



Roles of Indigenous Conflict Resolution Mechanisms for Maintaining Social Solidarity and Strengthening Communities in Alefa District, North West of Ethiopia

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Abstract

Ethiopia has been practicing various indigenous conflict resolution mechanisms for many centuries. The study on which this article is based was aimed at describing the role of indigenous conflict resolution mechanisms for maintaining social solidarity and strengthening communities in Alefa district. Descriptive qualitative research method was used with semi-structured face-to-face interviews to collect data. Thematic analysis was employed to analyze the data. The findings reveals that indigenous conflict resolution mechanisms are more flexible than the formal court procedures. Indigenous conflict resolution typically involves consensus building based on open discussions to exchange information and clarify issues about the conflict. The desired end result of indigenous conflict resolution mechanisms is a sense of harmony, solidarity and shared dialogue among conflicting parties not punishment. The absence of clear policy direction in the application of indigenous conflict resolution mechanisms has been found to be a limiting factor. Indigenous conflict resolution mechanisms have great untapped potential in maintaining social solidarity among a multiethnic and multicultural society such as Ethiopia where inter-communal conflicts are prevalent.

INTRODUCTION

Societies world-wide have long used indigenous mechanisms to prevent and resolve conflicts. In every community, systems of indigenous conflict resolution often based on community customs, familial relationships, or embedded in institutional practices run alongside the formal state sanctioned processes (Macfarlane, 2007; Mapara, 2009). In a society where the majority of the populace is poor with widespread illiteracy culminating in lack of access to justice and the high cost and scarcity of lawyers, traditional conflict resolution stands out as the best method of conflict resolution. In Ethiopia, many rural and village communities do not refer

complaints to the police or prosecuting authorities, but instead deal with them using indigenous tribal processes (Macfarlane, 2007; Gowok, 2008).

In Ethiopia various indigenous conflict resolution mechanisms has been practiced for many centuries (Gowok, 2008; Endalew, 2014). These indigenous conflict resolution mechanisms are deeply rooted in different ethnic groups of Ethiopia. They are associated with the cultural norms and values of the peoples and gain their legitimacy from the community values instead of the state. Besides, due to the multi-ethnic composition of the country, indigenous conflict resolution mechanisms of Ethiopia are different from ethnic group to ethnic group. As a result, they do not have uniform application all over the country (Endalew, 2013).

In the ancient days and most especially under the *Fetha Negast* [law of the kings], conflicts between individuals or communities were encouraged to be settled amicably at local level. Elders-*Shimagelle* - or people appointed on ad-hoc basis to settle disputes played an important role in resolving conflicts. Even today, these mechanisms are widely practiced among the various ethnic groups to settle various conflicts and many other problems. For instance, the institutions of *Gadaa* among the Oromo, the *Shimagelle* by the Amhara and other ethnic groups are practiced (Gowok, 2008). Moreover, even after passing through the procedures and penalties in the criminal court, some indigenous Ethiopians tend to use the indigenous conflict resolution mechanism for reconciliation and in order to control acts of revenge (Endalew, 2014).

However, regardless of their wider popular acceptance throughout the country, indigenous conflict resolution mechanisms have been marginalized since the 1950s and 1960s when the imperial regime was engaged in the extensive codification and overhaul of the existing laws with the aim of unifying and modernizing the laws. In the enactments codified at that time, indigenous conflict resolution mechanisms related to family relations and interpretations of contracts were incorporated as long as these practices did not contradict the Codes (Bahta, 2014). Indigenous conflict resolution mechanisms are not recognized by law and not properly organized (Endalew, 2014). Furthermore, in Ethiopia, there is lack of proper attention given to protect, develop, and utilize indigenous conflict resolution mechanisms in the development process.

