

# The role of the *Gadaa* generational system of the Oromo in conflict resolution and peace building

## An account of a research implemented in Western Guji, Ethiopia

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### Abstract

This article explores the role of the *gadaa* generational system in conflict resolution among the West Guji Oromo in Southern Ethiopia. Conflict is an inevitable phenomenon in human day-to-day actual life interactions. In the pastoral area of Southern Ethiopia, it manifests itself in the form of violent and interethnic episodes of violence. People have their conflict handling mechanisms and peace restoring procedures through their own indigenous institutions. *Gadaa* is an all-encompassing institution of the Oromo people, recently recognized by UNESCO as representing a case of African democracy. Peace building and conflict resolution emanates from the central ritual and ceremonial activities of *gadaa*, its customary administrative and legal functions and the traditional religion, with the associated morality. The article is based on research conducted in Bulehora and Suro Berguda *woreda*, in the formerly Borana Zone of southern Ethiopia. Qualitative technic was employed. The results showed that the major source of conflict is competing interests in using water resources and grazing land, border expansion for grazing and border demarcation within the same ethnic groups. Those factors had an impact on economic, social, religious and political life. The *abbaa gadaa* is the most prominent customary leader. In order to manage conflicts and to build peace, the *abbaa gadaa* adopted a procedure based on 13 distinct steps. The research concluded that the *gadaa* generational institution is effective in conflict resolution and peace building in the area of research, and that it has a potential for replication at national level.

**Keywords:** *gadaa*, conflict resolution, generational class system, Oromo, Ethiopia

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In this article I address the issue of the relevance of indigenous conflict resolution mechanisms in Africa, with special reference to the specific case of the *gadaa* generational class system of the Oromo. The article is based on the research I have implemented in 2016 in the Western part of the Guji-Oromo, in Sura *woreda*<sup>1</sup>, Ethiopia.

The Oromo have their homeland in Ethiopia and Kenya and speak a Cushitic language. They are the largest ethnolinguistic group of Ethiopia, constituting more than one-third of the population and speaking Oromo language of the Cushitic branch of the Afro Asiatic family.

Several authors recall the Oromo as a case of African democratic political culture. This is often explained by reference to the *gadaa* generational system. *Gadaa* is the well-known generational class system that among the Oromo permeates all aspects of their life. It is accordingly described as the unique social, cultural, political and economic institution of the Oromo people (Jalata 2010). It has

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<sup>1</sup>In Ethiopia, federalism was formally introduced with the adoption of the FDRE Constitution in 1995. Regional States were allowed to adopt the national language prevalent in the area. Some large regional States were administratively divided into Zones, then into *woreda* and into *kebele*.

functioned as a socio-political institution by preventing conflict, oppression and exploitation, and by promoting relative peace, security, sustainable development, and political sovereignty. As such, it also encompasses the role of promoting peaceful conflict resolution. Indeed, the Oromo people have been using several different indigenously developed approaches to settle both internal and external conflicts (Etefa 2008). After the enactment of the criminal law of the Imperial Ethiopia in the 1930s, they have been using two sets of administration of justice in parallel – the state court system and the Oromo indigenous system of justice – either separately or in combination (Gemechu 2002).

*Gadaa* has been active among the Oromo for centuries. In the Nineteenth century the Oromo country was incorporated into the Ethiopian empire. Until the recent introduction of federalism, the *gadaa* institution was politically marginalized by the central Ethiopian government. In most of the highlands, where the Oromo were primarily engaged in agricultural activities, *gadaa* has survived as secondary, often underground, ritual system. However, in the pastoral lowlands of the Oromo country, mainly in Southern Ethiopia, *gadaa* was tolerated by the central government and it continued to remain informally operative as an encompassing institution. After the introduction of federalism, *gadaa* went through a process of full revival throughout the entire Oromo country. The pastoral areas in Southern Ethiopia have traditionally been affected by inter-ethnic conflicts, a problem that was exacerbated by the process of demarcation of new administrative boundaries after the introduction of federalism. Conflict changed in its nature. The low scale and intermittent clashes related to standard pastoral competition became more and more intertwined with and motivated by dynamics connected to modern politics (Tache e Oba 2009; Bassi 2012). In the attempt to keep the escalation of inter-ethnic conflict under control, the governmental authorities have increasingly relied on the *gadaa* institution as an effective devise to re-establish peaceful relations. It is in this context that I have designed and implemented my field research on the role that the Oromo indigenous institutions play in preventing conflict and achieving sustainable peace for the West Guji Oromo. No systematic research has been conducted on this topic in Sura Berguda district, where my study area was based. Customary reconciliation procedures similar to those adopted in Sura Berguda have been researched in central Oromo region and other Oromia districts. With this study I am filling a documentation gap by adopting a qualitative research design and snowball sampling technique.

