

Indigenous Conflict Resolution: Social Institutions and their Role in Peacebuilding in Ethiopia's Gamo Community

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Abstract: This paper showcases the conflict resolution mechanisms used by populations indigenous to the Gamo areas of Ethiopia. The Gamo system represents a time-honored, informal, and socially equitable method of resolving types of personal and business disputes found among the general populace.

This research work investigates and demonstrates the utility of the Gamo customary method for addressing perceptual and behavioral elements of conflict that are present in all societies across the country. To attain this objective, the article employed both secondary and primary data sources. Both primary and secondary data were organized thematically and analyzed through systematic interpretation and triangulation of various sources.

The article found that conflicts are manifested at a family, neighborhood, and clan (Dere) levels with varying magnitude. The indigenous conflict resolution institution among Gamo has three stages of conflict resolution. The higher (Dere), middle (Guta), and lower stages. Conflict resolution at the higher and middle stages is used to lead by elders from the Gamo traditional political system. Conflicts at the lower stage are used to be resolved by elders selected by the disputant parties. The three stages of conflict resolution are highly interconnected and refer to cases from one setting to another.

From a positional standpoint, this study proposes the indigenous conflict resolution mechanisms among Gamo and draws out lessons for Ethiopia and other countries to build sustainable peace.

Keywords: conflict/dispute, conflict resolution, indigenous/customary/traditional

I. INTRODUCTION

Conflict resolution is the process of attempting to resolve a dispute or a conflict (Kariuki, 2009). Conflict resolution resolves disputes to the approval of all parties involved (Aremu, 2010). Successful conflict resolution occurs by listening to and providing opportunities to meet the needs of all parties and to address interests adequately so that each party is satisfied with the outcome. Indigenous conflict resolution institutions are local informal social organizations founded and led by well-accepted and respectful individuals to govern disputes and behaviors that induce conflicts among a certain society (Ramani & Zhimin, 2010).

The people make indigenous mechanisms to conflict resolution; not by the state and to drive their legitimacy from participation and consensus of the community (Fisher, 2000). Indigenous conflict resolution processes are part of a well-structured, time-proven social system geared towards reconciliation, maintenance, and improvement of social relationships. The methods, processes, and regulations are deeply rooted in the customs and traditions of peoples (Mokonnen, 2016).

Pankhurst and Assefa (2008) described the practice of such institutions in different areas of Ethiopia, such as Gamo, Afar, Amhara, Beni-Shangul Gumuz, Gambella, Harar, Oromia, Somali, Sidama, Tigray, and in the capital city Addis Ababa. The importance and necessity of indigenous conflict resolution lie in the fact that they strive to restore a balance, settle the conflict, and eliminate disputes; considering the escalating ethnic conflicts in the Gamo and other regions of Ethiopia. Studies have revealed regions with fewer social conflicts have demonstrated better socio-political stability and

economic growth (Snoubar & Duman, 2016). In the process of pursuit of conflict resolution, the vital role of the indigenous social institutions is to mediate and resolve different types of conflicts thereby providing strong social security and safety in a society vulnerable to a wide range of disputes (Ramani & Zhimin, 2010).

Therefore, indigenous conflict resolution institutions play a significant part in resolving various kinds of conflicts in different regions of Ethiopia where the novel judiciary system is not accessible and affordable; however, their role in peacebuilding has not yet been understood scientifically (Mokonnen, 2016). This study was initiated to investigate the conflict resolution social institutions' role in peacebuilding and thereby promoting business activities in the Gamo community.

I. Statement of the research problem

Conflict is natural and common to every society; accordingly, societies are used to developing their conflict resolution mechanism based on their philosophy of societal culture, norms, and values globally (Nkurunziza, 2008). The same is true in Africa that Africans have their means of addressing and resolving conflicts that arise from multiple factors. Traditional approaches to conflict resolution mechanisms are considered to be an essential cultural heritage of many societies in Africa. These mechanisms are rooted in the culture, values, norms, and history of the African people and are in one way or another unique to each community (Federal court of Australia, 2009). Because these conflict resolution mechanisms are rooted in societies' unique philosophy, scholars used to call them indigenous conflict resolution mechanisms (Ramani & Zhimin, 2010).

Ethiopia is believed to be a country of more than 80 ethnic groups, who have their different languages, cultures, values, norms, and religions (Aremu, 2010). The wide diversity of ethnic groups in Ethiopia makes the state a home for numerous indigenous conflict resolution mechanisms. Scholars have revealed that these diverse ethnic groups have developed their own distinctive political, administrative, economic, social, and judicial systems. These customary judiciary systems across the country have responded to various kinds of conflicts that mainly originate from grazing lands, other economic and border issues in the long history of the country (Mengesha et al., 2015).

The Ilafi-ilame, Jarsumma, Waqeffana and Sinqee in Oromo, Aba'la in Afar, the Shimagille in Amhara, Nemo in Shinasha, Ruc Wec Ring and Guk in the Nuer of Gambela, and the Korefinie in the Gamo are among the many indigenous systems of conflict resolution mechanisms in Ethiopia (Pankhurst & Assefa, 2008). The Southern Nations Nationalities and people's region is also believed to be rich with such indigenous conflict resolution mechanisms, considering the dominance of ethnic diversity compared with other regions of the country. This region is comprised of more than 50% (over 45 indigenous ethnic groups) of the ethnic groups in Ethiopia (Pankhurst & Assefa, 2008).

The Ye Joka in the Gurage people and the Sekacho in Bench Maji Zone are also among the many possible indigenous conflict resolution mechanisms in the Southern Nations Nationalities and people's region of Ethiopia. Pankhurst and Assefa have discussed some of the mechanisms of conflict

resolution in the Gamo ethnic group in the Gamo Zone (Pankhurst & Assefa, 2008). However, there are not enough scientific shreds of evidence that support the actuality and organizational structure of these indigenous conflict resolution mechanisms and their role in advancing peacebuilding in this region. Therefore, this study was initiated to fill this scientific gap. The overall aim of the project was to identify the possible indigenous conflict resolution mechanisms, explore their institutional structure and assess their role in peacebuilding and promoting stability among the Gamo society in Southern Nations Nationalities and people's region of Ethiopia.

II. Objectives of the study

The prime aim of the study was to identify the possible indigenous conflict resolution social institutions and assess their role in peacebuilding in the Gamo community, Ethiopia. The specific objectives are listed below as follow:

- To identify the possible indigenous conflict resolution social institutions in the study area
- To assess the role of the customary conflict resolution mechanisms in handling disputes and promoting peacebuilding in the region, depending upon the availability of data across the area.
- To explore organizational structures, responsibilities of stakeholders, the role of women, the process and procedures followed, and the types and causes of conflicts more often observed in these traditional conflict resolution social institutes.
- To evaluate the preference of the society among the indigenous conflict resolution mechanisms and the novel judiciary system.
- To determine the advantages, disadvantages, and challenges of these customary dispute resolution mechanisms and propose their significance in peacebuilding and promoting favorable conditions for political stability in combination with or to the modern judiciary system in the region.

III. Research questions

1. What are the main types of indigenous conflict resolution mechanisms in the Gamo community?
2. How are the main indigenous conflict resolution mechanisms in the Gamo community structured? Who are the key team members in decision-making? Do women participate in decision-making? What are the procedures in the process of conflict resolution?
3. What are the common types of conflicts used to occur in the area that uses indigenous conflict resolution mechanisms? What does the community prefer? The customary or formal judiciary system to resolve these conflicts? Why?
4. What are the advantages, limitations, and overall role of indigenous conflict resolution mechanisms in peacebuilding and advancing economic activities in the region?

IV. The Significance of the study

Conflicts are reported to cause a wide range of inter-related problems in societies. Economic, political, and security-related hurdles are some of them (Kratli & Swift, 2001). Economic activity, political stability, and conflict are interrelated to each other positively or negatively (Gowok, 2008). Scholars have shown the negative relationship between conflicts and business activities by using exports, imports, and attracting foreign investments as a proxy. On the contrary, other studies have found that exposure to violence increases entrepreneurial activity, often in intense resource industries. However, the conflict has shown its strong negative effect on business activities, particularly in low-income countries in which economic growth steadily declined. Polach and Sevastianova (2010) found that interstate conflict decreases economic growth by .18 to 2.77 percentage points, while intrastate conflict decreases economic growth by .01 to .13 4. On the other hand, the conflict has favored suitable

situations for private business activities in some countries. Nevertheless, scholars have underlined the severity of conflict as a determining factor. Low-intensity conflicts have either no effect or a positive effect, but high-intensity conflicts harm all types of economic activities, which eventually resulted in political instability (Ciarli, Kofol, Menon, Di Maio, Langlotz, & Salgado, 2015).

