Conflict: *Nyang against Ciengkhan* (2003-2006)

Immediate Cause: Bride wealth Cattle Raiding

The conflict between Nyang in Gaaguang tribe and Cieng khan section in Gaajak tribe erupted when a girl from Cieng Kueyang of Nyang section was eloped and enticed a way from her family by a man from Cieng Khan of Gaajak tribe. As it is the case in the Nuer practices, the girl's kinsmen went and forcefully collected the bride wealth cattle from the home of the person who took the girl. They collected some cattle but one cow among the cattle was seriously prevented by the bride groom's father, arguing that he had reserved that cow for private (spiritual) purpose.

However, the girl's kinsmen refused to release the cow; unexpectedly one person among bride's kin (cieng kueyang from Gaaguang) was shot dead by one of groom's kin (Cieng khan from Gaajak) Cieng Kueyang reacted aggressively and opened fire on Ciengkhan. As a result, conflict spread over Gaaguang and Gaajak tribal clans for 3 years. And 10 people are said to have been killed in both sides. Dwellers were displaced from villages of Rootlony and Toregol.

Justifying connections between Nyang and Ciengkhan, Nyang are located in Wanthoar district in Gaaguang tribe area, where as Cieng khan settlements are located in Jikow district of Gaajak tribe. But, the two tribal sections have common boundary were they socially contact regularly in terms of pasture and grazing; fishing activities; market out lets; intermarriages and in terms of other life sustaining lively hood activities .

Case 4: Gaajak Tribe's Intra-Groups' Conflicts: *Cieng Nyejani versus Cieng Waw Conflict*
(1994-2005)

Immediate Cause: Bride wealth Cattle Raiding

The feuding between Cieng Nyejani and Ciengwaw of Gaajak tribal sections started due to a case of a divorcee wife of Gatluak Rier from Ciengwaw clan. He had married from Cieng Nyejani section. After the divorce, the family of the divorced woman rejected the return of bride wealth cattle without any justification.

Thereafter, Gatluak Rier decided to recollect his bride wealth cattle from his ex-in-laws village employing forceful means. During his raiding of cattle from the village of his ex-in-laws, unluckily he was shot dead by his ex-in-law's kinsmen.

As a result, conflict spread over all Ciengnyajani and Cieng Waw tribal sections. Thus, it became the most horrible conflict among the eastern Jikany tribal sections in Gambella. Such a conflict lasted for 11 years and over 350 people are recorded to have been killed between the clans during the 11 years of on and off fighting.

Case 5: Thiang versus Ciengchany Conflict (1992-1994)

Immediate Cause: Dispute over Cultivation land

Thiang and Ciengchany conflict erupted over a cultivation land at Yamburo Village in Pagak district of Southern Sudan area. This land is situated along a tributary to Baro that divides Jikow district of Gambella with Jikow district of South Sudan. Formerly, the land was belonging to Opo ethnic group. But Thiang clan gradually displaced Opo and fully occupied the land. The land is covered by a dense forest however; it was not friendly good for the pasture at that time, because of its persistence render pest and other animal attackers. As a result, the majority of Thiang withdrew from the land. Ciengchany from the neighboring villages on the other hand, however were attracted by the strategic location of the land and its potential fertility. They instantly cleared the land and immediately engaged in cultivation.

After a while, Thiang considering to have been the first occupiers of Yamburo riverine land realized that Ciengchany had been making progress in their Land. Because of that, they immediately developed a tendency of land ownership attitude and filed a case against Ciengchany. The District Council located at Teluth area passed on discussion on the case and ruled out that Ciengchany would withdraw from the land.

Nevertheless, they refused to withdraw by justifying that they exhaustively cleared the land and changed it to have been a friendly environment. For that reason, they jointly agreed not to withdraw from the land at all. During the cultivation season, two opponent groups met in farm area and intentionally an individual from Ciengchany killed one person from Thiang at cultivation area. As a result, Thiang violently reacted and fought Ciengchany for almost two years and at least 20 people were killed from both sides.

Case 6: *Thiang versus Cieng Nyejani conflict (2002-2005)*

Immediate Cause: Dispute over Water, Pasture, Grazing and Cultivation of land

The clashes between Thiang and Ciengnyajani clans began over access to water, pasture, and grazing and cultivation. Initially these resources were belonging to Thiang with their locations in Jikow and Itang districts. Some times later, Ciengnyajani clan came to water, pasture and grazing around Thiang territory on the other side of the Baro River. After settling their cattle villages along the area, they began to cultivate some open spaces which were left not cultivated by the local residents.