## **The need for indigenous conflict resolution mechanisms in Africa**

The theoretical controversies over the subject of conflict are far from being resolved. Nathan defines conflict as consequence of major transformation of popular pressure for essential political or economic change. Conflict can accordingly be defined as a condition of disagreement in an interaction process that usually occurs because of a clash of interests between the parties involved (Nathan 2000). Conflict should be considered as an inevitable feature of all social relations, and also a positive factor for change and development. The problem is that conflict may lead to violence and may accordingly result in serious complications for socio-economic development if it is not properly handled. Along this line, Peters argues that conflict, at all levels, may arise due to the desire for political, economic and social advantages, greed, ego-related problems, injustice, inequitable distribution of resources and plain mischief (Peters 2006).

These descriptions seem to apply very concretely to post-colonial Africa. This is not only because Africa is characterized by many conflicts, but much more so due to the realization that in most cases the conflicts have negative impacts on Africa's socio-economic and political development. Today, many of the conflicts that occur fit with what Kaldor (2007) called "new wars", conflicts that are triggered by internal factors. Many of these "new wars" need intervention mechanisms that are culturally-based and relate to their environment of occurrence. Before colonization many of

the people of Africa were living together in relative peace and had their own ways of settling their disputes. In their attempts to set up administrative structures during and after colonization, many ethnic groups were forced into cohesive structures. This transformation destroyed many of the roots of traditional structures, including mechanisms of conflict resolution (Awedoba 2009). These forced administrative structures resulted in new and different conflicts in Africa, with varied causes. They include ethnic conflicts between rival ethnic groups, internal conflicts, conflicts over succession and power, struggles within the state and conflicts over the control of state resources (Idowu 2005). Most of these armed conflicts have often been driven by ethnic contest for power, land, resources and the struggle for identity and, in recent times, political infiltrations (Osaghae 2005). Conflicts as those occurred in Sudan, Burundi and the Democratic Republic of Congo have created deep-seated hatred and destructions with their attendant manifestations of genocide, mistrust, inequality in the distribution of power and resources among ethnic groups. Whenever they occur, they can hardly be controlled due to weak social and political relationships, with serious impact on development and the diversion of scarce resources to the management of those conflicts (Mwajiru 2001).

Being, to some extent, unavoidable, today the occurrence of conflict should not be considered the primary problem. Rather, it is crucial to confront and resolve these conflicts whenever they occur and to prevent them from further escalating. They in fact become pathological to society when they escalate into organized and systematic armed struggle. Thus, conflict resolution and peace building processes have become very essential in solving the problem of conflicts in the continent. Many of the conflicts that occurred in Africa in the 1990s led to the rise of multiple approaches and mechanisms of conflict resolution, mostly implemented with the use of international statesmen, international and regional organizations, and the involvement of neighboring countries, peace support operations and civil society organizations (CSOs) (Galadima 2006). Many of these methods of conflict resolution were Western-based and conventional: they did not take into account the cultural milieu of their occurrence. According to Osaghae, conflict in Africa originates from problems common to all societies, such as competition between different identities, the unreliable or unequal allocation of resources and right of entry to power and differences on what is right, fair and just. The way it manifests itself is however rooted into the relevant social group in specific productive and political settings. Among traditional societies of Africa conflict is triggered in individual, family and lineage level for personal differences and disagreement, material problems, rituals, constant competition for scarce resources like land for cultivation, grazing and settlement (Osaghae 2000: 100 - 121). Keeping this in mind, the relevance of traditional conflict resolution mechanisms in Africa should seriously be considered. They are in fact generally closely bound with the socio-political and economic realities of the lifestyles of the communities. These mechanisms are rooted in the culture and history of the African people and are in one way or another unique to each community. To regulate conflicts that are caused by different factors, Africans have in the past built a multitude of indigenous mechanisms (Kohlbage 2008). Such conflict resolutions mechanism are strictly related to customary law. Several authors stated that indigenous institutions are locally structured institutions that function according to the custom and norm of each given society. According to Abebe (2012), during the colonial era most such institutions were destabilized and replaced by Western modern legal systems. Although Western colonial powers imposed their value-oriented state laws, the majority of Africans frequently opted to continue to apply their own indigenous court systems. Consequently, only few cases were addressed by the western court system. One of the reasons was that Western court systems used vague terminologies which were mostly uncommon within local communities (Kohlbage 2008). There are also more fundamental discrepancies between African mechanisms of conflict resolution and Western mechanisms of conflict resolution. The formal justice systems are adversarial, and evidence must be directed and specific. The Western mechanism encourages the accused to deny responsibility. The court system often leads to blame and

punishment of some factions. This tends to aggravate hostility among the conflicting actors and may lead to escalation of violence. On the other hand, African traditional systems of adjudication effectively inspire the accused to admit guilt for reconciliation (Watson 2001). In addition, compared to the formal conflict resolution mechanisms, indigenous conflict resolution mechanisms are affordable and easily accessible in terms of time and payments (Gemechu 2011).