Since recent years, these indigenous conflict resolution mechanisms received growing attention as evidenced by an increase in research activities, publications, and policy interest as well as a growing attention given by the government, judiciary and the civil society (Gowok, 2008). Several authors [Dejene, 2002; Desalegn, Mukand, Ashim & Seleshi, 2005; Kelemework, 2011;

Yonas, 2012; Abebe, Samson & Tessema, 2015; Daniel, 2016] studied indigenous conflict resolution mechanisms in Ethiopia on various issues such as nature, process and roles of elders in conflict resolution. However, most of these studies predominantly focused on the nature, process, and roles of elders in the indigenous conflict resolution mechanisms. They did not emphasize the role of indigenous conflict resolution mechanisms for maintaining social solidarity and social order of communities. Furthermore, in Ethiopia, indigenous knowledges including indigenous conflict resolution are largely oral, undocumented, and not systematically organized to be used in the development process. Hence, this study will contribute to fill this gap and contribute to stimulate debates on how to develop the knowledge by using Alefa as a case study. The study answered the following research questions. What is the nature and processes of indigenous conflict resolution mechanisms? What are the roles and challenges of indigenous conflict resolution mechanisms in Alefa district?

Alefa is one of the districts of North Gondar Zone found in Amhara National Regional State. Alefa district is located at 162 km in southwest of Gondar city and 909 km from Addis Ababa (CSA, 2011). It is believed that Alefa is named after the historic region to the southwest of Lake Tana, which was the target of a punitive expedition led by Emperor Susenyos in 1608 (Huntingford, 1989). The total geographical coverage of the district is 2043.07 square kilometer. In 2012, the population size of Alefa was 204, 301 with 100 density per square kilometer. The majority of the people in the district earn their living from agriculture. Crop production and livestock development are the major agricultural activities (Bureau of Finance and Economic Development, 2013). Alefa district is commonly known in conflict including blood feuds. In the district, local communities use indigenous conflict resolution mechanisms to resolve conflicts. However, to date, no study has documented the role of indigenous conflict resolution. Therefore, this study is significant for the following reasons. First, it provides valuable information about the roles of indigenous conflict resolution mechanisms for the local people. Second, it helps to identify the challenges that hinder the practice of indigenous conflict resolution. Finally, it has a potential to contribute to policy development in Ethiopia.

GLOBAL PERSPECTIVES ON INDIGENOUS CONFLICT RESOLUTION

Indigenous approaches to conflict resolution vary considerably from society to society, from region to region, from community to community. There are as many different indigenous

approaches to conflict resolution as there are different societies and communities with a specific history, culture and custom. To date, indigenous approaches to conflict resolution have not been adequately addressed by scholarly research and political practice. For the most part, they are widely ignored although empirical evidence from relatively successful cases of conflict resolution demonstrate their practical relevance (Boege, 2006).

Throughout history, societies across the world have used different forms of indigenous conflict resolution mechanisms specific to their cultural contexts. For instance, at least more than 80% of all disputes in Afghanistan are resolved through indigenous dispute resolution mechanisms, principally by community councils called *shuras* or *jirgas* (Sinha, 2011). The *jirga*, its norms, techniques and processes define the indigenous ways Afghans resolve their local and national conflicts. It plays a central role in strengthening social solidarity among Afghans and contributes significantly to the maintenance of social order in Afghan society (Wardak, 2011).

Ministry of Justice, Ministry of Interior and UNDP Cambodia (2007) in their study found that indigenous communities in Cambodia overwhelmingly trust, use and support their customary laws and conflict resolution processes within their communities. The indigenous system is more fair, pro-poor and easier for local people to access than the formal system. There is a lack of interface between the formal and the indigenous legal systems.

Dahal and Bhatta (2008) also established that many customary laws are still practiced in all parts of Nepal and influence the habits, norms, social values, rules and institutions build up across time. The process of indigenous conflict resolution is led by locally trusted elderly people who have socially eminent status and authority granted by customs. The authors also found that since courts are overloaded with cases, inaccessible and affordable for the poor and marginalized people, indigenous conflict resolution mechanisms are preferred than courts.

AFRICAN PERSPECTIVES ON INDIGENOUS CONFLICT RESOLUTION

Socio-cultural norms and values embedded in indigenous institutions have remained an integral part of every organized society in Africa. Apart from being the powerful human tool for survival, as described by Thomas Hobbes, they bring order which in turn makes the society devoid of any state of lawlessness (Olusola & Aisha, 2013). In Africa, family ties and community networking are constantly respected, maintained and strengthened. When there is a dispute between different parties, priority is given to restoring the relationships. The immediate objective

of such conflict resolution is to mend the broken or damaged relationship, and rectify wrongs, and restore justice. Another aim is to ensure the full integration of parties into their societies again, and to adopt the mood of cooperation (Brock-Utne, 2001).