But, the residents were not happy with Ciengnyajani in tilling those opening spaces of riverine land. Not only this, Thiang too, observed that there had been emerging excessive missing of their cattle in village. More over, they associated it to recent settlements of Ciengnyajani localities on the river bank. They were suspicious of some wrong individuals among them and others else where who could have had form groups of cattle raiders. For that, Thiang urged Ciengnyajani to stop cultivation and at the same time leave the area as soon as possible.

However, Ciengnyajani did not accept the decision and complained that, previously they used to get the above mentioned social services along Kongdekuach River in Makuey area. While, Kongdekuach is a tributary of Alwero River, however it has been blocked by Alwero Damp and it automatically, dried up due to the blockage subdued by the damp. Consequentially, Makuey residents have been locked out with no water for quite a number of years. They therefore, strongly demanded the opening of Alwero damp so that it would be possible for them to recover previous social services then only it could be manageable to return to their respective villages in Makuey. Responsively, Thiang became jealous and clashed with them for about 3 years, moreover, over 40 fighters are said to have been killed between the two clans.

Case 7: *Thiang versus Cieng Reng Conflict (2003-2005)*

Immediate Cause: Conflict over Cultivation of Land

The incident between Thiang and Ciengreng occurred over a use of riverine land in Panyuak village along the Baro River. The land belongs to the Anywaa ethnic group at Panyuak village. The justification for the acquisition of the land by the disputing parties follows the following phases according to the conducted group discussions.

Phase (1) long time ago Thiang community, the two large divisions Cieng kier and Ciengjang used to move for pasture and dry season grazing along Anywaa Areas. Throughout their movements, the Cienggor section of Ciengkier division established good relation with the Anywaa community in Panyuak village. In the good term of their relationship, the Anywaa sold the land to Cienggor. The land was submitted to Chuot Puot of Cienggor by the Panyuak village leader Cham Ojong. In the course of time, Cienggor banned the use of land, as a result of emerged Thiang intra-dispute at that time. In addition to that, their location is far from the area of cultivation. Then, the Anywaa resumed the ownership title of the land.

Phase (2) Ciengwiew established similar relation with Anywaa. And the land was sold again to them by the Anywaa community. The land was handed over to Bordoang Khor from Ciengwiew. But some times later, a sudden dispute erupted between Thiang and Anywaa communities. Many confrontations with more deaths took place between them. And so, that state of hostility undermined the existed relations between Ciengwiew and the Anywaa communities. Afterward Ciengwiew banned the cultivation of land.

Phase (3) Ciengreng community settlement is in Makot village located in a forest land between Thiang and the Anywaa communities. Ciengreng did not participate in the dispute between Thiang and the Anywaa. This created vital ground for their relationships with the Anywaa. In the course of time, Ciengreng began to establish relations with the Anywaa communities and they managed to obtain access to riverine lands through intermarriages, gift exchanges, sharecropping arrangements

and informal purchase from the neighboring Anywaa. Then, the Anywaa handed over The Panyuak riverine land to Kong Diew, the leader of Cieng Reng community settlement in Makot.

When Ciengwiew observed Ciengreng farming the land, they forwarded a question of land ownership right on Ciengreng. Ciengreng responded they bought land from the Anywaa. Further, they directed Thiang to get feed back about the land from the Anywaa who sold it to them. After the end of Thiang versus Anywaa conflict, Ciengwiew asked the Anywaa of why they sold the land to Ciengreng. Conversely, the Anywaa denied the selling of the land to Ciengreng.

Immediately, Ciengwiew returned fiercely to remove Cieng Reng out of the land by force. And they opened gun fire on Ciengreng and killed one person. As a result, the Conflict ignited all over Thiang and Ciengreng communities and 39 people are said to have been killed between disputants during the 2 years of confrontations

Table 4.1 the summary of the immediate causes of Nuer clans' conflicts in Gambella from 1970s-2006

Case no	Conflicting parties	Duration	Death toll	Immediate cause/over	Remarks/Source
1	Gaajiok versus Gaaguang	12	200	Robbery of cattle	Pasture & grazing
2	Yang versus Cieng Nyngier	Over 30 years	17	Raiding of Bride wealth cattle	Divorce case
3	Yang versus Cieng khan	3	10	Enticed Girl	Bride wealth cattle collection
4	Cieng Nyejani versus Cieng Waw	11	350	Raiding of bride wealth cattle	Divorce case
5	Thiang versus Ciengchany	2	20	Riverine Cultivation land	Cultivation land
6	Thiang versus Cieng Nyejani	3	40	Water, pasture, and cultivation land	Cultivation land
7	Thiang versus Cieng Reng	2	39	Riverine Cultivation land	Cultivation land

Owner's source, 2007

4.2 Cases Interpretation and Findings

4.2.1 Causes of Conflicts among the Nuer clans in Gambella

Generally, case studies clearly show that Jikany Nuer in Gambella have been competing over Scarce Resources: putting forwards the Scarcity of Riverine Lands; Insufficiency of Water Sources; Limited Sites for Pasture and Grazing and the Violation of Bride Wealth Cattle Handling Procedures.