The application of Western-based mechanisms of dispute settlement and peace-making right from its onset of conflict may therefore be highly problematic because they do not consider the specific political, economic, social and cultural settings. The solution can itself turn into being a source of further conflict. Along this line of thought, Agyeman maintains that often the involvement of foreign and international NGOs in conflict resolution does not lead to real conflict resolution at the local level. This is because most of these foreign NGOs do not know the local roots and dynamics in the conflicts and are not therefore in position to prescribe local solutions for the effective termination of conflict (Agyeman 2008). As a result, many of the conflicts became protracted and intractable. Even where there is a return to peace, deep-seated issues remain to be resolved and therefore make peace in these areas fragile. This questions the effectiveness of most of these conventional and Western conflict resolution in Africa. As an alternative, indigenous conflict resolution mechanisms can provide context-specific and sustainable solutions that can effectively be applied alongside conventional approaches.

## **The *gadaa* institution**

Ethiopia's various ethnic groups have developed a multitude of conflict resolution tools and mechanisms, many of which have remained operative to these days. Some of them have systematically been studied, including the *Ye Shakoch Chilot* (the court of the sheikhs of Muslims), a traditional institution of conflict resolution in Oromia special zone of Amhara regional state (Zelege 2010), the *Yajoba*, *Qicha* and *Gordanna* practiced by the Gurage (Zewde 2002), the *Michu* in Metekel (Endelaw 2002), the *Awassia* in Walayta, the *Afocha* in Harar (Biruk and Jira 2008), and *Guma* among Waliso Oromo (Keneni 2013; Gemechu 2007a).

I am here introducing the *gadaa* system, the institution that among the Oromo provides the framework for customary conflict resolution. The term *gadaa* has no single and unanimously accepted definition. As a system, *gadaa* is an arrangement of interacting parts where understanding any one part of the system would require understanding the whole system. Gebremedhin (1964) presents the etymology of *gadaa* as *ka'aada*, which is a combination of two archaic terms: *ka* and *aada*. He states that *ka* means God (*Uumaa* or creator) while *aada* refers to culture that encompasses religion, customary laws, and social norms. In this sense *gadaa* would refer to norms that are given by God. According to Legesse (1973; 2006), *gadaa* has three interrelated meanings: it is a) the grade during which a generational class assumes politico-ritual leadership, b) a period of eight years during which elected officials stay in power after the previous ones, and c) the institution of Oromo society. Discussing the philosophy of Oromo democracy, he notes: «What is astonishing about this cultural tradition is how far Oromo have gone to ensure that power does not fall in the hands of war chiefs and despots» (Legesse 1973: 2). Bonnie and Holcomb have reinforced this idea by mentioning that the community achieves this goal by creating a system of checks and balances that is at least as complex as the systems we find in Western democracies. «The *gadaa* system organized the Oromo people in an all-encompassing democratic republic even before the few European pilgrims arrived from England on the shores of North America and only later built a democracy.» (Bonnie e Holcomb 1991: 4). The system organizes male Oromos according to age-sets (*hiriya*) based on chronological age, and according to generation-sets (*luba*) based on genealogical generation, for social, political and economic purposes. These two concepts are important for a clear understanding of *gadaa*. All newly

born males would enter a generation-set at birth, based on the position of their fathers in the system, to which they belong to along with other individuals. For the next forty years they get promoted through five eight-year grades; the *gadaa*-grade would be entered on the basis of generation. Officers like the *abbaa gadaa* are elected among the individuals that are born when their father has passed the fatherhood ceremony during the *gadaa* grade. All *gadaa* officials are elected every eight years (Legesse 1973: 81).

Lemu (2004) also stresses that the *gadaa* system has the principles of checks and balances (through periodic succession of every eight years), and division of power, balanced opposition (among five parties), and power sharing between higher and lower organs to prevent power from falling into the hands of despots. Other principles of the system include balanced representation of all clans, lineages, regions and confederacies, accountability of leaders, the settlement of disputes through reconciliation, and the respect for basic rights and liberties (Baissa 2004). There are five *miseensas* (parties) in *gadaa*; these parties have different names in different parts of Oromia as the result of Oromo expansion and the establishment of different autonomous branches of the systems (Lepisa 1975).

It is commonly said that in the traditional society women are restricted to domestic work and are excluded from public activities, including conflict resolution. This is also partly true in relation to incorporation into the *gadaa* age-sets (Legesse 1973). On the other hand, Legesse (2000) attests that the system is uniquely democratic in which women too have roles to play. According to Kumsa (1997), *siiqqee* is a stick given to the bride on her wedding day and stay with her throughout the rest of her life. But the term also refers to an institution, where *siiqqee* refers to the “weapon” by which Oromo women fought for their rights. *Gadaa* law provided for such recognition. Thus, the *siiqqee* institution functions hand in hand with the *gadaa* system, as one of its-built-in mechanisms of checks and balances (Kumsa 1997: 115-152). Kumsa further explains that women use *siiqqee* for various ceremonial purposes. They use it to symbolize their status and honor, to protect their rights and to resolve conflicts that range from marital dispute to inter-clan fighting. Women use *siiqqee* to curse and to bless, too. Currently, *siiqqee* exists as a ritual stick connoting the irresistible religious and moral authority of women. It could be employed on certain ritual occasions including that of pleading for mercy after homicide.