Osei-Hwedie and Rankopo (2012) in their study has confirmed the importance of cultural processes, institutions, and values in conflict resolution and peace building among the *Akans* of Ghana and the *Tswana* of Botswana. It is evident that most individuals, families and communities still prefer indigenous conflict resolution processes in the two countries because they are based on cultural concepts, values, and procedures that are understood and accepted. Similarly, other authors such as [Kariuki, 2015; Midodzi & Jaha, 2011; Bukari, 2013; Emanuel & Ndimbwa, 2013; Ladan, 2013; Theresa & Oluwafemi, 2014] also studied indigenous conflict resolution mechanisms of various communities in Africa and noted their roles in conflict resolution. Malan (n.d) also pointed that indigenous methods have definitely values, approaches and practices embodied in them that deserve to be maintained. However, he stated that there are also criticisable aspects, such as old-fashioned ideology [e.g. gender inequity] or methodology [e.g. pressurizing mediation]. Another study established that the continuing role and influence of traditional leadership in modern African is hard to miss. Nonetheless, there is no clear-cut formula regarding the interactions between the state and traditional institutions (Ladan, 2013).

Abebe, Samson and Tessema (2015) investigated the role of indigenous conflict resolution mechanisms among the Kembata society in Ethiopia. The study found that the local communities prefer customary laws than courts due to the following reasons. Firstly, customary laws are flexible. Secondly, customary law provides a central role to maintain order in the communities. Thirdly, the law itself is more immediate and meaningful to all people concerned since it is developed and imposed by the community itself.

THEORETICAL FRAMEWORK

SOCIAL CAPITAL THEORY AND INDIGENOUS CONFLICT RESOLUTION

Fred-Mensah (2005; cited in Osei-hwedie & Rankopo, 2012) describes traditional conflict resolution mechanism as social capital. Phillips and Pittman (2009) defines social capital as a set of resources intrinsic to social relations and includes trust, norms, community responsibility, reciprocal obligations, civic sense and networks that can improve the efficiency of society by facilitating collective action for achieving mutually beneficial ends. It is often correlated with

confidence in social institutions, civic engagement, and overall community well-being and happiness. According to Field (2008), the central thesis of the theory of social capital can be summed up in that relationship matters. People connect through a series of networks and they tend to share common values with other members of these networks. The members in a group provide safety and status credit for each other. It is these social ties that guaranteed the existence and effective functioning of societies.

In this article, social capital theory provides the basis to understand and describe the restorative nature of conflict resolution by elders in Alefa district. The theory helps to understand how elders restore and maintain social ties, social solidarity and community relations while resolving conflicts. The principles of respect, dialogue, negotiation, reconciliation in indigenous conflict resolution affirms the social cohesion and ties that exists among the community members. However, Sanginga, Kamugisha and Martin (2007) determined that social capital has some limits, and are not always effective in resolving some types of conflicts. Social capital were not effective for managing conflicts between local communities and external powerful stakeholders. It often cannot accommodate conflicts among different communities, or between communities and government structures, or external organizations.

UBUNTU, SOCIAL SOLIDARITY AND INDIGENOUS CONFLICT RESOLUTION

Ubuntu is found among the Bantu languages of East, Central and Southern Africa. The concept of *Ubuntu* is a cultural world-view that tries to capture the essence of what it means to be human (Murithi, 2006). A person who possesses *Ubuntu* is a person who is considered to be generous, hospitable, friendly, caring and compassionate. The idea behind this world-view of *Ubuntu* is that a person is a person through other people. We are human because we live through others, we belong, we participate and we share (Tutu, 1999; cited in Murithi, 2006). Hailey (2008) identified the following general areas where *Ubuntu* has practical application. First, its role in helping us value ourselves through our relationship with a particular community. Second, *Ubuntu*'s role in community building, and third, its ability to encourage collective work and consensus building. Finally, *Ubuntu*'s potential role in conflict mediation and reconciliation.