Likewise, business activities also have positive and negative effects on the stability of a certain environment. Many scholars have discussed the significance of business activity in economic growth and creating a stable political environment in different developed nations (Ciarli et al., 2015; Jamison, McGee, Oseni, Perng, Sato, Tanaka, & Vakis, 2018). Contrarily, in many developing and politically unstable countries business activity could potentially turn out new or provoke an existing conflict. The incidence of drug and weapon trafficking in different conflict areas can be considered as a typical example of the interrelationship between business activity, political instability, and conflict. Drug and weapon trafficking is found to be a huge business opportunity for smugglers. On the other hand, drugs and weapons are found to exacerbate and cause a wide range of conflicts and crises in areas where with poor political stability. As a result, understanding the relationship between conflict, economic activities, and political stability has shown remarkable attention nowadays in academics (Bello, 2016).

On the other hand, studies have shown a strong correlation between violent conflicts and a measure of depression. Employees with psychiatric issues such as depression as a result of violent conflict have lower labor participation and work efficiency which ultimately negatively affects economic growth. Generally speaking, conflict may reduce business activity and thereby induce political unrest and further conflicts. The vice-versa is true as well. This vicious cycle demonstrates well the interrelationship between conflicts, economic activity, peace, and political stability (Ciarli et al., 2015; Jamison et al., 2018).

Having this in mind, the major economic activities of the Gamo zone are dependent on the agricultural and tourism sectors. Both sectors are known to work out well in areas where there is little or no conflict (Mokonnen, 2016). On the other hand, the role of the indigenous conflict resolution mechanisms in mitigating social unrest and maintaining a conflict-free environment suitable for sustainable peace and economic development is reported to be crucial. As ethnic heterogeneity and poor countries like Ethiopia appear prone to civil wars and internal conflicts; the outcome of this study is believed to play a key role in revealing the importance of the Gamo's indigenous conflict resolution mechanisms in building peace and maintaining a politically stable environment in an ethnically diverse society. Therefore, the importance of this study cannot be overstated in promoting political stability and ensuring conflict-free environments in Gamo and across the country by introducing the Gamo customary conflict resolution institutions as essential peacebuilding tools (Polachek & Sevastianova, 2010). In general, this study may have the potential to provide a brief, reliable, and state-of-the-art account of the role of indigenous conflict resolution mechanisms in peacebuilding and thereby promoting a favorable and peaceful environment in the study areas well as across the country. Understanding the overall nature of these customary conflict resolution mechanisms together with their role in transforming conflicts and peacebuilding may be used as baseline data for further detailed scientific studies and enforce policymakers to consider these conflict resolution mechanisms alternatively or in addition to the novel judiciary system.

II. LITERATURE REVIEW

I. Concept of conflict

Conflict seems to happen when individuals or groups of people experience incompatible and contradictory interests towards a certain entity (Kratli & Swift, 1999). Conflict is

ubiquitous in all societies. It is a phenomenon that is inevitable in all human societies due to differences in interests, goals, values, and aims among people. Most conflicts arise in the basic units of society, such as within families, clans, villages, locations, or other small units (Kariuki, 2009). Conflict can be generally originated from either the cognitive (perception) or emotional (feeling) and behavioral (action) perspectives. This three-dimensional perspective can help to understand the complex nature of the conflict. As a set of perceptions, conflict is a sense and interpretation of personal or group's needs, interests, wishes, and values that are contradictory to others' same concerns towards a common entity (Ramani & Zhimin, 2010).

From the emotional dimension of view, conflict is an emotional contradiction and disagreement reaction among different parties to a certain common situation. The emotional dimension of conflict is entirely physiological. The emotion can be characterized as fear, sadness, bitterness, anger, hopelessness, or some amalgam of these. Conflict can exist only in one party though those feelings are not reciprocated by or even known to the other party (Ramani & Zhimin, 2010).

The behavioral component of conflict is characterized by the expressive response of individuals or groups to the common interest experienced in a contradictory manner. Conflict at this stage consists of perception and emotion-induced actions to meet one own desire against others' interests. The behavioral component of conflict may involve an aggressive, powerful, and violent attempt to satisfy an individual's or group's desire at the expense of others. Therefore, this stage of conflict is usually destructive but in certain cases, it can also be conciliatory and constructive. However, the intention of conflict is always self-centered as it aims to meet one's interests and wishes (Ramani & Zhimin, 2010; Mengesha, Yesuf, & Gebre, 2015).

At the behavioral component of conflict, violent-based conflicts can be divided into two classes; direct and indirect violence forms. In direct violence, form tangible and observable physical confrontations used to happen among individuals or groups for the sack of own's desire. Whereas, in the indirect violence form, there are no identifiable and visible contests among different parties. It consisted of structured strategies to bow down the opponent through social, economic, and political hidden influences or sanctions (Ramani & Zhimin, 2010; Mengesha et al., 2015).

Conflicts can occur in humans as well as in animals. Conflict is dynamic and can affect humans at all levels of relationships and in all social settings. The heterogenic feature of interest among individuals and groups makes sure the existence of a conflict in any society Krätli & Swift, 1999; The international review of a red cross, 2012). Scholars argue that the absence of conflict usually signals the absence of meaningful interaction among individuals. Conflict, by itself, is neither good nor bad. However, how conflict is handled determines whether it is constructive or destructive (Mengesha et al., 2015).

Conflict, in general, is defined as an incompatibility of goals or values between two or more parties in a relationship that bring antagonistic attitudes toward each other, combined with attempts to take advantage at the expense of others (Sandole, 2015; Thomas, 2015). Conflict can be regarded as a disaster to society or opportunistic to bring about positive social change. History has revealed the devastating effects of conflict across the world, the action-centered or the behavioral component of conflicts have taken millions of lives, destroyed property, and diverted financial resources away from developments (Sandole, 2015). Hence, it is crucial to understand the dynamics of conflict from its different perspectives to ascertain the best corrective measure at an early stage and to minimize the risk of its wide range of deadly consequences (Mengesha et al., 2015).

There are countless causes of conflicts among individuals and groups globally (Department for International Development,

2001; Aremu, 2010). However, a self-oriented desire to use different kinds of resources is the leading cause of deadly and violent conflict in different parts of the world. Natural resources such as oil, gas, minerals, borderlands, and water are among the most common cause of conflict between groups and nations at large (Mengesha et al., 2015).

II. Global Experience of Conflict Resolution

The world is in the process of rapid transformation in many different aspects. The change in dimension and causes of conflicts since the end of the Cold War is among the many transformations identified. The decrease in the frequency and death toll of international wars in the 1990s can be regarded as one of the indications of the transformation. However, considerable ethnic and religious conflicts and terrible border conflicts among nations have been experienced in different part of the world (Bruce, 2002; Sikka, Wong & Bell, 2015). The long-lasting geopolitical, ideological, and economic silent battle among global superpowers still exist. The borders induced tension between the potent military states like Korea, Kashmir, Taiwan, and the Middle East can potentially inflict dreadful conflicts globally (Stern & Daniel, 2000).

Conflict resolution can be broadly defined as efforts to prevent or mitigate violence among individuals and groups. The primary objective of conflict resolution is to keep conflicts within a set of agreed norms that foster peaceful discussion of differences, proscribe violence as a means of settling disputes, and establish rules for the limited kinds of violence that are condoned. Negotiation, mediation, arbitration, and mediation-arbitration are some of the most common conflict resolution mechanisms to solve disputes with the best interests of all parties (Stern & Daniel, 2000; Fisher, 2000).

Nations in different parts of the world practiced traditional conflict resolution mechanisms in the pre-modern era (Grose, 2007). In the modern era, states have developed situational and scientific-based judiciary systems. Traditional diplomacy, military, and economic measures have been used to manage international conflicts during the transitional period (Bruce, 2002; Stern & Daniel, 2000).

Generally, today the global conflict resolution strategies in both the traditional and modern systems primarily follow the following three approaches. The win-lose approach is the most common, and the key strategy is to force the other side to capitulate. This approach sometimes follows socially acceptable procedures such as the majority vote, the authority of the leader and the determination of the judge. The valued outcome is to have a superior victor, and a vanquished who withdraws in shame, but who prepares very carefully for the next round. However, in the long run, everyone loses. The lose-lose approach is illustrated as either smoothing over the conflict or compromising the interests of parties used to practice. In this strategy, each party gets some of what it wants and resigns itself to partial satisfaction (Fisher, 2000).

On the other hand, the win-win approach is a conscious and systematic attempt to maximize the goals of both parties through collaborative problem-solving. The conflict is seen as a problem to be solved rather than a war to be won. This method focuses on the needs and constraints of both parties rather than emphasizing strategies designed to conquer. The win-win approach requires a very high degree of patience and skill in human relations and problem-solving (Grose, 2007; Fisher, 2000).

III. Indigenous conflict resolution mechanisms in Africa

Africa is said to be the most violent continent in the world, with a high number of disputes contended (Osei & Rankopo, 2012). These conflicts are primarily originated from post-colonization independence struggles, ethnic and religious strife, border and natural resource-related rivalry, poverty, corruption, amateurish leadership, and poor governance instigating political instability (Bello, 2016; Kariuki, 2009).