## **Research design**

In Sura *woreda* and in the Western Guji Zone the Guji-Oromo are the dominant ethnic group. They are predominantly pastoralist. The relations with the neighboring ethnic groups, including other sections of the Oromo with their own *gadaa* organization, are normally peaceful, but there also incidents of conflicting relationships with them (Dube 2013). As mentioned by Regasa (2012), the Guji have indeed had a long history of warfare with most of their neighboring groups. In the region they are still depicted as a strong and feared warrior group. Conflicts in this area have been on-and-off. Even where there are no direct clashes between communities, there was periodic killings that force households to migrate by creating insecurity in the area (Gemechu 2007b). Lack of peace and security has accordingly been one of the many challenges in this zone. The *gadaa* system has been surviving in the study area as a living institution that had been serving the nation as one of indigenous conflict resolution mechanisms.

This research was focused on exploring experiences, ideas, perspective and relationships, systematic and structural interactions of the West Guji Zone in reinforcing conflict resolution practices. The complexity and the multi-dimensional nature of the problem under investigation demanded specific attention in the design of the research. According to Neuman and Kreuger (2003) a mixed approach can be used to explore all sources of information, based on available ranges of evidence and by discovering new ideas, confronting different types of data. As to Creswell (2007), qualitative research

is described as research that begins with assumptions, a worldview, the possible use of a theoretical lens and the study of research problems inquiring into the meaning individuals or groups ascribe to a social or human problem. As Morse (1994) viewed, qualitative research is characterized by strategies that take the subject's perspective as central. Hence, the researcher preferred to employ the qualitative research methods. The researcher employed cross-sectional survey studies. According to Marczyk and De Matteo (2005) survey study is preferable to conduct research with large numbers of people or respondents on questions about their attitudes and opinions towards a specific issue, events or phenomena. In the qualitatively component of this research a range of techniques were applied, including key informant interviews (KII), focus group discussion (FGD), and personal observation. Moreover, the investigation has required personal knowledge of the *abbaa gadaa* (the lead officers elected in the framework of the *gadaa* system) who have engaged in conflict resolution.

Data sources included both primary and secondary data. The primary sources were provided by community elders, *abbaa gadaa*, police officers, court officials (judges), both male and female youth, women and culture and tourism staff members of the selected *woreda*. The secondary sources included the relevant and related literature, books and journals to enrich the primary data. Interviews provided chance for informants to express the situation in their own ways.

The *gadaa* system in West Guji Zone Oromo was relatively maintained without losing its original features. Community's life is ordered along the rules and regulations of the *gadaa* system, under the guidance of customary officers of different type, who are in turn structured along a chain of increasing authority, with the *abbaa gadaa*, literally father of the *gadaa*, at the apex. The area has purposively been selected for presence of recurrent conflict at all dimensions; inter-personal, intra-ethnic and inter-group.

In order to identify the appropriate number of respondents for the purposive and snowball sampling technique I have followed Bernard's indications. He suggests that most such studies are based on samples between 30-60 interviews (Bernard 2000). For FGD and KII guiding questions and the homogeneity of the population in the district, 60 were taken as sample size constituting responsible persons in the *gadaa* system – *abba gadaa*'s, *Kusaa* and some recognized elders who stayed in the study area for more than thirty years. The age and gender make-up of the respondents within the sample was not made in proportion to the total population. Rather, females (*hadha siqee*) who have grounded experiences of the *gadaa* system were purposively selected. Regarding age, all the active ages involving in the *gadaa* System were considered with greater preference for the elder ages. Three FGD consisting 10 individuals each, were conducted using three different groups (elderly women, male and female youth and elderly male). 30 KII pooled from *Aba gadaas*, *hadha Siqee* (elderly women), police officials and culture and tourism officials. Finally, personal observation was made by me during the field work conducted in 2016.

## **Major sources of conflict**

The field research confirmed that there are various conflicts across *woredas*, including the one selected for the study. The findings showed that five factors are identified by the respondents as major sources of conflict in the study area since 2000. These are competition over grazing land, issues of demarcation of the administrative borders, competition over water resources, negative stereotypes and absence of clear demarcation. 37.5% of respondents believed that the competition over the scarce water resources was the major cause of conflict *woredas*. 20.8% and 16.7% of respondents respectively asserted that scarce grazing land and the attempt to expand access to grazing land (including by new border demarcation) were the second major source of conflict. In addition, 15% and 10% believed that the third and fourth major causes of conflict were absence of clear demarcation of borders and negative perception of their identity groups respectively.

Studies conducted in the past also confirmed the finding that water resources are the first major source of conflict in the study area. According to Flintan and Imeru (2002), drought occurs on a regular basis and consequently pastoral land use depends on scarce water supply from the rivers. In addition, access to water has been severely curtailed in recent years due to changing land use practices and attempts to develop large-scale agriculture and irrigation schemes in upper catchments. This paves the way for the occurrence of conflicts.