The notion of *Ubuntu* sheds light on the importance of conflict resolution and peacemaking through the principles of reciprocity, inclusivity and a sense of shared destiny between people. The message for conflict resolution, peacebuilding and social solidarity is that by adopting and

internalizing the principles of *Ubuntu*, we can contribute towards creating healthy relationships based on the recognition that within the web of humanity, everyone is linked to everyone else. *Ubuntu* highlights the importance of public participation in the peacemaking process, since social solidarity is strengthened if members of the society take part in building the peace. *Ubuntu* societies developed mechanisms for resolving disputes and promoting reconciliation and peacebuilding with a view to healing past wrongs and maintaining community relations, social cohesion and harmony (Murithi, 2006; Hailey, 2008). The principles of *Ubuntu* such as empathy, reconciliation, restorative justice, sharing, cooperation and unity of humanity are applicable in this article to describe how traditional conflict resolution mechanisms help to restore and maintain community relations and social solidarity in the study area.

THE INTERCONNECTION AMONG CONFLICT, SOCIAL CAPITAL AND SOCIAL SOLIDARITY

Increasingly, social capital, defined as shared norms, trust, and the horizontal and vertical social networks that facilitate coordination and cooperation for mutually beneficial collective action is seen as an important asset upon which people rely to resolve conflicts. The existence of social capital resources encourages participation by community members and respect of local values and customs. It also helps to make decision-making based on collaboration, with consensus, often fostering local reconciliation (Sanginga, Kamugisha & Martin, 2007).

An integral part of the process of achieving positive peace is the need to promote social solidarity. In an important sense, peace is not just the absence of violence, but the presence of social solidarity. Achieving social solidarity means that members of the society once again begin to recognize each other as fellow human beings and begin to share a concern in the common welfare and wellbeing of each other. Social solidarity makes sense because only by ensuring the security, safety and well-being of other people can we hope to secure our own security, safety and well-being (Murithi, 2006).

The more likely a society will be cohesive and thus possess the inclusive mechanisms necessary for managing conflict before it turns violent. The weaker the social cohesion, the weaker the reinforcing channels of socialization and social control. Weak societal cohesion increases the risk of social disorganization, fragmentation and exclusion, potentially manifesting itself in violent conflict. Social capital can be constructive and support societal cohesion and the mitigation of

conflict (Colletta & Cullen, 2000). This article attempted to describe how elders and community members use social capital to resolve and prevent conflicts. It also helps to understand how conflict resolution mechanisms reinforce social capital.

RESEARCH METHODS AND PROCEDURES

RESEARCH DESIGN

The study from which this article is based used cross-sectional descriptive qualitative research method. Qualitative research designs seek to understand human experiences from the perspective of those who experience it (Yegedis, 1998). Qualitative research explores attitudes, behavior and experiences of people. In addition, it also attempts to get an in-depth opinion from study participants (Dawson, 2009). Qualitative research method enabled the researchers to explore the views, perspectives and experiences of the participants about the importance of indigenous conflict resolution mechanisms in the study area.

STUDY PARTICIPANTS AND SELECTION PROCEDURES

Purposive sampling technique was used to select the participants from elders and police officers. Purposive sampling is a method commonly used in qualitative research that permits the researcher to carefully select participants as it illustrates some feature or process the researcher is interested in exploring (Silverman, 2000). The inclusion of participants in the study was based on their knowledge and experience on indigenous conflict resolution mechanisms.

DATA COLLECTION AND PROCEDURES

Semi-structured interviews were used to collect data. Semi-structured interviews enable the interviewer to follow up and probe responses, motives and feelings and their potential added value is that the recording of nonverbal communications, facial expressions and gestures, for example, can enrich the qualitative aspects of the data (Jupp, 2006). Face-to-face key informant interviews with four elders and two police officers on the roles of indigenous conflict resolution mechanisms. The duration of each interview ranged from 40 to 50 minutes. Necessary cultural protocols was used during the interviews such as giving salutation and getting the consent of the informants before collecting data.