African conflict can be broadly classified into two, inter-state

and intra-state conflicts. The inter-state conflicts were more common during the time of independence, which was associated with the Cold War saga (International alert, 2005; Kaimenyi, 2014). Its devastating impact on the continent led to the genesis of what was portrayed as 'post-Cold War wars' in Africa, hampered by the crisis of legitimacy and motivated by the opportunities of neoliberal globalization. The inter-state conflicts were driven to control other governments and territories. The conflict between Chad and Libya over the Aouzou strip, Ethiopia, and Somalia over an area in the Somalia region of Ethiopia are few of the many inter-state conflicts (Bello, 2016).

Beginning from the end of the Cold War, intra-state conflicts have erupted in different parts of the continent (Bruce, 2002; Sikka, Wong & Bell, 2015). The intra-state conflicts were mainly commenced due to a difference in political ideologies and identity issues (Stern & Daniel, 2000). The identity questions were primarily focused on equality among ethnic groups, the same treatment to different religious ideologies, and fair and equal consumption of natural resources (Bello, 2016; Unte, 2001; Vanhanen, 1999).

Since conflict is an inevitable fact of human existence and Africa is the cradle of humanity, people have developed mechanisms and institutions for managing and resolving day-to-day conflicts in a way that preserved the fabric of society. The concept and practice of customary dispute resolution are not new in Africa (Wassara, 2007). However, the modern judiciary system, which was mainly adopted from the western experience, has immersed the customary dispute resolution mechanisms in many parts of Africa (Bello, 2016; National alternative dispute resolution advisory council, 2006).

Certainly, the majority of the population in the continent who fail to access and afford the modern judiciary system still adhere to the traditional conflict resolution approaches (Ademowo & Nuhu, 2017). The weak democratic institutions which have limited capacity for peaceful conflict resolution forces to use the customary dispute resolution mechanisms alternatively in Africa. Many stakeholders engage in the indigenous conflict resolution mechanisms' structural makeup; however, elders play a crucial role in the customary dispute resolution activities across the continent (Bello, 2016; Ani, 2017; Olowu, 2018).

IV. Indigenous conflict resolution mechanisms in Ethiopia

Ethiopia is a country located in the Eastern part of Africa. According to the latest United Nations estimates, the current population of Ethiopia is 108 million. Ethiopia is the second-most populous land in Africa. It is believed to be Ethiopia has constituted over 80 ethnic groups. The multiple ethnic groups, languages, cultures, and religions make Ethiopia a very diverse nation. Ethiopia is one of the oldest and most historical countries in the world. Though scientific pieces of evidence and pieces of literature regarding indigenous conflict resolution mechanisms are very few, there are several such social institutions across the country (Pankhurst & Assefa, 2008; Gowok, 2008).

As the country is a multi-ethnic nation, the indigenous conflict resolution mechanisms vary in role and constitution across the state (Tadesse, Tesfaye & Beyene, 2010). These customary dispute resolution systems are widespread and found almost everywhere throughout the country and have worked historically in the absence of the state justice system as well as where it exists in the past and the present (Tesfaye, 2011). These social institutes often function at the community level to resolve disputes among individuals and groups (Shiferaw, Takele & Hailemichael, 2017).

The institutions are different from each other depending on the kind of disputes and the approach encountered (Pankhurst & Assefa, 2008; Gowok, 2008). The most common indigenous conflict resolution mechanisms are the *Gadaa* in the Oromo and *Shimagille* in the Amhara ethnic groups which jointly constitute nearly two-thirds of the total population in Ethiopia (Pankhurst & Assefa, 2008).

The *Gadaa* system is an indigenous egalitarian, democratic system used to practice in the Oromo ethnic group in Ethiopia (Muchie & Bayeh, 2014). The *Gadaa* system encompasses the political, social, cultural, economic, and religious affairs of the Oromo people. The *Dadaa* system has five permanent political parties; each political party leads the *Gadaa* system every eight years. The president of the *Gadaa* system is called Abba *Gadaa* (Pankhurst & Assefa, 2008; Edossa, Awulachew, Namara, Babel, & Gupta, 2005).

The *Shimagille* indigenous conflict resolution system is the most common form of dispute resolution throughout the Amhara region. The *shimagille* dispute resolution system operates at a local community level, which involves elders known as *shimagillé* who play a key role in mediation. The dispute resolution mediation is often termed as *shimgilinna*, a noun derived from the word for 'elder' which one might translate as 'eldering.' If parties do not agree with the verdict; the case can be taken to the formal structure, in the past the *chiqa shum* the local government representative, or beyond that to the *wereda* court, then the *awraja* or even supreme court with increasing cost implications (Pankhurst & Assefa, 2008; Mekonnen, 2016; Edossa et al., 2005).

Ethiopia, a country that has adopted ethnic federalism as its policy, such indigenous social institutions help to blur the political boundaries and the sensitive ethnical conflicts escalating at the moment throughout the country (Zelege, 2011). Furthermore, these customary dispute resolution social and religious institutes can serve as an alternative to the state legal system, which is not accessible and affordable to the majority of citizens (Zelege, 2015; Mekonnen, 2016).

The Ethiopian constitution has, however, limited the mandate of the customary and religious institutions to only private and family matters. Nevertheless, these institutions are playing a very significant role in other domains – such as criminal matters (Grose, 2007). The recognition of the mandate of credible customary institutions and their relationships and interactions with the formal judicial structure should be reconsidered to enhance local level justice delivery while ensuring the protection of human rights, notably those of women, children, and minorities (Pankhurst & Assefa, 2008; Zelege, 2015).

V. Indigenous conflict resolution mechanisms in the Gamo community

Gamo society is located in the SNNPR which is the third-largest region of Ethiopia. This region is a melting pot of many different ethnolinguistic groups, each with their more or less distinct traditions which also explicitly relate to the indigenous conflict resolution strategies (Pankhurst & Assefa, 2008; Zelege, 2015).

In the Gamo community, there is a range of traditional social institutions involved in conflict resolution. The different clans in the community have knowledgeable and trustable individuals to manage various disputes. These individuals play critical roles in dispute resolution and general in the day-to-day life of the Gamo community. The *korefinie* is the senior man in a given clan responsible for administering the clan and settling internal disputes. The *shalle* are the elders of the area by this name who are considered to be particularly knowledgeable about dispute resolution. The *maro* are ritual experts that can suggest the causes of conflicts and may suggest solutions. The *Kare* is a person responsible to protect people from other areas and resolve disputes with them. The *Wogaa Era so* are people knowledgeable about the traditional institutions of other areas of Gamo and are consulted when decisions are made (Pankhurst & Assefa, 2008; Zelege, 2015).

In addition to these authoritative individuals, there are also several customary dispute resolution social institutions in the community. For example, in homicide cases, they go to the house of the deceased carrying a stone and plead for forgiveness and organize a reconciliation ritual. If the relatives refuse, they leave the stone at the gate and curse them. At the

reconciliation, the offender shaves his hair and covers his body with soot. The ceremony involves slaughtering a cow and the offender falls at the feet of the deceased's brother, kissing his knees asking for forgiveness and the brother is expected to embrace him. They then both eat the liver of a cow starting from opposite directions and drink together.

The social institution which used to involve and resolve homicide cases in the community is known as *Bollanne Donna* which is a hereditary role. The other hereditary social system to resolve conflicts related to boundaries and land is called *Giqqa Eeqa*. The *Gesbo maaka* is a clan involved in reconciling people who commit incest with the rest of the society, which requires a purification ritual by a river and the shaving of the heads of the offenders by the despised *degala* tanners to avoid ostracism (Pankhurst & Assefa, 2008; Zeleke, 2015).

III. METHODOLOGY

Generally speaking, the methodology of this research project consisted of the research approach, the study population, sampling, ethical considerations, data collection, and data analysis.

I. Research method

A qualitative research approach and a case-study design fitting to answer the research questions are used in this study.

II. Study population

In this study, the study participants were key informants (the key informants were elders in the community, judiciary officials, people working in social society, and knowledgeable individuals to explore past and present events and experiences) and ordinary individuals for observation in the study area.

III. Data collection

The narrative information was obtained by having a conversation with study participants, interviews, assessing recorded narratives, and direct observation in a naturalistic setting. These data need to be triangulated to come up with the required outcome (Polit & Beck, 2012). The data collection was carried out after granting ethical clearance (consideration) by the culture and heritage office in the study region.

IV. Data collection instruments

The data was collected from primary and secondary data sources. Unstructured methods are seldom appropriate for an in-depth examination of a phenomenon (Polit & Beck 2012).

Accordingly, the main sources of evidence in this study were documents, archives (records), interviews, direct observations, participatory observation, and physical artifacts (Yin, 2018). In general, the data collection instruments used in this study were audiotape and videotape recorder, and diary book. These tools were applied to record the interview, focus group discussions, and observations.

V. Sampling technique

In this study, the researcher considered the purposive sampling technique to select study participants that can provide meaningful information for data analysis. In this study, nine key informants from elders, judiciary, and social service personnel, 24 study participants in three focus group discussion teams, and one actual conflict case with more than 100 participants were observed.