The economic, social, political and religious analysis of the source of conflict revealed that 31 (52 %) of the total respondents related the remaining conflict mainly to economic reasons. Moreover, 18 (30%), 6 (10%) and 1 (1.6%) of the total respondents regarded existing conflicts as having mainly social factors for the flare up, that is the lack of adequate service provisions such as infrastructures, schools, health centers, communications like roads, as well as religious and political reasons which are related to claims for boarder expansion and demarcation respectively. This implies that economic factor is the first major reason followed by social, religious and political factors among the different people in neighboring same ethnic *woredas*.

We can generally assert that conflict arises as a result of scarcity of resources. Conflicts may occur due to misuse of grazing land, inheritance, farmland, theft, and property destruction, all falling under the economic category. Resource-based conflict may arise in situation involving individuals, groups or communities with different interests and goals in resource management. Conflicts based on resources emanates from individuals in communities and groups who feel they have been marginalized or have been deprived of their rights. This is in line with theory of conflict-based scarcity of resources.

The secondary sources collected from the *woreda* police supplement shows that economic interest is the primary cause of conflict in Suro *woreda* (Table 1). This includes disputes over territory of adjacent farm land, pasturage right, intentional or accidental damage to property, inheritance, failure to repay debts, theft, marital dispute involving right to property. In addition, interview responses of police officers, judges and elders show that drunkenness is among the principal trigger of dispute cases rooted in economic factors. This is certainly a common perception among the general public too. This is justifiable to a certain extent that in some of the dispute cases the disputants got into conflict in the context of beer drinking.

	Year				
	2011-12	2012-13	2013-14	2014-15	2015-16
Homicide	29	14	28	34	19
Attempted Murder	11	11	4	9	6
Physical violence	117	84	78	97	79
Arson	13	6	7	5	6
Theft	76	73	79	90	75
Dishonesty	18	21	22	45	37
Minor breach of law such as insult or intentional damage to property, defamation, corruption, etc.	69	101	108	83	106
Adultery, rape, abduction	7	12	4	8	14
Clearing forest and killing wild animal	43	13	29	17	14
<b>Total</b>	<b>382</b>	<b>335</b>	<b>359</b>	<b>388</b>	<b>356</b>

**Table 1.** Criminal Cases that are taken to the Court over the Last Five Years. Source: Sura *woreda* Police office, 2016.

## Customary reconciliation procedures

Interviews held with the *abbaa gadaa* and the elders showed that distinct procedures are held within the *gadaa* system in conflict resolution. The in-depth interview reveals the relevance of the general procedure for resolving homicide caused by any source of conflict. The procedure takes place in 13 steps.

The mechanisms start by recruiting *jaarsa biyyaa* (elders). The killer's kin group recruits *jarsa biyyaa* to assure the kin of the dead person that they are working on the case in compliance with the customary law (*seera*) and custom (*aadaa*), that they will soon begin the customary procedure (*gumaa*), and that they are eager to work earnestly on reconciliation (*araara*). Right after the recruitment of the first group *jaarsa biyyaa*, more appropriate *jaarsa biyyaa* are selected, based on the social position of the involved parties. Usually, members of the family of the person who committed the crime approach the elders of their community and ask for assistance. In case where family leadership does not exist, the elders of the clan or sub clan may come forward with the initiatives in selecting the elders. Customarily, two elders are selected from each side and one person from each representing the *gadaa* institutions. The persons representing the *gadaa* physically sit between the elders representing the parties at conflict. The elders meet to develop a common understanding of the crises at hand and the strategy to take.

Then they set conditions and procedures. The selected elders and the representatives of the *gadaa* institution would meet themselves for the first time to exchange ideas and work out procedures and to select a *hayyuu* (judge) from among themselves. Once they are formed in such a way they go to the clan (*gosa*) of the dead person to ask that the matter be given to the elders and *gadaa* representatives and to give permissions to the killers' family on use of three critical places by family and clan of the dead: residence (they do not have to flee from their homes), river, and the market.

The elders deliberate on the nature of the conflict, the law that was broken and the customs that have been violated, and the laws and customs that could be applied in resolving the case. Following, the elders will meet with conflicting parties separately and listen carefully to the concerned parties and make enquires. Once the elders met with the conflicting parties separately, and listened to the witnesses, they debate among themselves on the issues that remain unresolved. If there is still uncertainty the elders require the defender's family to swear in accordance with the Oromo customs. Having done all, the verdict (*murtee*) which everyone looks forward will be revealed and *araaraa* (peace) between parties and restoration of peace and harmony among the conflicting parties, the deity, and the ecosystem are established. Next step requires that by imploring forgiveness the guilty accept the wrongdoing that has been pronounced. The judge representing the elders will proceed and ask the guilty party to accept *balleessaa* (wrongdoing). In this process, the findings will be repeated and communicated to the party to consider the *seera* (customary law) and the *aadaa* (custom). Once the guilty party accepted the wrongdoing, the judge will implore the grieved party to accept the verdict and forgive. In this step once the guilty party accepted the wrongdoing, the elders will turn their attention to the grieved party, and implore representatives to accept the *dhugaa* (truth), which is to forgive and be reconciled.