Different sets of actors involve in the use of these resources and it is their convergence and claiming for various stakes which justify the eruption and the escalation of intra-Nuer-clans' conflict. Accordingly, (Duany, 1996) stated that in 1992-1994 conflict between Low and Jikany Nuer over natural resources for instance, more than a thousand people are said to have been killed. Similarly, (Dereje, 2003) recorded that, resource conflicts in Gambella take more severe form at the intra-group level than between ethnic groups because they largely occupy different economic niches. Therefore, competition over the scarce resources is certainly the cause of Nuer clans' violent conflicts in Gambella.

Disputes over traditional land boundaries, questions of internal land boundaries between communities, grazing land and farming rights, resource sharing and equitable distribution of economic power in the state system assumes important dimensions in terms of the impacts they have on generating conflicts (Vogt A, 1997). Like wise, the cases of Nuer conflicts in Gambella have shown that traditional groups have been violently competing over the scarce economic resources such as riverine lands, water, and pasture and grazing sites.

4.2.1.1 Scarce Riverine Lands among the Nuer Clans in Gambella

Although, Gambella is one of the lowest population densities in the country, there is a relative scarcity of productive land with low level technology. There are three types of land and these land types are riverine Lands (moisture land or, dry land), Marshland and forestland. Only 2.4% of the arable land is cultivated (Dereje, 2003).

It sounds contradictory to talk about land scarcity in Gambella while, it exhibits one of the lowest population densities in the country. According to 1994 census, the national population density is 51 per Sq.km in sharp contrast with the 7.2 per Sq.km of Gambella region (Dereje, 2006). The population density in the region varies and accordingly, the highest (22.2) following 40% of the total population of the Nuer is in Jikow district where as, the lowest (2.4) in lines with 27% of the total population of the Anywaa is in Gog district. Further, riverine land is the land type over which there is more competition among the Nuer clan groups. According to (Dereje, 2006), this land type covers only 0.5% of the total land area of the region, most of which over 60% falls with in Anywaa territories.

Therefore, this shows that the distributive pattern of arable land resource in Gambella produces a relative scarcity of productive land with in the Nuer ethnic groups on one hand, and brings about excessive competition for a dominant share by some groups on the other. Fore instant, considering the case of dispute between Thiang and Ciengreng, the scarcity of riverine lands in these territories became one of the push factors for those competing Nuer groups. Accordingly, in order to acquire temporary possession of cultivation land some clans establish verbal relations with the nearest Anywaa community which hold the lion share of riverine lands.

When the group obtains the land either, through inter marriage, gift exchanges cropping arrangements; marketing out lets, or any other means, it often develops a tendency of first occupier of the land along with ownership power to control it. This tendency of ownership rights being developed by the group is certainly followed by act of isolating others from holding stake on cultivation land. Regardless of whether, there might have been any interruption during the use of the land or not, claiming of the land is consistent. This kind of affairs most often leads to clans' conflicts because those clans' groups in competition have the support of their alliance groups and continuously struggle for a legitimate share in the land under competition.

Conflicting claims to rights in land is one of the most common causes of Nuer clans' disputes. In 19th century fore instant, the likely hood of conflict over land in Jikany Nuer was increased by two general trends: first; the rise in population, which intensified competition for already scarce resources and second; the gradual strengthening of individualistic and absolute notion of property

as against the complex traditional conception of use rights (Jal, 1987; Johnson, 1980; Duany, 1992).

These statements cleave to truth even to day in the Nuer states of affairs in Gambella. In consideration of the rapid increase in Nuer population in the early 1990s and at the same time, the Nuer population being the highest in Gambella justifies the reality that existing scarcity of riverine lands equally aggravated competition over the scarce cultivation land among the Nuer clans in Gambella and consequently conflicts erupted among the numbers of clans. Likewise, the emerged excessive desire to self owning of properties in adverse effects of others with in the Jikany Nuer clans in Gambella is also a triggering factor for the Nuer violent conflict.

In addition to, such trend also emphasizes the weakening of traditional governance structure. Generally, most land disputes arise over the boundaries of plots of cultivation land and people may verbally agreed where the boundary would lie at the time of allocation, but, later they try to extend their claims beyond the agreed upon line. Hence, this sort of behavior is a legitimate source of disputes among the Nuer clans in Gambella.