VI. Data analysis

The collected data in this study were carefully and deliberately scrutinized and read over and over to come up with meaningful narration. The Max Qualitative Data Analysis (MAXQDA) qualitative and mixed methods software program was used to label or index, categorize, code, organize and analyze the data in this study. Accurate transcription of the audiotaped interview and focus group discussion and the videotaped direct observation into written

text was the first and crucial step in the data analysis process.

IV. FINDINGS OF THE STUDY

The results of the systematic review and meta-synthesis have been organized around the main aim and objectives of the study.

I. Perception of conflict among Gamo

According to the informants, since the existence of humankind, there has always been conflict and it has its ways of resolution. The concept of conflict is now getting wider; conflict had existed before and exists now and will exist in the future. Conflict arises from differences in thoughts between individuals, families, neighbors, clans, and nations. Conflict in its nature emanates from misunderstanding. A conflict could arise between individuals, *kebele* (sub-district) with *kebele* (sub-district), a clan with the clan due to scarcity of grazing land, cattle, and other many socio-economic issues. Nevertheless, conflict is not always destructive; there are conditions where it can be beneficial as well. Generally, one side could put pressure on the other to gain the best benefit out of the conflicting issue, which in turn could manifest in the looting of property, damage to the human body, and death which implies that the conflict has reached a high level.

There are many types of conflicts that have positive and negative outcomes; however, conflict is usually known to result in negative implications. If a conflict is not handled properly with those involved and other responsible bodies, it could negatively impact while, if handled properly, it could have positive results. What is needed to know most is the main cause of the conflict. Otherwise, a conflict could be extensively destructive. A conflict is an event that has ever been and will be, and it is a process; hence, wise management, interventions, and negotiations could turn to positive effects. As long as there is an interaction between people, and as long as there are variations between the needs, purpose, and goals, such incidences will remain. However, it is possible to prevent it from escalating into turmoil. It can be managed. Furthermore, in any event, it could be turned to have positive impacts through proper administration.

Indeed, humankind cannot be free from conflicts; however, one should know the causes and reasons why conflict arises and tries to solve it in time; otherwise, it could bring danger to families, regions, and the country which could affect peace, business activities and economic development, and eventually political stability. The key informants indicated that the word *osha*, which means dispute, violence, quarrel, or absence of peace is widely used to define conflict among the Gamo.

II. Causes/sources of conflict in Gamo

According to the informants, conflicts in Gamo, as anywhere else, may vary from trivial interpersonal disagreements to a serious dispute which might eventually lead to a homicide. Most conflicts among the Gamo are related to social and economic issues. The conflicts that prevail in Gamo vary from simple quarrels to tribal turmoil and fights. And, these kinds of conflicts are primarily used to occur with the scarcity of natural resources and other social and economic causes. The most common conflicting issues among the Gamo are limitations of grazing land, farmland, and water. The majority of the Gamo are farmers that mainly cultivate different crops and domesticate and breed animals for their living. Thus, they need areas for their cultivation and their animals for grazing purposes. In Gamo, animals move from one area to another in search of grazing land and water. The shepherds and their animals would encounter a sort of resistance from the people who stayed there. Indeed, this search for grazing land and water usually causes conflicts among people. The Gamo have been also experiencing border conflicts among the municipalities in the region (*Deretha*) and with the neighborhood zones. Border conflicts among Gamo are significantly manifested between *Deretha*.

Moreover, the most serious conflicts among the Gamo are:

1. Beating a man with a stone and stick: this is the worst crime because it is considered as despising and so is done intentionally. If the accuser has done it for self-defense purposes, that would be considered as a relatively light crime among the Gamo.
2. Beating the elderly: older people are very much prestigious among the Gamo. Elders play an important role in keeping the society peaceful and harmonious, so much as a strong government can do for its citizen. Hence beating elders are considered to be the worst crime that could bring *Gome* (curse) to the accuser.
3. Raping: this is especially very serious when an abducted girl is engaged. Raping of an abducted girl would be considered an equally serious crime like murder among the Gamo. Let alone that, if a man crosses over the legs of a woman, which would be considered as a serious crime that could bring *Gome* (curse) among the Gamo.
4. Murder: among the Gamo, murder could be of two types; intentional and accidental. Although murders of any kind are undesirable, an intentional murder would account to be the most severe crime. Homicide is a serious offense and anti-social act among the Gamo.
5. Physical damage- interpersonal strikes are resulting in physical wounds or loss of any part of the body.
6. Adultery- an unofficial sexual relationship without marriage and/or having a sexual partner other than one's spouse or sexually assaulted somebodies' wife/husband is strictly forbidden among Gamo. Adultery is considered to be *Gome* in society.
7. Abduction: an abduction of a girl is not acceptable unless elders are sent to the girl's family from the male side immediately.
8. Fight in the marketplace and property looted In general, some of the potential sources of conflicts among the Gamo are disputes over farms and grazing land, female abduction, marriage and family issues, failure to attend someone's mourning, occasional disagreements in the market, murder, and adultery.

III. Indigenous Conflict Resolution Mechanisms among Gamo

According to the informants, like elsewhere across the globe, there are many types of conflicts among the Gamo. The most common types of conflict in the area are family conflicts, societal conflicts, and conflicts among *Deretha*. However, these conflicts are resolved based on the principles of the indigenous conflict resolution mechanisms in the Gamo society before they take a long time and bring about severe destruction. The cultural ways are used to resolve most conflicts; however, some are taken to the courts, but even these cases are eventually sent back to the cultural courts.

Gamo people is one of the many culturally reached societies in Ethiopia. The Gamo have time-proven indigenous conflict resolution mechanisms. The customary conflict resolution mechanisms and institutions of the Gamo community are called *Gamo Woga*. *Gamo Woga* can be defined as means of conflict resolution, according to the Gamo language.

IV. Structure of indigenous conflict resolution mechanisms among Gamo

The Gamo's political and conflict resolution institutions are known as *Woga*. It is a system of local governance, which administers different affairs of the society, including conflict. The indigenous conflict resolution institution has three levels: higher (*Dere*), middle (*Guta*), and lower levels. The *Dere* is the highest level at which serious societal conflicts are discussed and resolved. *Kawo*, *Demutha (Eqa)*, *Huduga*, *Maga*, *Halaka*, *Danna*, *Erasha*, and *Bitante* are some of the key stakeholders at the *Dere* level. High-scale grazing land disputes, conflict among clans, and murder cases are seen at a higher level. The *Kawo* is the top post with the ultimate power of decision-making among the key actors in resolving conflicts at all levels in the *Woga* hierarchy. However, the

Kawo might not necessarily participate in all cases at any of the *Woga* conflict resolving levels.

In the *Woga* conflict resolution system, if a case could not be solved at his absence in the higher level, it may refer to the *Kawo*, where he should necessarily commit his decision. The *Guta* is the middle level where non-complicated social conflicts are presented and resolved. In this level, *Mura*, *Tuqamo*, *Mochona*, and *Gudumaje* are among the key leaders. The lower level of the indigenous conflict resolution mechanisms resolves simple and harmless conflicts between family members and neighborhoods. At this level, mediators or conflict resolvers are often selected by the conflicting parties. Unlike the highest (*Dere*) and middle (*Guta*) levels, the lower level has no structural entity in *Woga* system.

According to the informants, each structure of the *Woga* has its authority and role in the process of conflict resolution. The authority of each structure is dependent on different factors like the scale and types of conflicts, actors in the conflicts, the relationship of conflicting parties and the nature of the particular conflict, and so on. *Woga* solves any criminal and civil matters. The indigenous conflict resolution mechanisms among Gamo are typically hierarchical. Cases that cannot be managed at the *Guta* level are used to refer to the *Dere* level.

Similarly, cases that cannot manage at a lower level must be referred to the *Guta* level. In all of these levels, the main actors are elders who try to resolve the disputes among the Gamo community. The number of elders in the *Dere* and *Guta* levels in the process of resolving conflicts may vary between seven to nine. Whereas in the lower levels, the number of elders involved in resolving conflicts between family members and the neighborhood is often not more than three. Anyone who is not satisfied with the lower and *Guta* structure has the right to ask appeal to the higher structure of the *Woga* system.

Very serious cases that cannot solve at the lower, middle, and higher levels can be referred to the *Kawo* level (Gamo's customary supreme court). On the other hand, the *Dana* and *Duga* are responsible elders to resolve conflicts at the lower level. The conflict at this level could be small-scaled grazing land disputes among farmers, a conflict between wife and husband, and other social conflicts within family members and neighborhoods. However, conflicts that cause loss of life and destruction of properties are seen at a higher level. Similarly, the *Karade* plays a key role at this level.

According to the study participants, conflicts at the lower level, for instance, at a family level, an older person of the family will be sought to resolve the conflict amidst the family and pursue the reconciliation process; and one shall be seated and shall attempt to resolve the case, and should one be unable to resolve the case and the resolution from the resolution system was found to be unacceptable, an appeal could be made. A request will be made to give a blessing, and the prior ruling should be acknowledged. The ruling or resolution would come beforehand. Hence, the appeal will be to ask for justice to the next level. In the proceeding level, the key person is the tribal leader; it is called *Kora Fire*, and this tribal leader shall look for the case.