At this point an appropriate penalty (*gumaa*) will be decided. The amount of the penalty will be declared according to the Oromo custom, depending on the type of crime done as part of the management of the reconciliation process. Then, all legal and religious rituals for the conflicting parties and for the entire community will be carried out.

Finally, the procedure wraps up with bonding. The activities that the conflicting parties undertake during the post reconciliation ceremony are also very critical. If the conflict has involved the loss of human life, family members usually will take further steps to overcome the memory bitterness and animosity resulting from the conflict. Such actions may involve marriage arrangements or *guddi-fachaa* (child adoption) between the family members.



## **Gadaa-related indigenous conflict resolutions institutions**

The research findings indicate that the *gadaa* system is a viable conflict resolution and peace building mechanism regardless of internal and external factors. Three major factors could be identified as critical factors that contribute to the sustainable existence and functioning of the *gadaa* system. These include the attitude of the public, the indigenous institutions in the system and the relationship with the modern political system. With regards to the first factor, a questionnaire response displayed that 87% (50) of the respondents from a sample of 65 respondents believe that the *gadaa* system significantly contributes to the social functioning and cultural meaning of the whole community (35% strongly agree and 33% agree while 28% are neutral and only 4% disagree).

The observations and the qualitative interviews also confirmed that the Oromo recognize the *gadaa* system as part of their cultural heritage and as a contemporary system of governance that functions in concert with the modern state system. They strongly believe the *gadaa* system is an all-inclusive social system in which every member of the society has specific roles and duties during one's life course.

Concerning the role of indigenous institution in contemporary society, the semi structured in-depth interviews with the *abbaa gadaa*, elders, prosecutors and police clearly showed the sustainability of indigenous institutions in the Oromo. Bulehora community contributed significantly to the engagement of the *gadaa*-related institutions and peace building and peacemaking, thus also contributing to the building in the Oromo nationhood. These institutions, among others include: *jarsummaa*, *gumaa* and *araara*.

*Jarsummaa* is the elder's council. Through the norms and practices related to it mediators are selected from senior members of the community, with an effort to make an investigation with the involvement of all the concerned parties. The search for true findings is key to making the right decision for the issue, a decision that, being based on indisputable facts, can be accepted by all when the time for mediation comes in. This has a significant role in promoting a healthy relationship among the community.

*Gumaa* is the compensation or indemnity. It is a mechanism that the Oromo have been using to settle damage of human life and other causalities in terms of cash and/or kind. It is a process that brings and strengthens social cohesion. To this end, *gumaa* is a viable method of conflict resolution, justice administration and peacemaking/building.

*Araara* is reconciliation. It strives to bring restorative justice by healing parties involved in conflict both socially and psychologically. Also, it works towards family reintegration, strengthening relationships and rebuilding mutual trust between parties involved in conflict.

Concerning the relationship with the modern political system, interviews held with the *abbaa gadaa*, elders and youths confirmed that government agencies have positive relationships and attitude towards the *gadaa* system in its role of conflict resolution and peace building, even though it is not yet accepted to operate as an officially recognized institution that could work parallel with the contemporary court system. This comes also despite the fact that at the symbolic level some of the governing agencies of the Oromia Regional Government are derived from the traditional institutions of the *gadaa* system, recalling *gadaa* egalitarian ethos and the principles of communal solidarity. For example, the Oromia Regional State named the regional parliament *Chaffee*, the same Oromo term used to indicate the traditional *gadaa* Assembly.

## **Role of *gadaa* officers in conflict resolution and peace building**

The research findings show that the role of the *gadaa* system in conflict handling and peace building is a reflection of the general roles and responsibilities of the *abbaa gadaa*. In the structure of the *gadaa* system, the elders in the *luba* grade (at an ideal age of 40-48) are considered those responsible for settling disputes among groups and individuals and to apply the customary laws dealing with the distribution of resources, criminal fines and punishment, protection of property, theft, and so on. The police respondents take the political and social influence of the *gadaa* elders very seriously. For the government peace and the security forces, the *gadaa* system with their customary officers give a significant contribution in resolving conflicting cases and building peace sustainably. This is because of their political and social acceptance by the public. In addition, the decisions are enforced through various councils, across the assembly structure of *gadaa* system in the various localities (Bassi 2005). Accordingly, cases submitted to the *gadaa* elders and the *abbaa gadaa* (the officers with higher responsibility) have a relatively greater likelihood of being resolved. The reasonable acceptance and significance of *gadaa* officers in West Guji Zone has already been substantiated by previous researches. Watson (2001), for instance, describes the *abbaa gadaa* as the figurehead both among the Borana-Oromo and the Guji, and is often described as the President. The *abbaa gadaa*s and the *gadaa* institution as a whole have significant and vivid roles in managing natural resources, among which water resources, that we have identified as a major source of conflict. According to the customary law, hand-dug shallow ponds are the property of an individual or his direct descendants who initially excavated it. Nevertheless, the pond is administered by the local elders. The wells (shallow and deep) are also highly regulated (Helland 1997; Bassi 2005). Generally, regarding water resources, the West Guji Zone has a set of customary laws called the *aadaa-seera bishaani* (law and norms on water) by which it is forbidden to deny someone access to water or to ask payment for it. Where a dispute arises, it is soon resolved through mediation by a council of elders.