DATA ANALYSIS TECHNIQUES AND PROCEDURES

Creswell (2003) stated that “transcribing and reading through the data is the first major important procedures of data analysis in qualitative inquiry (p. 20).” Then themes are generated that appear as major findings which should be supported by diverse quotations and specific confirmation. Thematic analysis technique was used to analyze qualitative data. Firstly, the data collected in *Amharic* was transcribed and translated into English. All notes and taped recordings of the interviews were transcribed verbatim. After reading the transcription of interviews, data summarizing and sorting out the contents into themes began. Categorizing the translated information was prepared case by case for analysis. Then, themes running through the data were identified for the purpose of discussion and analysis. Then after, the themes were developed in to categories, according to the research objectives. After categorizing these themes in line with research objectives, the results from the qualitative data was presented and analyzed. Finally, based on the findings and discussions of the study, conclusions and implications of the study were drawn.

ETHICAL CONSIDERATION

All concerned bodies at all levels including the study participants were informed of the purpose and relevance of the study for the purpose of ethical acceptance. Oral and written consent were obtained from the respondents prior to data collection. The respondents were selected to participate in the study based on their willingness. The researchers communicated confidentiality of the information and the privilege of privacy to participants. The participants were informed that the information recorded and collected would remain anonymous. In writing the research report, the researchers did not use language or words that are biased against persons because of gender, disability or age.

FINDINGS AND DISCUSSION

This section of the article presents the findings and discussion on the role of indigenous conflict resolution mechanisms in Alefa district. Findings from key informant interviews were analyzed and discussed to get a complete understanding of the role of indigenous conflict resolution mechanisms. The finding is presented in four main sub sections: [1] nature and processes of indigenous conflict resolution mechanisms, [2] principles of indigenous conflict

resolution, social solidarity and community relations, [3] advantages and [4] challenges of indigenous conflict resolution mechanisms. The findings and discussion are presented together.

NATURE AND PROCESSES OF INDIGENOUS CONFLICT RESOLUTION MECHANISMS

Indigenous conflict resolution mechanisms are practiced in Alefa district. Indigenous conflict resolution mechanisms manage almost all kinds of conflicts ranging from petty offences, civil cases, such as financial, familial and contractual disputes to murder cases and blood feuds. The process of the conflict resolution is led by male elders/leaders of the community. Even though females do not led the conflict resolution process, they participate and provide suggestions about the process. Elders are the ones who are influential from the community and know both conflicting parties. Elders are usually of having higher social status than the two parties. They acquire this position by virtue of their age, knowledge of culture and tradition of the community or influence within the community. They have to be rich in social capital and experienced in conflict resolution. Elders serve as facilitators or negotiators during the conflict resolution process. In addition to elders, there are many actors such as conflicting parties, their family members and community members which participates in the conflict resolution process. One key informant interviewee explained as follows: “elders hold key position in the conflict resolution process. First of all, elders are selected based on their status and respect in the community. They must be well experienced and have good relationship with other people.”

The conflict case could be brought to the elders in three ways: the conflicting parties themselves, the community members and the police officers. Resolution of the conflict is through open discussions between the two parties. Dialogue and negotiations about what went wrong between the two parties is very important. Then, facts about causes of the conflict are established and consensus about the truth is achieved through negotiation. Once consensus about the truth is achieved, the offender will ask apologies and the victim will forgive.

One elderly key informant interviewee reported as follows:

We elders have a meeting place in every locality. We meet together when we are requested to do so. We get information about cases from conflicting parties, community members and police. Police officers support elders in many ways including bringing conflicting parties to us and executing our decisions. We create opportunities for conflicting parties to have open discussion and dialogue about the conflict. We elders do our best level to resolve conflicts and restore relationships. After building consensus between the two parties, we perform rituals as a last step in the resolution process.

Finally, cultural rituals are practiced. Rituals have symbolic and practical significance. They have spiritual meaning and interpretation. They are ways of transforming the conflict into peaceful relationship. Community members also participate in the rituals. Rituals include property exchange, prayers, as well as traditional rituals such as jumping a gun, drinking and eating together, and animal sacrificing. This is part of the cultural belief and heritage of the local people. This is the end and trust is established between parties that their relationship is restored.