Ogade or *Karade* or *Karam* are social leaders who serve as officers of foreign relations among *Deretha*. The foreign officers are in charge of facilitating conflict resolution meetings at *Dubusha* or *Chako* depending on the case. *Dubusha* is a place where conflicts at the *Dere* level are used to be presented and resolved. In other words, if the conflict is within a *Dere* the meeting would be scheduled at *Dubusha*, whereas *Chako* is a place where conflicts that occur among *Deretha* are used to discussed and settled. In these public meetings, the accuser, the accused, the elders, the relatives of the conflicting parties, and others interested (except children) can participate in observing, supporting, and criticizing the resolution process. The conflict resolution session is open to everyone who has a different opinion, comment, and suggestion. The hearing is open, and the recommendation of

rulings will be presented; trials are conducted, and the senior elders thereby give the conclusion. Ox commonly and any other cattle are used to slaughter at *Dubusha* to facilitate the reconciliation process among the parties. *Maka* is an individual that slaughters Ox or cattle at *Dubusha*; he is often referred to as a priest among the Gamo.

If the conflict is at the *Dere* level, the *Ogade* is the one responsible to pass information to the community so that those interested to come to the *Dubusha* for a meeting and reach a verdict. On the other hand, if a conflict occurs between *Deretha*, the *Ogade* (foreign minister) of the accuser *Dere* should meet with the *Ogade* (foreign minister) of the accused *Dere* to discuss the case and organize a public meeting at *Chako*. The *Ogade* of the accuser *Dere* is expected to initiate the meeting and the resolution process. Similarly, elders and other participants from both *Deretha* are used to attending the meeting at the *Chako*. As diplomats are protected in the modern political system so are the *Ogade* are protected.

V. Council of elders

Among the Gamo, the council of elders is referred to as *Gara/Dere Cima* and is the highest institution of conflict management and socio-political organization. It is composed of respected, and wise older men who are knowledgeable in the societal common affairs and history of the community. The council of elders among the Gamo community is used to act as an arbitral forum or mediator in dispute resolution. These elders and institutions were accessible to the populace and their decisions are respected.



Figure I The Gamo elders (Photo by the researcher)

According to the informants, the members of the council are *Dana*, *Karade*, *Ogade*, *Karam*, *Mochena*, and *Kawo*. In general, the ranking in the power of ascending order is *Maga*, *Uduga*, *Bitane*, and *Kawo*. Nevertheless, there should be a consensus regarding decisions among them.

Kawo is a king, the ultimate decision-maker in the council of elders. *Maga* often represents *Kawo* in cases where the *Kawo* cannot be present. *Uduga* or *Bitane* is among the highest rank officers in the council of elders, in which the decision given by him is considered to be final. However, if the *Kawo* is attending the conflict resolution process within a *Dere*, then his decision will be the final. Moreover, the *Kawo* often attend the public meetings at *Dubusha*, but if the *Kawo* cannot attend the conflict resolution process, then his representative *Maga* or *Dana* must be there.

Of note, the ranks either bottom-up or top-down among the elders vary in different *Dere*. However, *Kawo* is the highest rank in all *Deretha*. For instance, in the Bonke *Dere*, the ranks next to *Kawo* are *Bitane*, *Uduga*, *Maga*, and so on (top-down). *Haleka* is the next rank to *Kawo* in the Chachoo *Dere*.

In general, the members of the council of elders in the Gamo conflict resolution institutions have a power munition. The supreme of all is *Kawo*- the king, and there is a *Dana* next to the king, and *Haleka* comes after the *Dana*, where *Haleka Uduga*, *Haleka Maga*, *Haleka Resha* come beneath it; and the *Mocho* and *Majje* will take over what comes after that; and so, it goes. They do differ in position as well as function; there are *Haleka* (monitors) elected to conduct governance of the people, and there are monitors who are in charge of keeping states of peace of the covenant and also items; and there are others who are in charge of prayers to that end, called *Eka*.

Eka (monitors) are in charge of the traditional religious rituals, and they do the blessing and cursing, too, and some *Ekas* are considered that whatever they say will happen.

On the other hand, the battle monitors are called *Maga*; they do lead into battle; and there are *Tora Magas*, in charge. The *Tora Magas* lead the troop, *Ensa Magas* do the management, the *Gosawo Magas* are those keeping the borders, and *Eka Magas* do undertake the cultural ceremony after the battle is settled. And as such goes the process, and there is *Maka* in the middle hierarchy, who is known as a priest; they have the same role as the priests of the Orthodox church atoning sins and everything.

VI. Process of elders' selection among Gamo

According to the informants, wisdom, knowledge, respect, experience, moral standard, knowledge, the character of the patient, impartiality, incorruptibility, and trustworthiness are the major criteria in selecting elders as leaders and mediators in the traditional conflict resolution process among Gamo. Hereditary or lineage systems of leaders' selection are also often observed in the indigenous conflict resolution mechanisms in the area. Moreover, elders are chosen if they are known to be neutral and free. Their numbers could reach seven to nine for moderate to severe conflict cases. Simple conflicts at family and neighborhood levels can be dealt with two to three elders depending on the case. When the elders are chosen, they make an oath about moral values. They are expected to be keen on the truth with one heart.

In general, conflict resolvers are selected based on their good reputation, wisdom, exemplary deed, experiences, patience, commitment, talent in delivering just decisions, well versed in traditional law, and other calibers.

VII. The role of elders /cultural or religious leaders/ in conflict resolution among Gamo

According to the informants, as in any traditional societies in other parts of Ethiopia, elders in Gamo are respectful of their unreplaceable role in committing balanced, fair, and critical decisions in society. They are of such a prestigious status that their deeds and decisions are not easily and simply refutable. Elders play an important role in the Gamo society to properly administer and harmonize the people. Every matter of the society is managed through the indigenous conflict resolution institutions and by these elders. These could synonymously be referred to as a council of elders. Members of this council of elders are elected in a seemingly free, but partial, and democratic way by their respective clans. It is partial because women are not allowed to participate in the process of election to become a member of the council. Nevertheless, they have the veto to elect the members of the council of elders among Gamo.

Indeed, the members of the council of elders are given delegations and such a full-fledged power to settle every kind of problem that might arise in the community. In fact, the council of elders does not have absolute power over society. They are rather primarily accountable to the public which elected them. If in case, the public at large loses trust in any of the members or all members of the council, it would have then the right of recalling another election.

VIII. Role of women in conflict resolution among Gamo

According to the informants, the case of the Gamo women is not that exceptional to the rest of their fellows across the world, particularly in developing countries, where customary conflict resolution system is still in practice. The Gamo women have no role in decision-making in the process of customary conflict resolution at the *Dubusha* or *Chako*. There are no seats for women in the council of elders, which have the power to execute decisions at the customary justice court. Unlike their counterparts, the women's wisdom, knowledge, experience, and intelligence have no importance in the process of decision making in the Gamo's customary conflict resolution institutions. Being male and blood descent of *Kawo* is instrumental in taking the decision-making role in these

indigenous conflict resolution mechanisms. However, the Gamo women play a key role in averting an escalating conflict by putting their *Netela* (scarf) on the ground. If the conflict is so intense, the Gamo women used to take out their breasts and pointed them to the sky. Accordingly, the disputants have to stop their quarrel immediately. The ongoing conflict among the conflicting parties needs to cease following the women's intervention immediately. There is a great consistency in the belief that a curse made by women leads to misfortune among the Gamo. Hence, women can prevent the escalation of conflicts to turmoil and unrest among the Gamo.

Indeed, women come to the meeting place, but they do not give decisions; there is power restriction. Women can appear as accusers or the accused at the *Dubusha*; at this point, their gender does not matter; they are treated equally. If the women feel that a proper decision has not been made, they can turn down the decision and appeal.

Though their role in decision-making at the *Dubusha* is restricted, they can still oppose the decision made by the council of elders, if they feel the decision is unfair. The women express their opposition in a variety of ways, such as by screaming loud, traditionally known as *Eleleta*. Hence, the women's role in the Gamo conflict resolution process is preventing an escalation of disputes and opposing the decision of the council of elders, if they found it inappropriate.

Nevertheless, the informants argue that the social limitation of women in decision-making does not have any problems as long as they have the unrestricted right to grieve (oppose) if they feel that the decision given has no justification. If the women disagree, they express it with the *Eleleta*, which makes the elders review the case again. Accordingly, the informants believe that the lack of women's participation in decision-making does not have any problem because in addition to their right to oppose the decision and there is also faith in the system of conflict resolution among the Gamo. The elders do not intentionally bias decisions, as they are afraid of the curse. Moreover, if the women feel that more is needed, then they could appeal to the higher level in the Gamo traditional political system.

In general, the women's role is to mitigate the conflict once it arises; usually, they put the *Netela* on the ground and beg and if they do this, no one pushes them aside and goes. The women can also express their opposition to any decision that they do not agree with via *Eleleta* and force the elders to reconsider and revert decisions.

Exceptionally, the *Zaga Dere* has a different trend; among the *Zaga*, if there is no son to inherit the role of the *Kawo* (when he is deceased), a daughter can come in for being *Kawo*. Accordingly, among the *Zaga*, women do not only decide at the *Dubusha* but also, they lead their *Dere*.