Further, majority of Nuer disputes in Gambella usually arise during the season of cultivating alluvial soil on the banks of the river. This cultivation takes place when water recess back to rivers, usually in October and November. Generally, this is the period where by many peasant groups manage to go for cultivation on the river banks. When these peasants come close together in cultivation lands, certainly land holding cases emerge between the competing groups. Hence, such state of affairs easily injects ethnic clashes between the said tribal actors in Gambella Region. In addition to, the above explanations the dispute cases between Thiang and Ciengchany, Thiang and Cieng Reng and a part of dispute between Cieng Nyejani and Thiang definitely prove that competition over dry land cultivation is a genuine source for the Nuer intra- clans' violent conflicts in Gambella.

The use of scarce water and sharing of limited grazing sites in Nuer land leads to conflict between regional divisions that do not usually share resources. It extends also to members of different regions, especially those living in frontier communities. Because of the need for seasonal

migration to a limited number of a perennial water resource. Members of Nuer villages which are known liaison groups in society have to cross neighboring portion of land to share cattle camps, water and fishing pools. Despite the fact that society desire to live in peace, how ever, there are instances where conflicts arise.

In the same manner, the conflict between Gaajiok and Gaaguang tribes has its immediate cause over the robbery of cattle and certainly its source lie in sharing of scarce pasture and grazing sites between the two tribes. Such cause also holds true in the case of conflict between Thiang and Ciengnyajani.

4.2.1.2 Insufficient Water Sources among the Nuer Clans in Gambella

As far as, water is one of the basic needs in human life, scarcity of water in several areas of Nuer communities in the Nuer land is one of the major sources of conflict with in the Jikany Nuer tribal sections in Gambella. Considering the case of Ciengnyajani and Thiang conflict fore instant, came in to picture not only because of cultivation land, but, largely because of prevailed shortages of water in Makuey area in the Ciengnyajani territory. Ciengnyajani claimed the use of water in Thiang dominated territory by describing the recent blockage of KongdeKuach river because of Alwero damp. Accordingly, their claim circles the blockage of Kongdekuach river as a push factor that forced them to occupy Baro river banks. Therefore, such events cumulatively, indicate competition over the scarce resources as the legitimate cause of conflicts among the Nuer clans in Gambella.

4.2.1.3 Limited Sites for Pasture and Grazing among the Nuer Clans in Gambella

In order to comprehend clearly the motivational forces which derived actors to confront them selves, it is necessary to analyze the case on the basis of the Nuer ways of life in Gambella.

Nuer villagers do not rely only on their own territory to meet their needs due to differential in endowments of resources; uncertainty of rain fall; risks of flood and so on. Thus, People have to conduct transactions away from their village borders to meet those needs that are not satisfied

locally. Nuer villages in Gambella bear similar nature of proximity in which the residents possess daily interactions and in consequence, the chance of disputes is more likely in this regard. Normally within the premises of the Nuer norm, stealing of Cattle from other clan is granted as an act of war. Normally, such an act is consonant with Nuer value that; Cattle are the most valuable possessions of the Nuer. Taking into account, the above mentioned case of Gaajiok versus Gaaguang and the case of Ciengnyajani in opposition to Thiang; moments of clans temporarily from their localities to neighboring villages in order to seize sufficient Pasture and Grazing Sites, brought about excessive stealing of cattle in villages and therefore, engendered peaceful relations between clans. Certainly the Nuer regard cattle stealing as laudable, since it gives rise to a chain of stealing and counter-stealing leading to bloody Conflicts even among members of the same clan.

4.2.1.4 Violation of Bride Wealth Cattle Handling Procedures among the Nuer in Gambella

Apparently, the majority of legal disputes which are brought before Nuer court in Gambella also includes: marriage relationship; matters arising out of marriage; claims to a share in bride wealth cattle or a return of bride wealth cattle when the marriage is dissolved. It is evidently understood from the case that the collection of bride wealth cattle of enticed girl was the immediate cause of the incident between Nyang and Ciengkhan tribal sections. In order to understand without a doubt the influential factor that pushed actors to combat one another, it is therefore, important to explain the case in view of Nuer standards of life.

In the Nuer ways of life, abduction or carrying out illicit sexual intercourse with unmarried girl is considered wrong criminal act. Parents want their daughters properly married because the purpose of sexual congress among the Nuer is the creation of children. The parent's attitude is a reflection of their desire to see daughters lawfully married so that they may acquire cattle for their sons' marriages. Parents therefore, do not tolerate any attention from outsider that is likely to compromise a daughter's chances of making a suitable match with a man who has cattle. In the same token, elopement and abduction of a girl is considered a much more serious offense. If a man entices an unmarried girl away from her family and persuades her to live with him, often the girl's Kinsmen Wage offensive attack or forcefully collect the bride wealth cattle from that person who have committed such a crime.