Farming activities are usually practiced through encroachment on the hitherto pastoral lands. This is another major source of conflict (Dejene 2002). During the 1990s, the frequency and magnitude of conflict increased. For instance, during the 2000s, there were reports of conflict between three major pastoral groups, including Guji versus Garri, Merehan versus Digodi and Digodi versus Borana. These conflicts, in combination with severe drought, resulted in the death of hundreds of people and dislocations. According to Tache and Irwin (2003) there were serious tension and sporadic violence. During times of complete failure of rainy seasons in northern Kenya and South-West Somalia, there are often apparent influxes of pastoralists from those countries into Ethiopia searching for water and pasture, again producing conflict as a result of both pastoral competition and political affairs. Such very serious conflicts were addressed and resolved through the indigenous conflict resolution mechanisms, by engaging the *abbaa gadaa* of Borena and the Guji who could in turn rely on the *gadaa*-related institutions. Had it been resolved by the various *abbaa gadaa*, hundreds of thousands of people could have died of the conflict and because of the consequences of the conflict.

## **Summary of findings**

Based on the data collected analyzed and discussed, findings could be summarized in the following paragraphs. The respondents profile show that the study involved both male and female although the majority of whom were male. This is due to the fact that males such as the *abbaa gadaa* are significantly involved in the structure and operation of the *gadaa* system, though women also have part in the system. Concerning age, all age ranges in the *gadaa* system are involved in the study with significant dominance of the older ages that are expected to have adequate information. The educational

background of respondents revealed that the majority of respondents were at low level academic qualifications. This was the case for the majority in the old age group. Few percentages constitute first degree and second degree holders who were involved in the structure of the *gadaa* system.

The findings of primary data and secondary sources showed that conflicts that occurred in West Guji Zone, Bulehora, and Sura *woreda* have common causes. Data collected through FGD indicated that water resource, grazing land, border expansion for grazing, border demarcation and expression and communication are the major factors of conflict in descending order. The finding shows that water resource was the first major source of conflict followed by tensions over grazing land, border issues due to expansion, absence of clear demarcation and negative expression. These sources of conflict were found to be mainly of economic in nature followed by social, religious and political reasons in descending order. This implies that economic factor is the first major cause of conflict followed by social, religious and political sources of conflict among the people in neighboring *woreda* of West Guji. The secondary sources of data from the *woreda* police supplements shows that economic interest is the primary cause of conflict in Sura *woreda*, which includes dispute over territory of adjacent farmland, pasturage right, intentional or accidental damage to property, inheritance, failure to repay debts, theft, and marital dispute involving right to property. In addition, interview responses of officials of the police, judges and elders confirmed that drunkenness is among the trigger causes of most dispute cases. Interviews held with the *gadaa* officers and the society elders show that distinct procedures are held by the *gadaa* system in conflict resolution. The in-depth interview clarifies the steps for resolving tensions produced by homicide. These procedures have high potential for sustainable conflict resolution and peace building regardless of the internal or external factors.

It is found out that the role of *gadaa* system in conflict handling and peace building is the reflection of roles and responsibilities of the *abbaa gadaa* and the other *gadaa* officers. Both the elders and the police and the prosecutors agreed that the *abbaa gadaas* are considered the elders responsible for settling disputes among groups and individuals by applying customary law dealing with the distribution of resources, criminal fines and punishment, protection of property, theft, and so on.

Such political and social influence of the *gadaa* officers contributed significantly to the role of the *gadaa* system in resolving conflicting cases and building peace sustainably. This is because of their political and social acceptance by the public. In addition, the decisions are enforced through various councils across the structure of *gadaa* system in various localities. Accordingly, cases resolved through the customary apparatus have relatively greater chance of permanency than those addressed by other means.