IX. Process of customary conflict resolution mechanisms among Gamo

According to the informants, among the Gamo society, the conflict resolution process used to take place at three levels. For cases that are presented at the lower level, the conflicting parties often select known conflict mediators from their villages. These conflict resolvers are expected to resolve the problems at this level. Conflicting parties have the right to select an equal number of mediators whom they trust, think to protect their interests, and who can resolve the conflict easily. These conflict resolvers might come from the village or anywhere who are known for their good reputation and seniority. In addition to this, any mediator who is selected by the opponents must get the consent of both conflicting parties. Both parties may also choose one social leader to chair the conflict resolution process, the chairperson should be neutral and be able to administer the conflict peacefully, additionally, the chair should have an excellent reputation in resolving a variety of conflicts. The meeting place at this level could be either at the disputants' living house or the home of an independent person in the area. Reconciliation is often

reached after intensive negotiation among the disputants. The mediators play a crucial role in resolving a variety of conflicts at this stage. The ritual and blessing ceremonies are eventually used as the closing program of the conflict resolution process. In general, if there is a conflict between individuals, the disputants often do not visit the modern court, rather they prefer to solve the issue culturally. Only, if this does not work, then the conflicting parties go to a state court to get a verdict.

On the other hand, for cases that need the intervention of the highest two levels (*Dere* and *Guta*), the formal structure of *Woga* is used. Accordingly, social leaders with different ranks participate in mediating the cases at the *Dere* and *Guta* levels. According to the informants, the conflict resolvers at *Woga* structure could range from about seven to nine depending on the complexity of the conflict. However, anyone can attend the conflict resolution process. The conflict resolution process is mainly facilitated by the *Ogade* (foreign affairs officer). The *Ogade* informs the council of elders, the disputants, and the interested participants of the overall schedule, particularly the time and place of the customary justice court to carry out the conflict resolution process.

The place of meetings is called *Dubusha*, it has a bench-like chair where the elders sit and at the center, there is a big stone that has a religious or ritual symbol. The *Dubusha* often has a tree where the elders, disputants, and participants get protection from the sun (Fig 5.1). Some *Dubusha* have also sitting places for the disputants and the attendants (often made from stones). The disputants and the attendants used to sit in front and to the left and right sides of the elders. The accuser and his/her relative take either the right or left side. The accused and his/her family take the other side. No matter which side should be taken by whom. The independent attendants often take in the middle. This helps to avoid an acute quarrel at the place of meeting among the emotionally driven disputants. All the stakeholders in the conflict resolution process should sit at a reasonable distance in front of the elders. All conflict cases that occur among inhabitants within a *Dere* (inter-*Dere* conflicts) are resolved at *Dubusha*. The elders that used to involve in the resolution process are recruited from the council of elders at the *Dere* traditional administrative system depending on the case. *Dubusha* is not only a place to settle disputes but also is a place where the public meets to discuss all other societal issues.



Figure II Gamo elders, the attendants of the public meeting & the stone at the *Dubusha* (Photo by the researcher)

On the other hand, intra-*Dere* conflicts, or if a clan gets in conflict with another clan, the overall process of conflict resolution differs slightly from the inter-*Dere* conflict resolution process. The intra-*Dere* conflict resolution process begins with sending the *Ogade* (foreign affairs officer) of the accuser *Dere* to the accused *Dere*. The *Ogade* used to hold the skin of wild animals (such as tigers or lions) or pieces of green glass above his head to symbolize himself as a peace messenger while crossing the accused *Dere*'s traditional administrative border. Each *Ogade* has traditional political protection or immunity against any possible attack that could come from the angry or accused party (clan or *Dere*). The *Ogade* of the accuser party arranges a meeting with his equivalent foreign affairs officer (*Ogade*) of the accused *Dere*. The two foreign affairs officers discuss in detail the causes,

the consequences, and the possible ways of intervention to resolve the conflict that occurs between them. Then, the *Ogades* decide when and where to meet to resolve the problem and notify both sides about the decision reached.

The place where the two parties meet to resolve the intra-*Dere* conflicts is called *Chako*. The *Chako* is situated at the border of the conflicting parties. The social leaders involved in resolving the intra-*Dere* conflicts are often recruited from the council of elders from the respective conflicting *Deretha* and another independent *Dere*. Moreover, the *Kawo* of the respective *Deretha* is expected to participate in the conflict resolution process depending on the heaviness of the dispute.

The conflict resolution process might be lengthy and tedious; however, everyone is often convinced that the elders find ways to resolve the conflict culturally. When the negotiation is over, and reconciliation reached, cattle (often Ox) get slaughtered and smear their spear with blood and step over the contents of the intestine of the cattle as a sign that the disputants would not enter into conflict anymore and create a spirit of understanding to attain irreversible and sustainable peace. The ritual ceremony is often the closing session of the customary dispute resolution process. Furthermore, the elders praise peace, stability, love, and economic growth for their region and country.

In general, following utterance of blessing, disputants present their cases, standing in front of elders. The plaintiff takes the chance first, and then the defendant would follow. Following the debate of conflicting parties, elders let the crowd express their questions, suggestions, and objections. The local leaders (elders) and any participant can ask questions, which would help to resolve the conflict. In this process, both parties are supposed not to interrupt each other unless they are allowed or asked by the leaders. If the conflict is complicated, the elders give another appointment to provide a chance to the disputants to think more about the case. However, according to the informants, the cases are often resolved in a single trial. Nevertheless, should the satisfactory resolution be failed to be attained upon consideration of the case between the conflicting parties, another appeal could be made, and this will be referred to the *Debusha*. *Debusha* means a tribunal of the nations; and, it is comprised of people from the tribe and other knowledgeable persons in the locality for due judgment. The youngsters will also gather along with the noblemen, and the judicial process shall undergo. The procedures are the same for the intra-*Dere* conflict resolution process that takes at the *Chako*. In general, the customary conflict resolution system is deeply rooted in the participation and consensus of the whole society.



Figure III Public Meeting (Dubusha) with Attendants Sitting in Front of the elders (Photo by The Researcher)

On the other hand, in the case of homicide, the elders put spears and soil from a graveyard on the ground and order the suspected ones to walk over these, declining to cross implies that the suspects commit the crime. During the debate between the accuser and the accused the situation may become volatile and the group that has lost a life wants to take revenge at the place; the elders pick up grass and kneel between the two groups; hence no one dares to trespass the elders.

X. Reconciliation and rituals among Gamo

The reconciliation and ritual process among the Gamo has

similar features with other same practices in different parts of the country. According to the informants, *Dubusha*, or *Chako* is the cultural platform where the elders, the wronged, the offender, and other interested individuals meet to resolve different conflicts traditionally. At the public meeting, the hearing is open, and the recommendation of rulings will be presented; trials are conducted, and the senior elders thereby give the conclusion. In this platform both the conflicting parties are called to appear and present their testimonies and evidence to the customary judges, after an in-depth investigation of the cases and breath-taking negotiations, the elder presents their verdict. The restoration of the friendly relationship between the wrongdoer and wronged follows after the elders in charge have made the decisions. The reconciliation process at the *Dubusha* or *Chako* begins with the command of the elders to the offender party. The elders used to give orders to the accuser to apologize for the wrong. The wrongdoer needs to sit up and stand or kneel in front of the accused to obtain the consent of being excused. Furthermore, the offender must kiss the knee of the wronged to get an apology. The wronged is expected to take up the offender from the kneeling position and hug if he/she accepts the apology. This is the final step of the customary reconciliation process among the Gamo.



Figure IV The wrongdoer asking for an apology while standing to the sated wronged (Photo by the researcher from the Lante's case)

The participants, particularly the women, make *Eleleta* that show their happiness with the result of the reconciliation and overall resolution process. Soon after the reconciliation process is over, the ritual process begins with the slaughtering of cattle. The conflicting parties are expected to cross the blood and intestine of the slaughtered cattle; this symbolized the end of any bloody conflicts between the accuser and the accused. The conflicting parties also have to share a piece of meat; this symbolized the restoration of a friendship between them and that they do not harm each other anymore. Moreover, in the litigation process, the conflicting parties are expected to swear an oath, locally referred to as *Choqo*.

The traditional reconciliation process among the Gamo is called *Oga*. It is also referred to as Gamo *Siginsega* or *Ignsiga*. *Ignsiga* comprises *Tughe*. The *Tughe* system is one of the reconciliation systems, which deals with quarrels and turmoiled tribal conflicts where people have been injured and result in disabilities. This type of reconciliation process is always taking place after the quarrel has settled, and the wrongdoer left the place.

To engage in the reconciliation process, there is a *Tughe* therein; and when the incident happens, the *Tughe* is enacted. An appointment (*Yesira*) needs to be scheduled to carry out the *Tughe* after emotional stability is reached. The *Tughe* process started when the elders began their mediation by visiting the victim's house. The elders may demand many visits to obtain the recognition of the wronged party to conduct the reconciliation process. Initially, the victim's family may refuse to accept the reconciliation; however, after a couple of attempts, the victim's family for sure used to involve in the reconciliation process (*Tughe*). Elders who did not engage in the injury bear skin of tiger or lion and visit the accused to arrange the *Tughe*. In the meantime, the accuser tribe may need to depart and stay away from the locality until emotional stability is secured in the area.