In the same manner, the case of Gaaguang intra-groups' conflict; the conflict between Ciengnyajani and Ciengwaw; and that of Nyang against Ciengkhan; underscore the violation of bride wealth Cattle handling among the Nuer Clans in Gambella. Those three cases of conflicts hold similar causation which immediately erupted over raiding of bride wealth cattle.

Among the Nuer in Gambella Legal marriage is achieved through performing social and ritual ceremonies and the transfer of cattle to the kin of the bride. However, when a union is dissolved the bride wealth cattle must be returned with varies deductions in respect of rights received along with rights retained by the husband over the children.

Due to the fact that none of the above mentioned legal procedures have been followed by those concerned claimants, conflicts erupted among the Nuer Clans' groups. Therefore, in one way or another, this explains that there is rising violations of managing bride wealth Cattle among the Jikany Nuer in Gambella.

4.2.2 Accelerating Factors of Conflicts among the Nuer clans in Gambella

Accelerating factors of conflicts often consist of events that bring underlying tensions to the forefront and cause the situation to escalate. Events like sharp economic shocks; changes or collapse of central authority; external outlets and armaments increase cause the tension to escalate. Likewise, the Nuer intra- conflicts subdued influential factors that accelerated the escalation of such conflicts in Nuer land. According to, focus group discussions such factors are as follows:

4.2.2.1 Impacts of Alwero Damp on Makuey Area Residents in Gambella

Makuey area is a part of Jikow district, located roughly 30km away from Baro river (Chuol, 2005). It is a permanent settlement area of Ciengnyajani clan. Previously Makuey area localities used to sustain life mainly from Kongdekuach river, which is a tributary of Alwero river in the Anywaa territories.

It was also one of the strategic fish reservoirs for Jikow district community as a whole and for the Makuey area localities in particular. Further, it was equally good for sufficient watering; pasture; grazing and hunting. Accordingly, in the year 1985 Alwero dam was constructed primarily to carry out a large scale farming system in the region with an estimated capacity to irrigate over 10,000 hectares of land (Tewdros, 2004, cited in Bezuneh, 2004).

Correspondingly, contradictory allocation of benefits combined with differential economic performance however, generates further anger and emotional frustration. In addition to, uneven distribution of wealth and power tends to generate feelings of a growing gap between immaterialized expectations and perceptions. The discrepancy is anticipated and actual need satisfaction may generate conflicts. Like wise, Ciengnyajani tribal sections in this regard have been driven to conflicts with others because Kongdekuach River being the only source of their livelihood has been blocked with Alwero dam. Thus, it generated further anger upon Thiang groups along Itang border.

4.2.2.2 Impacts of Civil War in Sudan on the Nuer Clans in Gambella

Due to the rise of civil war in Sudan in 1985, more than 300,000 refugees entered into Gambella and camped at Itang and Pinyudo Districts. Besides the SPLA/M headquarters and military training camps were found in Gambella (Kurimoto, 2004 cited in Bezuneh, 2004). Equally, the intensified civil war in Sudan in the early 1990s along with the disintegration of SPLA/M into several factions simultaneously with the collapse of the Derge in 1991, have seriously aggravated conflicts among the Nuer Clans in Gambella. Evidently, those events enlarged external outlets of illegal arms in Nuer land. In consequence, weapons were easily obtained through smuggling from neighboring villages in Sudan to disputing clans in Gambella

4.2.3 Consequences of intra-clan's conflicts among the Nuer in Gambella

Markakis, (1986, 1990, 1994) argued that the state of conflict imposes devastating effects on the livelihood of the involved actors. Major effects of a violent conflict are: deaths; destruction; drain on resources; displacement of clans; increased probability of future conflict and the territorial

change. The same is true with the intra-Nuer violent conflicts which severely affected the social and economic life of the Nuer clans in Gambella. The state of conflict in the Nuer society has therefore, victimized majority number of the Nuer clans in Gambella. His intensive work on pastoralists' conflict case between the Ngok Dinka tribe impositions to the Arab Hemr tribe in Sudan, (Markakis, 1986, 1990, 1994) contended that conflict inflicts the most grievous damages on the livelihood of pastoral communities. In this regards, proper life ceases and people have to survive like wild creatures in the bush.