PRINCIPLES OF INDIGENOUS CONFLICT RESOLUTION, SOCIAL SOLIDARITY AND COMMUNITY RELATIONS

The study found out that the principles of social cohesion, social harmony, peaceful coexistence, transparency, respect, tolerance and humility are central elements emphasized in indigenous conflict resolution mechanisms among the local people. The notion of restoration of peace, social solidarity and reconciliation within the community lies at the center of indigenous conflict resolution mechanisms. This is very crucial not only for individuals' wellbeing but also for the wellbeing of the general community. One participant pinpointed that:

Above all we elders focus and work to restore and maintain what the two conflicting parties lost because of the conflict. The conflict breaks the normal relationship of conflicting parties as well as families and surrounding communities. We help individuals to come together, discuss their issues and resolve the conflict. The offender will compensate for any kind of harm he/she made up on the victim. Finally, peace and order happens through reconciliation of the two parties.

If the parties are satisfied that reasonable justice has been done by elders and once the offender admits his mistakes and make compensation for it, he will be integrated in to the community. The idea of indigenous conflict resolution encompasses removing the fundamental causes of the conflict, resolving the conflicting parties honestly and making everyone satisfied in the conflict resolution. This ultimately requires finding the truth behind the conflict, promoting harmony and achieving collective well-being and contentment. One of the participants of the study notably reported that “the most important advantage of indigenous conflict resolution is it helps to search for the true cause of the conflict. Sometimes the cause may be hidden for police officers because of lack of evidence.”

Consistent with the findings of this study, several authors [Osei-hwedie & Rankopo, 2012; Kariuki, 2015; Theresa & Oluwafemi, 2014] mentioned that indigenous conflict resolution

mechanisms focus on the principles of empathy, sharing and cooperation in dealing with common problems which underline the essence of humanity (*Ubuntu*). Cultural approaches to resolving and managing disputes play a vital role in promoting and sustaining social cohesion, consensus-building, peace, harmony, co-existence and social order in communities.

The process of indigenous conflict resolution involves a high level of community participation. There is also direct participation, dialogue and opportunity for understanding between conflicting parties and all the constituencies involved in the conflict resolution process and in setting resolutions. This is demonstrated by one participant as follows:

When conflict happens between members of a local community, it is regarded as a problem which affects the whole sections of the community not only the conflicting parties alone. Because of this, we invite conflicting parties, their families, religious leaders and community members as per the need. All these people will exchange information and participate in the conflict resolution process.

The participation of conflicting parties in deciding the resolution, the opportunity for understanding, and the flexibility in setting resolutions increase the satisfaction and compliance of conflicting parties to the decisions made. Conflicting parties are free to exchange information before elders at local level. They are allowed to explore into the past feeling of resentment and narrate their past good relations with each other. In addition, communal consensus is necessary to make certain the enforcement of the resolution decision. Conflicting parties are more likely to accept regulations from elders because an elder's decision is backed by social pressure. In relation to this, Kariuki (2015) established that respect for elders, ancestors, parents, fellow people and the environment is cherished and firmly embedded in the mores, customs, taboos and traditions amongst Africans. Hence, the end result is a sense of unity, shared involvement, responsibility and dialogue among conflicting parties.

Furthermore, the process of indigenous conflict resolution is voluntary based and the decision is based on the agreement of the two conflicting parties without which no decision is made. The sincere approval of the process by the two parties is very important for the effective restoration of social harmony, social cohesion and social order in the community. One key informant interviewee reported as: "if the two conflicting parties are not willing to take part in the process no one will not force them. The process is based on the willingness of the parties."

The principles of indigenous conflict resolution are directly relevant for restoring, maintaining and strengthening community relationships. Participants reported that "indigenous

conflict resolution promotes a sense of local ownership, consensus-building and provides opportunity to interact with the conflicting parties.” The system of indigenous conflict resolution is viewed as locally owned since it is based on customs, values, norms and cultures of the local communities. Indigenous conflict resolution typically involves consensus building based up on open dialogue to exchange information and clarify issues of the conflicting parties and often involve the involvement of all parties involved as well as the whole community. This helps to ensure a peaceful, harmonious and cohesive relationships among community members.