In the process of reconciliation, the people speak about the injustice they faced, and based on the fact the guilty are criticized and told to reward for his/her mistake, with a spirit of reconciliation, they separate kissing each other in the case of clan conflict. Reconciliation by holding grass is also common in Gamo's culture.

XI. Enforcement mechanisms (Gome) among Gamo

According to the informants, in the process of reconciliation among the Gamo, the accuser or his/her relatives has/have to be at the customary justice court, he/she cannot say no, in fact, both have to appear, sometimes the accuser could hide but his relatives must appear on behalf of him, and in public, the accused will spear first and then the middle-seated elders (*Ude*) ask the offender if the accused has not properly presented the case. To rule out if the wronged do not tell the truth, then he/she used to be asked to jump over the spear on the ground. If he lied, he does not jump it, fearing the curse (*Gome*). People are given a chance to ask him and when reconciliation is done cattle blood is shed and both are asked to eat the meat.

If the guilty one does not accept the verdict, he gets the *Gome* or curse. If the accuser has a problem, no one gives him a helping hand including the accuser's relatives. Non-compliance with the elder's decision brings more sanctions (*Hilo*), the non-compliances children cannot mix with others, the accuser is prevented from asking fire from neighbors and the accuser cattle does not allow to mix with others for grazing, this is social exclusion.

Moreover, the customary courts among the Gamo have their laws, and for those that do not abide by the elders' decisions, a curse or *Gome* is passed. Customary laws are remained to be rooted in the sole of the people among the Gamo. If the accused does not accept his/her guilt, he/she is to be cursed and it is believed that the curse could pass to children, family, or relatives. Hence, fearing the curse, the disputants used to come to the reconciliation process and admit the elders' decision. In general, the use of religious values and faith of the society in enforcing the disputants to accept the elders' decision is called *Asa xeerappe cima shishiin ixxis/xxasu*.

XII. Process of Gome/cursing

Conflict resolution by elders among Gamo is based on social/cultural values, norms, beliefs, and processes that are understood and accepted by the community. For that reason, people can abide by and comply with the elders' decisions. Elders hold supreme authority and customs among the Gamo society. The curse is one way of invoking the spirit to harm a person in all aspects of his/her life. It is also believed in Gamo that a curse hurts the descendants of the cursed up to seven generations. More importantly, the Gamo believe that curse harms if and only if it is morally justified. It does not hurt the innocent person. In general, a curse is an ultimate power that deserves social value that the Gamo use to enforce the value and law of the society.

XIII. People's preference /the novel vs. customary/ in Gamo

A conflict could occur between people of different communities normally over the determination of rights ownership of natural resources and raid of live-stock. As a result, several states provide a western model of conflict resolutions in the modern era (Novel judiciary system) to minimize the destructive features of the conflict in the communities. On the other hand, traditional societies have developed traditional ways of conflict resolution mechanisms based on their philosophy. Accordingly, many African societies have traditional institutions to apply indigenous knowledge and laws to settle all types and levels of conflict (Tafese, 2016). The question is that how are the novel and customary systems work together in harmony at a time in society. Scholars claim that there is palpable tension between cultural institutions and the states across the world. The novel judiciary system is pushing the customary conflict resolution mechanisms aside from many parts of the world, particularly

in Africa (ACCORD, 2012).

Ethiopia embarked on a politically motivated modernization of its laws with the coming to power of Emperor Haile Selassie in 1930. The country drafted its first constitution in 1931, which was influenced by the Japanese constitution, which in turn was influenced by the German constitution. The Ethiopian government had revised the constitution again in 1955. The influence of Anglo-American constitutional traditions, the Westminster Model, and the 1948 United Nations Declaration of Human rights were still there. The revised constitution was also consolidated imperial powers including as head of the *chilot*, the imperial court (Tafese, 2016).

Between 1957-1965, Ethiopia gave its six modern legal codes in a massive modification project that aimed at modernizing the legal system. The Penal code, Civil code, Commercial Code, and Maritime code were some of the modern codes that incorporated to modest the legal system. These laws have a predominantly western flavor and seem to bear little relation to the traditional patterns of life prevailing in the country. Though some attempt was made to incorporate certain principles of customary law into the enacted modern codes, the novel system leaves no space for the widely-practiced customary mode of dispute settlement (Pankhurst & Assefa, 2008).

In 1974, Ethiopia's students and military rose up had overthrew Haile Selassie, the last in a long line of Emperors. The military group called Derg took over power. The socialist-oriented constitution which was drafted by the Institute for the Study of Ethiopian Nationalities in 1986, was modeled along the lines of Marxist-Leninist constitutions, notably those of the Soviet Union, Romania, and Albania. The Derg constitution had no also space for the widely-practiced indigenous conflict resolution mechanisms (Pankhurst & Assefa, 2008; Mekonnen, 2016).

Following the defeat of the Derg by the EPRDF in 1991, a new constitution was drafted in 1995. The EPRDF constitution embodied a clear recognition of the jurisdiction of customary and religious laws and courts in family and personal matters among the disputants that consent to such a jurisdiction: Article 34(5): This constitution shall not preclude the adjudication of disputes relating to personal and family laws per religious and customary laws, with the consent of the parties to the dispute. Particulars shall be determined by law. Art. 78(5): Under Sub-Article 5 of Article 34, the House of Peoples' Representatives and State Councils can establish or give official recognition to religious and customary courts (Pankhurst & Assefa, 2008).

Religious and customary courts that had state recognition and functioned before the adoption of the Constitution shall be organized based on recognition accorded to them by this constitution. These articles, therefore, imply that at least in those areas mentioned, the customary dispute resolution systems can exist separately from and parallel with the state-sponsored legal-judiciary systems. Nevertheless, the constitutional space for the indigenous conflict resolution system is still limited. Furthermore, the space that has been accorded has not been followed through with practical provisions and the creation of an enabling environment for fruitful cooperation, alliance, and partnership in the legal sphere between state and civil institutions. Though the EPRDF constitution has recognized the religious and customary laws much better compared with the other two previous constitutions, it has lacked the technical means to integrate the novel legal system with the customary conflict resolution mechanisms (Muchie & Bayeh, 2014; Pankhurst & Assefa, 2008).

The study participants and the secondary data in this study have revealed that the Gamo people prefer the customary justice system to the novel judiciary system, primarily because the former is not only less time-consuming and cheaper; it also avoids winner-loser conclusions, which makes post-

settlement conciliation more difficult. The inaccessibility of the novel judiciary system together with its complicated process, makes the Gamo people prefer more indigenous conflict resolution institutions.

Moreover, cases that were submitted for the customary system normally include those that had either failed to be resolved by the novel system or were constitutionally defined as criminal. In other words, several sensitive and difficult social cases are used to refer to the novel judiciary system to the customary justice system. This argues with the information that the researcher obtained from one of the key informants and the President of the Gamo higher court Mr. Mukuria Feleha. The president had informed the researcher that nearly 3157 cases had been referred from the novel judiciary system to the customary justice system in one and a half years among the Gamo Zone. All the 3157 crimes and cases referred from the novel justice system have been resolved through the indigenous conflict resolution mechanisms among the Gamo. This constitutes nearly 11.2% (3157 out of 28294) of the total cases resolved in the novel judiciary system among Gamo.

The most important factor for preferring the customary justice system over the novel judiciary system is people's loyalty to their philosophy. The level of determination of the Gamo people to their traditional philosophy can be explained with the case, for example, the cultural house of Gamo is a thatched hut with a central pillar and it is symbolized as St Mary. If a father is annoyed with his child and wants to punish but the child runs to the St. Mary's pillar or if he wants to hit his wife and she lies under the pillar, he does not dare to touch them.

XIV. Role of customary conflict resolution mechanisms in preventing conflicts, peacebuilding, and promoting stability among Gamo

According to the informants and secondary data reviewed, a conflict could arise in a family, between individuals, between neighbors, between a group of people, between clans, between regions, and between states; the result of it could bring disabilities of political and socio-economic activities at different levels. Furthermore, a conflict could demolish business activities and erode the faith between people.

The advantage of customary conflict resolution institutions in peacebuilding and facilitating business activities at a regional or country-level is many folds. According to the informants, conflicts that are the high magnitude and potentially devastating can be reversed via the customary conflict resolution mechanisms if any information is obtained beforehand the conflict. Hence, the indigenous conflict resolution mechanisms not only resolve conflicts but also prevent disputes from occurring. Among Gamo, clan leaders often predict possible conflict cases after analyzing situations and notify that a dispute could arise with another clan or among people in a clan. Accordingly, an immediate and emergency gathering is called by the elders, religious leaders, and the public meet to discuss the upcoming conflict and to find ways to prevent it from occurring. The particular importance of peace among Gamo is the economic activities of the region are entirely dependent on agriculture and tourism. Without peace, crop cultivation and bringing to market are not possible. Without peace, tourists and investors cannot come to the area for tourism and investment respectively.