Equally, the effects of intra-group conflicts among the Nuer in Gambella cost lives and resources that could have been better devoted for individual economic development. According to Focus group discussions, the cases of conflicts of intra-clans' conflicts in Gambella put forwards that more deaths have been incurred (over 676 people were killed during the periods of war); there has been a huge destruction of community villages; great lost of material properties; lost of own possessions such as cattle wealth and others. Clans were displaced out of their local residents (fore instant, Bonyyaonymach; Muon; Kuanylow; Yoak wuol; Malual; Lueel; Rotlony and Toregol dwellers) and lived wildly in strange areas. They did not have regular cultivation lands and other services to sustain their lives. Often innocent minority groups such as the old; women and children; disabled and physically impaired persons were seriously victimized.

The work of Subow on pastoral community's conflicts in Kenya underscored increasing ability of small arms that changed the whole dynamic of clans' conflicts. Cattle rustling and criminal activities have polarized, insecurity has increased and law and order has suffered. In the same manner, the above findings reflect the reality in the intra-violent conflicts among the Nuer in Gambella. Eventually, conflicts among the Nuer clans in Gambella had its devastating effects on the economic life of Nuer community groups. Law and order had suffered in Nuer land; insecurity had increased rapidly and criminal activities resulted in the formation of **Gaat**/robbery groups/ and cattle raiders subsequently emerged in Nuer villages.

4.2.4 Traditional Mechanisms of Conflict Resolution among the Nuer in Gambella

It is quite true that in every society there are mechanisms of dispute settlement. Society is impossible with out conflict, but society must have possible ways to control conflict. for the reason

that a society needs a considerable measure of peace and order to be able to develop its resources, mechanisms for resolving conflict enable a society to maintain its cohesion likewise social groups with long history such as the Nuer must have effective ways of resolving conflict. Among the Nuer society where persons consider themselves equal to one another before *Kuoth*, /God/ peaceful conflict resolution mechanism is used in resolving conflict. Regularly mediation is an acceptable approach for conflict resolution and the maintenance of lawful relationship.

4.2.5 The Processes of Mediation among the Nuer in Gambella

In case of among the Jikany Nuer in Gambella, the open contestation and disputation bring in persons who seek way to resolve the conflict. An earth Custodian is one of the key persons in a community for the mediation of conflict. He is a neutral person with some additional spiritual sanctions to curse or ban the individuals obstructing his efforts to settle disputes. Besides, Elder groups are pivotal actors in resolving conflicts with in an individual person, household and groups. Their roles also extend to regional or inter-regional level conflict.

The process of mediation begins by making sure the relevant elders of both parties are present. Then, the principal parties in the case are called in for a hearing of the case. Usually the hearing takes place in the byre of custodian. The disputants usually describe the circumstance in which an incident occurs. The victim gives his account of incident and than the offender attempts to justify his action. The elders and any one else who is present at the proceedings and wishes to express an opinion on question can be recognized by the chief to do so. After the council of elders has listened to all the relevant presentations, the earth custodian and elders withdraw to discuss the matter among them selves and to agree up on the decision. After re-entry to the byre the mediator and the elders acquaint the disputants of their decision. The parties to the conflict accept the decision of the earth custodian and the elders because they believe that the verdict is right. More importantly, the role of cross cutting ties was helpful in urging the disputing parties to peacefully deal with their cases. Among the Nuer in Gambella, the closer the structural relationship of the parties involved in conflict, the more likely it would be peacefully resolved.

4.2.6 Traditional Mechanisms of Enforcing Decisions among the Nuer in Gambella

In traditional societies various institutions and personnel may function as agents to resolve conflict however these agents lack coercive force to enforce decisions. In society with power group conflict is more often and peaceful conflict resolution is hardly attained because disputants have supports from their allies. Among the Nuer in Gambella clans of the same decent usually form allies and support partner group in case of dispute with another clan.

Regularly mediation is an acceptable approach for conflict resolution and maintenance of lawful relationship among the Nuer in Gambella. But in case of any doubts about the facts of a case in mediating approach, certain oath would be employed such as wearing statement of the chief's leopard skin. It is a spiritual fact that reflects the truth about the case. Conflict resolution institutions among the Nuer in Gambella, impose cursing as the severest sanction to which they finally resort to. Wearing of chief's leopard skin plays a great role in mediation. Leopard chief or an earth custodian in other words uses his spiritual power to curse as an enforcing mechanism among the Nuer in Gambella.