Indigenous conflict resolution mechanisms provide preventive and deterrent measures of conflicts within the community. They focus on balance, compromise and restoration of peace within the community not on punishing the offender. The concept of justice for local communities extends much more than simply punishing the criminal. It includes things like reimbursing the victim, renovating harmony inside the community and reconciliation of the two conflicting parties. Indigenous conflict resolution mechanisms facilitate the restoration of relationships among conflicting parties and ultimately facilitate a sense of community. Consistent with this finding, Boege (2006) found that traditional conflict approaches aim at the restoration of order and harmony of the community. Consequently, the issue at stake is not punishment of perpetrators for deeds done in the past, but restitution as a basis for reconciliation. Reconciliation is necessary for the restoration of social harmony of the community in general and of social relationships between conflict parties in particular. This is why traditional approaches in general follow the line of restorative justice instead of [modern] punitive justice. The ultimate aim of traditional conflict resolution is the restoration of relationships.

ADVANTAGES OF INDIGENOUS CONFLICT RESOLUTION MECHANISMS

The study pointed out that local communities favor indigenous conflict resolution mechanisms than courts due to numerous reasons. First, indigenous conflict resolution mechanisms follow informal processes in managing conflict cases. The rules and procedures of indigenous conflict resolution are more immediate and meaningful to the local people. This is because indigenous conflict resolution are developed based on the cultural concepts, values, and procedures that are easily understood and accepted by the community itself unlike court systems that are perceived as external to large number of local people. As a result, local people feel sense of control and ownership over the processes involved in indigenous conflict resolution

mechanisms. Supporting this, one participant mentioned that “indigenous conflict resolution mechanisms are located and owned by the community which makes them easily accessible for the local people.”

Second, unlike the formal court processes, indigenous conflict resolution mechanisms are important for reducing the delay and cost of conflict resolution. Many poor people are deprived of access to justice simply for the reason that they cannot have enough money to pay the transportation, accommodation and legal representation costs to go through with the court processes. One participant reported that “we elders are easily reachable to the local communities because we are located within the community which does not require any cost for transportation, accommodation and legal representation.” The civil court system has also institutional weaknesses and failures such as corruption, bias and inadequate resources. One participant notably responded that “nowadays it is difficult to get justice within the court system if you does not have any relative or if you does not pay bribes to get court service.”

Third, indigenous conflict resolution mechanisms are also important mechanisms of overcoming the barrier of illiteracy and service rural populations in their vicinity which makes it easy to access justice. One participant stated that “there are people who are denied of justice because the court system requires certain level of literacy that many rural populations as in the study area do not have.” This implies courts are unreachable to the countryside populations because of illiteracy and physical barriers as courts are found far from the location of the local people. Besides, indigenous conflict resolution mechanisms may be more effective than the courts for solving certain types of conflicts such as ethnic conflicts, land claims [which is the most common source of conflict in the study area], families and adjacent communities.

Indigenous conflict resolution mechanisms provide a great opportunity for sustainable conflict resolution, peacemaking and the delivery of responsive justice. Since indigenous conflict resolution mechanisms are more reachable, inexpensive and transparent, they help for the maintenance of law and order in the local communities. In addition, since elders are living and working in the community, they are close enough to the effect of the conflict. This makes elders to be accessible to the people and understand the conflict dynamics in a better way which helps them to provide resolutions that best suits local circumstances than the court system. Hence, indigenous conflict resolution mechanisms provide an alternative forum to access justice for those members of the community who are not well served by courts.

CHALLENGES OF INDIGENOUS CONFLICT RESOLUTION MECHANISMS

Even though indigenous conflict resolution mechanisms can play an important role in restoring and maintaining social harmony, order and law, they are facing with some challenges that need serious attention by the government and other concerned bodies. Indigenous conflict resolution mechanisms are ineffective in resolving conflicts involving conflicting parties who decline to participate in the resolution process. Lack of appropriate and effective enforcement strategies has also reduced the relevance of indigenous conflict resolution mechanisms for the wider community. One elder confirmed this as “elders do not have the power to force individuals who have no interest to participate in the resolution process.” Furthermore, indigenous conflict resolution has been greatly downgraded and weakened in the formal justice system which makes them to be unrecognized and unknown, as described by this participant,

Elders do very important things in resolving conflicts and peace building. However, there is no any encouragement or incentive from the government side. The government did not give adequate recognition for elders and indigenous conflict resolution mechanisms. The court and/or judges fails to give credit for the contributions of elders.