XV. Strengths and Weaknesses of Customary Conflict Resolution Mechanism in Gamo

According to the informants, the indigenous conflict resolution mechanisms among Gamo are focused on conciliatory, mediatory, and arbitral ways of resolving conflicts. Furthermore, the customary conflict resolution mechanisms in the area urged the conflicting parties to abandon their old feuds and live intolerance amicably. Remorse, forgiveness, and reconciliation to restore the social harmony among individuals and communities are the key values and principles of the indigenous conflict resolution

mechanisms among Gamo. On the contrary, the novel judiciary system stresses the finding of guilt and levying retribution and punishment without reference to the victims or their lineages or consideration for the future reinstatement of the offender into his/her community.

Therefore, the indigenous conflict resolution mechanisms among the Gamo have strengths in terms of their accessibility and affordability; their ability to avoid revenge and restore friendship among people; their deep-rooted philosophical attachment to the community than the westernized justice system; and their higher preference in the community than the novel judiciary system.

On the other hand, the customary conflict resolution mechanism among Gamo have limitation in terms of their weak and unstructured institutional setup; their tendency to violate basic human rights, notably of women, children, and minorities; their tendency to favor the socially dominant group; and their limited space for women participation in decision making.

XVI. Challenges of customary conflict resolution mechanisms among Gamo

According to the informants, the key challenge of dispute resolution by elders or any form of the traditional justice system is the negative attitude that they have received from the 'modernized' young people in Gamo. Christians and Muslims alike have criticized the Gamo ritual system like paganism. In other words, the traditional practices such as rituals, cleansing, and trial by ordeals which are central in resolving disputes traditionally among the Gamo, have been declared paganism by religious organizations and illegal under the novel legal systems.

In general, the challenges of the customary conflict resolution system among Gamo are rooted in the global, national, local, and institutional perspectives. For example, the Ethiopian governments' political ideologies are adopted through globalization. The different political ideologies attached to the Ethiopian governments at different points in time in the modern history of the country have been reported as the huge challenges of the customary conflict resolution mechanisms among Gamo. This can be considered as the global challenge of the customary justice system among Gamo. On the other hand, the process of assimilations and adoptions in Ethiopia by the Semitic and the Cushitic (Oromo) in the central highlands of Ethiopia in the 12th to 13th centuries and in the 16th, century respectively has been reported as a crucial challenge to the Gamo indigenous conflict resolution institutions. These national challenges in Ethiopia took place violently and destructed the overall culture of the Gamo community.

The fact that the customary conflict resolution institutions among the Gamo lack a transparent and accountable organizational structure makes them vulnerable to possible bribery, corruption, and favoritism. Accordingly, this has broken down the close social ties and social capital among the Gamo people, the customary conflict resolution institution, and the elders. This is reflected particularly among the new generation. The expanding sense of modernity and westernization among the young in Gamo is the other challenge of the institution. The growing urbanization and an increasingly individualistic society have broken down the communal or extended family system and thereby reducing the influence of elders in Gamo. These can be considered as local and institutional challenges of the Gamo traditional conflict resolution institutions. In general, the customary conflict resolution mechanisms have begun to deal with the challenges of survival.

V. CONCLUSION

Conflict resolution is a process of peacemaking and a means of handling conflicts in society to create peace when conflicts occur either in a family, group, or interpersonal relations. The conflict resolution mechanisms could either be traditional or

modern. The traditional dispute resolution mechanism's function is based on local customary practices or cultural norms based on indigenous knowledge. There are several forms of customary conflict resolution mechanisms in Ethiopia (Tafese, 2016).

The Gamo community is located in the most ethnically diversified SNNP regional state, Ethiopia. The community is believed to have a long history of cultural administration that basis on people's philosophy. The Gamo traditional conflict resolution processes are part of the time-proven social systems geared towards reconciliation, maintenance, and improvement of social relationships. The methods, processes, and regulations are deeply rooted in the customs, norms, philosophy, and traditions of the Gamo people. The importance and utility of the processes of the Gamo conflict resolution mechanisms lie in the fact that they strive to restore a balance, settle the conflict, and eliminate disputes.

Furthermore, the Gamo customary conflict resolution mechanisms aimed at removing the root causes of the conflict, reconciling the conflicting parties genuinely, to preserve and ensure harmony to set the right setting for societal production and development. The indigenous conflict resolution mechanisms in Gamo encompass the skills, experiences, and insights of people, applied to maintain or improve their livelihood, and handle conflicts. The key actors in these traditional conflict resolution mechanisms are elders and religious leaders.

Compensation is a key strategy in the Gamo society to restore peace and reintegration among the wrongdoer and wronged. The reconciliation process was eventually finalized by providing compensation. The leading idea of the compensation is to create more reintegration of the offender into his/her community. The conflict resolution process encourages the conflict parties to use words of forgiveness or rituals and facilitate reintegration into the communities.

This paper revealed the efficacy of the indigenous conflict resolution mechanisms in grappling with a thread of conflicts that have ravaged the country (particularly the escalating ethnic disputes). However, for decades, mechanisms adopted in resolving conflicts in Ethiopia were largely western, excluding the indigenous models.

On the other hand, the Gamo conflict resolution mechanisms have several limitations in terms of lack of transparent and accountable institutional structure, human rights protection, and equal participation of women. Though women and girls are particularly affected because of their status in society and their sex, they have significantly undermined their role in decision-making in the indigenous conflict resolution mechanisms. Yet, the Gamo women play a critical role in preventing conflict-induced social crises.

The indigenous conflict resolution mechanisms were the major body of law in Ethiopia for centuries. However, the customary dispute resolution mechanisms were abandoned and ignored following the introduction of the novel judiciary system (Mekonnen, 2016). The constitutions that have been drafted at different points in the history of Ethiopia have no or only a little space for the customary dispute resolution system. This has weakened these traditional systems significantly. This may indicate that the approaches taken by the modernizers of the Ethiopian law might have been wrong or at least require rethinking and revision (Pankhurst & Assefa, 2008).

The novel judiciary system had referred 2223 and 934 cases to the customary conflict resolution methods in the 2010 EC and half 2011 EC, respectively. These figures show the important role of the indigenous conflict resolution mechanisms to reduce the work burden of the modern justice system.

According to the informants, the role of indigenous conflict resolution mechanisms to resolve and prevent conflicts, thereby promoting peace and business activities among the Gamo has been proven. The *Burayu* and *Lante* cases support

the arguments of the key informants. Moreover, the number of cases referred from the novel judiciary system to the customary justice institutions among Gamo has signified the important role of the indigenous conflict resolutions. These facts unravel the power and importance of customary social leadership methods. However, the customary conflict resolution institutions among Gamo and the rest of the country have faced a threat of survival. Therefore, the regional and federal governments need to appreciate the vital role of the customary conflict resolution mechanisms to promote economic growth and socio-political stability.

Moreover, the novel judiciary system needs to recognize the importance of customary justice systems to restore sustainable peace among the very diversified communities in different parts of the country. Indeed, state and traditional systems can work together cooperatively, complementing one another. However, this would require a fundamental re-orientation towards mutual respect and understanding, away from hostility and neglect. To pave the way to this re-orientation it might be advisable to consider focusing on synergy, on what each system could contribute to the constructive evolution of the other. Traditions and states are never static. They change over time. Engaging respectfully could strengthen one another through legitimacy, effectiveness, and capacity to support all citizens in resolving their conflicts.

A comprehensive approach should be designed to overcome the possible challenges of the customary conflict resolution institutions and strengthen these social capitals to enhance comprehensive socio-economic development among the Gamo and across the country. Researchers, policymakers, governmental, and non-governmental stakeholders need to work in harmony to explore and use the enormous conflict resolution potential geared in the customary justice systems among Gamo and across the country. Generally speaking, this work suggests that efforts to promote the use of indigenous methods of conflict resolution should be encouraged. The Ethiopian government, academicians, and other stakeholders have the responsibility to highlight these approaches in theory and practice of peace and security.

Indeed, it is pertinent to note that most of the recent ethnic conflicts in Ethiopia in part are products of the failed ethnic-based federal system and the erosion of the indigenous philosophy of people across the country. Ethiopia should adopt and deploy such methods into its conflict theatre, especially when the westernized methods employed by the government and other actors have yielded little or no result. The focus should, therefore, be on the indigenous models owing to their uniqueness and effectiveness, which are susceptible to generating enormous benefits not only in Gamo but in Ethiopia conflict settings.

ACKNOWLEDGMENT

I would like to express my deepest appreciation to Professor Perry Haan for his invaluable support along the way of this research work.

I would also like to acknowledge with gratitude the support and love of my wife Nadine Beerli for her wonderful assistance in the process of accomplishing this project. I am so grateful that you are my wife.

My dad, Gezahegn Gebretsadik, thank you very much for your inconceivable inspiration to life. I would never be where I am today without your constant love and unending faith in education and me.

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