4.2.7 Rituals in Peace Making among the Nuer in Gambella

Rituals play a great role in conflict resolution among the Nuer in Gambella. According to participants in Focus group discussions, blood compensation for the feud has been practiced in Nuer clans' conflicts. An average of 50 heads of cattle per feud has been paid for compensating the blood of homicide. This was done frequently to prevent transverse killing that would occur between clans if such compensation has not been made. Hence, blood compensation among the Nuer clans in Gambella was the only way forward to put off revenges from the feud's kinsmen which some times would result in counter- revenge.

Feuding had to be accepted in principle by the Nuer community in the initial stage of conflict resolution. The more, the community members could not carry out blood vengeance, the more, it would be impossible to maintain stability and the killer's side would be denied of support and protection. Once a person has been killed, the kin of a homicide and those of a killer understand that they are in a state of war.

During the implementation of conflict resolution among the Nuer in Gambella, the Leopard chief in other ward an earth custodian is the chief mediating person. He serves as a neutral person who facilitates ritual processes regardless of whether he has blood relation with either the homicide or the killer. He urges opponents to drink the blood of a slaughtered animal such as an ox, sheep, goat or the blood of a slaughtered cock or a hen. Accordingly, it is done to signify that the conflict has been totally resolved and that the consequence would be so bad to any actor that may resume conflict.

CHAPTER FIVE

CONCLUSIONS AND RECOMMENDATIONS

5.1 Conclusions

Over centuries, conflict has been studied by several scholars but a systematic study has been possible only in the twentieth centuries. Many scholars tried to define conflict however; they did not manage to obtain an exhaustive definition of the phenomenon. Further, they have produced various classifications pointing to different sources of conflicts. Further more, they managed to address different traditional mechanisms of conflict resolution. Hence, this is for the reason that, conflict occurs differently between different groups in different situations.

Therefore, the situation under which conflict occurs provides suitable way for its appropriate definition and different approaches would be used for its resolution. Generally, the case studies have clearly shown that Jikany Nuer in Gambella have been competing over Scarce Resources: putting forwards the Scarcity of Riverine Lands; Insufficiency of Water Sources; Limited Sites for Pasture and Grazing and the Violation of Bride Wealth Cattle Handling Procedures.

From the cases it is clear that the objects of the struggle are scarce resources such as: riverine Lands, water and pasture, and the failure of effective bride wealth management.

Cases of Nuer conflicts in Gambella have shown that traditional groups have been violently competing over scarce resources such as scarce riverine lands; insufficient water sources; limited pasture and grazing sites and the violation of bride wealth cattle handling procedures in consonant with the Nuer value. Further, riverine land is the land type over which there is more competition between clans. Similarly, uneven distributive pattern of arable land in Gambella produces a relative scarcity of productive land for the Nuer and at the same time, accelerates group competition for a dominant stake on the limited land. The Nuer population standing as the highest population in Gambella since the early 1990s undoubtedly shows that the scarcity of riverine lands aggravated the Nuer clans' competition over the scarce land in Gambella.

Likewise, the emerged excessive desire to self owning of properties in adverse effects of others is also a triggering factor for Nuer conflict. Further more, the majority of the Nuer disputes however, usually arise during the season of alluvial soil cultivation on the banks of the river. This cultivation takes place when the water recess to rivers, usually in October and November.

Dispute cases between Thiang and Ciengchany, Thiang and Cieng Reng and a part of dispute between Ciengnyajani and Thiang proved that competition over dry cultivation Land is one of the justifiable sources of Nuer inter clans' conflicts in Gambella. The conflict between Gaajiok and Gaaguang tribal groups, where its immediate cause is cattle robbery is associated to have its root on the shortages of pasture within those localities. It holds true also in the case of Thiang and Ciengnyajani, where by Ciengnyajani claimed water use in Thiang dominated territory.

The Nuer intra-group conflicts encompass influential factors that have been contributing to its escalation. According to the participants the major ones are as follows: The impacts of Alwero Damp on Makuey area localities and the intensified civil war in Southern Sudan in the early 1990s on the economic lives of the Nuer in Gambella.

The state of conflict among the Nuer clans in Gambella imposed devastating effects on the livelihood of involved actors. Some of the major effects of Nuer clans' violent conflicts are:

Deaths and destructions; drain on resources; displacement of clans; increased probability of future conflict and the territorial changes acknowledging the displacement of village residences in the Nuer land. An assessment of the cases of conflicts among the Nuer clans in Gambella clearly showed more deaths that have been incurred (over, 676); more destructions of community villages; great lost of material properties, huge lost of own possessions referring to cattle wealth and others. In the same token, a number of clans' sections have been displaced away from their residential villages and lived wildly in strange areas where by they were constrained with insufficient cultivations; limited pasture and grazing spaces and the shortages of other necessary social services. Similarly, consistent drains of material and human resources have been consequently encountered in Nuer land due to clans' conflicts among the Nuer in Gambella.