### **Strengthening the synergy between customary and modern institutions**

Due to the impact of conflict on overall economic growth and development, conflict resolution and peace building/restoration are the key elements of ensuring social cohesion, increase conflict sensitivity, economic and political health in the country in general and in the West Guji Zone in particular. In order to be sustainable peace needs to be achieved with the participation and involvement of people, which in turn is strongly influenced by attachment to their beliefs and customs. This is particularly relevant in areas where *gadaa* system has remained operative, with enduring indigenous institutions of conflict resolution and peace building, where these institutions are in compliance with the government system and have roots in the society's beliefs, and where recurrent conflicts are restored through the system's due process of law. The *gadaa* officers and the local elders play an important role to settle disputes and build peace. But there are many problems that challenge these elders to perform their right activity. While in field, the researcher had a chance to attend a meeting which was organized by the government in collaboration with *gadaa* officers in Bulehora

University. The meeting was chaired by a representative of the Oromia Tourism Office dated 2016. The main agenda was about providing a shelter for *abbaa gadaa* and other *gadaa* officers, and providing capacity building training on top of the indigenous knowledge they had acquired. It was decided that in order to minimize the problem of office availability and guesting local elders in town on a more stable basis, the local governmental administrators at different level should cooperate and build a house or houses using local materials and with the help of local people. The *woreda* government has been called to arrange for the actualization of the project. The federal government, in collaboration with the Oromia regional state, should pay due attention to modern documentation. The *gadaa* officers and structure is indeed based on the modality of oral culture, and has so far been operating parallel, sometimes in synergy, but independently of the governmental system. Currently the top *gadaa* officers are striving to document the oral endogenous knowledge in order to make sure that the knowledge is transferred into a written form. It is important for the *woreda* government to give training by selecting individuals *gadaa* officers about how to document files and other related activities. While in the study area, the researcher had the opportunity to visit and access different parts of the *woreda*. During informal discussions, it was mentioned that sometimes there is problem of ignoring the decision of local elders by the *woreda* (governmental) court desk. Although conflicts are solved using indigenous conflict resolution mechanisms, the *woreda* prosecutors would continue their accusation by neglecting the decision of local elders, a contradiction that aggravated the conflict. Building an institutionalized interface between *woreda* court and the customary section to accept customary resolutions would certainly help in legitimizing the customary sector and increase the possibility to achieve sustainable reconciliation. This could be achieved by creating a forum in which *gadaa* officers and the state court legal experts get a chance to share experiences and discuss about the link between customary laws and modern laws. So far the government did create possibilities for empowering the endogenous institution so that the role of the *gadaa* system in conflict resolution and peace building can be enhanced, even though it is not institutionally accepted. Sometimes the community perceive the modern law as something alien and only trust the endogenous as the ultimate solution. In this regard, it is vital to create awareness raising on how the state law and the endogenous law are interdependent and can operate mutually without abolishing one another and always standing for the benefit of the community at large. To this aim, the government could create a platform with full engagement of the *gadaa* officers. Offenses that the law of Ethiopia categorizes as offenses against the public are being adjudicated only by the state court. However, in practical instances, customary justice systems, including the *gadaa* institution, adjudicate all offenses regardless of their degree of severity. The *gadaa* system is a great opportunity for the government to intensively work with it so that it can flourish and expand as a conflict resolution and peace building tool at local levels. Hence, a legal ground for the promotion, consumption and protection of customary justice system through alternative media outlets, public forum discussions and workshops and inter-cultural mobilizations like during nations and nationalities day is recommended.

## **Concluding remarks**

The Oromo indigenous mechanisms are popular and they are widely used in almost all Oromo land. Like other indigenous conflict resolution mechanisms they have different advantages including, but not limited to, the following: they quickly respond to crisis; they contribute to reducing regular court caseloads; they contribute to saving of public money; they are complementary rather than substitutes or competitors to modern government structures; they give access to many people who do not find the modern system of conflict resolution comfortable, affordable or suited to their need; disputants

are satisfied with their operations and view their outcomes as fair because these mechanisms give a chance to the parties to actively participate in handling their affairs (Girke 2010). Given their value in preventing conflict escalation, not only they should continue to operate parallel with modern government structures as they have been doing for years in the past even after enactment of the state law, but active engagement should take place within East African countries to officially recognize, revitalize and empower these mechanisms and use it as institutional devices for conflict prevention, mitigation, and resolution (Girke 2010).

The overall description here provided of the *gadaa* system shows that it does not contain any element that is incompatible with existing international human rights instruments. It was recognized in the UNESCO intangible heritage list as a democratic and egalitarian political system based on equal access to office in which only merit counts. Within *gadaa* operational modalities, the supremacy of the law is paramount and the equality of all before the law is assured. Even the *abbaa gadaa*, the most authoritative leader, if accused of law and regulations violating, can, by customary law, be impeached, tried and removed from office before the end of his official tenure and replaced by one of the members of his class. This procedure is called *buqisu* or impeachment. The international community could therefore take an active role in strengthen the institutional capacity of the *gadaa* system in multilevel engagements with various actors.

Within Ethiopia, the border demarcation between Oromia and Somali regional states has produced outbreaks of serious armed conflict for a long time. The findings of this research on the economic main root of conflict indicates that it should be solved in a way that guarantees the freedom of movement of pastoral groups and doesn't aggravate resource competition between them. Given the regulatory function of *gadaa* in relation to natural resources, it is highly recommended that the government should integrate and strengthen local governance institutions that are rooted in traditional practice for managing resources and inter-group conflicts, introducing a paradigm of peace building from below. In general, commitment on the part of the local elders, and local government authorities from both sides could no doubt help to handle the situation.

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