The other most important challenge is related to the absence of a policy direction and comprehensive laws that deal with the institutionalization and harmonization of indigenous conflict resolution mechanisms within the country’s legal system. There is lack of clear legal framework which states the role, functions and legal status of indigenous conflict resolution mechanisms. Even though the Ethiopian Constitution under Article 34 sub Article 5 recognizes traditional law where it allows citizens to use religious or customary laws in cases of personal and marital disputes, it limits them to personal and family matters excluding their application to criminal matters in spite of the fact that they are serving for many types of crimes in reality. The absence of strong laws and policies related to the validity of indigenous conflict resolution mechanisms and their affiliation with the formal justice system, the possibility of application of their authority are found to be serious challenges that need urgent attention by the government and policy makers. There is a need to develop a clear legal and policy framework for the utilization of indigenous conflict resolution mechanisms by elders.

CONCLUSION

The study has described the nature of indigenous conflict resolution mechanisms in Alefa and the crucial role of these mechanisms in promoting community cohesion. Consistent with the existing literatures [Wardak, 2011; Dahal & Bhatta, 2008; Osei-Hwedie & Rankopo, 2012; Abebe, Samson & Tessema, 2015], the findings confirmed that compared to the formal court system, indigenous conflict resolution mechanisms have been found more accessible, affordable and flexible to the local community. They also played crucial role in supporting the formal court system by reducing case load in courts, easing shortage of judges, and reducing court budgets. Indigenous conflict resolution mechanisms are more applicable to the local context, culturally acceptable and morally binding mechanisms of conflict resolutions. This has proved to be an important factor in community members opting for the indigenous conflict resolution mechanism over court systems. The literature also makes clear that indigenous conflict resolution mechanisms are highly relevant for local communities. They are effective, accessible and affordable for the poor rural communities since they are located within the community and derived from the community's culture, custom and tradition.

The aim and function of the indigenous conflict resolution mechanisms in Alefa went beyond resolving a particular conflict. Instead, the goal is to restore good relationship among the parties, resolve underlying causes of conflict and foster friendship and harmony among community members. As such they both restore justice and prevent any future conflict. Thus, the indigenous conflict resolution mechanisms have values that are consistent with the values and principles of restorative justice including inclusion, participation, restitution, and reintegration.

Despite the huge importance of indigenous conflict resolution mechanisms, their reliance is being undermined by lack of proper recognition and integration with the formal (modern) justice system. Integration of these mechanisms with modern court systems would empower the community in enforcing their decisions on conflict. Hence, attention has to be given to develop clear legal and policy frameworks that facilitate the use of indigenous conflict resolution mechanisms considering its relevance for the local community. Strategies has to be adopted by the government to promote the use of indigenous conflict resolution mechanisms for building social solidarity and strengthening communities in Ethiopia. Besides, there is a need to develop effective enforcement mechanism for indigenous conflict resolution mechanisms by elders so that the decision of elders will be respected and obeyed by parties.

The findings of the study imply that sustainable conflict resolution especially in developing countries requires paying attention to indigenous systems of conflict resolution practices. Effective integration of them into the formal /modern justice system requires understanding them in local contexts. Thus, there is a need for peace and conflict researchers to properly document and analyze community level conflict resolution mechanisms in view of their unique features and contribution to justice and conflict resolution vis-a vis modern/formal justice system. Promotion of these indigenous conflict resolution systems also requires featuring them in curricula of higher education programs related to peace and justice.

Indigenous knowledge systems in Ethiopia including conflict resolution is oral in nature and not systematically documented. The findings of the study established that there is a greater need to give proper attention for the protection, promotion and development of indigenous knowledge. Indigenous Knowledge has to be integrated into formal education system so as to use it in the development process. Indigenous knowledge is an integral part of the development process of local communities and the key to sustainable socioeconomic development. Building on local knowledge, the basic component of any country's knowledge system, is the first step to mobilize such capital (World Bank, 1998; Ladislaus & Joe, 1999; Senanayake, 2006). Hence, strategies has to be developed to protect, develop, promote and disseminate indigenous knowledge so that they can be easily accessible and utilized for the development of local communities.

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