5.2 Recommendations

Depending on data analysis, it is understandable that the root cause for the Nuer clans' violent conflicts in Gambella, generally came in to picture due to competition over scarce natural resources. Conflicts circle around limited economic resources such as limited cultivation lands, insufficient water and pasture and the excessive violations of bride wealth handling procedures in line with the Nuer standards of affairs. Therefore, the public authorities should value the following recommendations in order to stabilize the conflict situations with in the Nuer clans in Gambella.

- ❖ The political authority should design strategic policy on democracy and governance that focuses on peace and stability for communities in conflicts and at the same time, should supervise the execution of those policy programs. In the premise of designed strategic policies the authority needs to put forward participatory approach among the Nuer clans as an effective mechanism to resolve clans' disputes at grass root level.
- ❖ Skillful Nongovernmental organizations, civic societies and religious communities should be encouraged to participate in peace and development programs for communities in disputes. Government authorities should encourage those groups or individuals through creating conducive environment in order to execute their responsibilities effectively. Similarly the concerned authority should pledge an adequate support to those agents in terms of providing sufficient security, finance, expertise and other human resource activities.
- ❖ Capacities of Nuer traditional institutions (fore instant legal entities and other related organs) demands to be strengthened through trainings so that they would be skillful and effective in executing conflict resolution among the Nuer in Gambella. Nuer standards of affairs need to be revised and modified inline with the modern ways of affairs. In this regard, the Nuer customary laws need to be revised and improved so that rules and regulations shall have biding effects on the verdict.

- ❖ In relation to the shortage of water in Makuey Area in particular, as it is one of the external factor for the escalation of conflicts mainly between Ciengnyajani clan against other communities residing along the Baro river, it is therefore, advisable that, the regional authority should revise its policy on Alwero damp.

- ❖ And the Nuer community at large should play initiative roles to independently resolve their disputes in harmony.

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Questions for Focus Group Discussions

1. What do you think could have been the main cause for your opponents of attacking your village (s)?
2. Could you list the consequences inflict by the state of conflict in the lively hood of your clans?
3. Starting from the time of dispute till 2005, how often did your opponents attack your village-specify the years in details.
4. How did you with your opponents tried to work out such incidents in order to have reconcile your clans' hostilities?
5. Could you please list the main connections/commonly shared services between your group and your opponents?
6. Could you mention the types of weapons which were used by your opponents in fighting?
7. From where could you think they would acquire weapons?
8. And how did they get weapons?
9. Could you please show the total figure of your village members who lost their lives during the clashes so far between the years till 2005?
10. Could you figure out how many casualties/wounded people of your clan during the periods of clashes?

11. What is the total number of cattle fixed for blood compensation of individual homicide?
12. How many cattle did you fix for fractured borne of a wounded person?
13. Could you figure out the total number of cattle raided in your village since the beginning of the dispute till 2005?
14. Could you mention the total number of cattle contributed by your village members for blood compensation of a homicide?
15. Describe Connections or commonly shared services with your opponents?
16. Discus if your clan did encounter any problem during the erupted Disintegration of the SPLA/M along with the down fall of the Derge in 1991?
17. Could you explain how much the Nuer clans' conflicts have affected you community's life?
18. Discuss the roles of traditional leaders, elder groups, church councils civic societies and youth groups were very important in dispute settlements in your community?
19. How would you the effects of conflicts on the life of Minority groups including women and children, the old, disabled and physically impaired persons with in your clan?
20. Describe the affects of the Nuer clans' conflicts on the execution of public services in your village?

21. What are the roles of Bunamni/Nuer power groups/ in the Nuer clans' violent conflict?
22. Explain how conflicts are resolved in your communities and what are the traditional mechanisms often used in your communities during the process of conflict resolution?
23. Explain the traditional role of a leopard ship or an earth custodian in resolving conflict among the Nuer clans?
24. In relation to traditional conflict relation mechanism in your community explain how rituals affect the process of conflict resolution in your community?
25. How could you describe the state of conflicts among the Nuer clans generally, in relation to present economic livelihood of the Nuer ethnic group in Gambella?

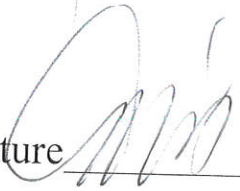
Student's Declaration

The thesis is the original work of mine and all used sources have been dully acknowledged

Lam Gany Deng Signature  Date 5-Dec-07

Advisor's Certificate

This thesis has been submitted for examination with my approval as University Advisor

Dr. Meheret Ayenew Signature  Date Dec. 07