

The Role of Customary Conflict Resolution Mechanisms and Elders in Preserving Peace and Security (The Case of Sheko Community, South West Ethiopia)

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Abstract: In Ethiopia, traditional peacekeeping institutions and their applications are a common phenomenon in keeping the peace for a long time. The role of sustaining the institutions and using them as a peace-keeping mechanism rests on the elders of each generation. Without elders' engagement, the institutions are nothing by themselves. This paper tried to show the role of customary conflict resolution mechanisms and elders in preserving peace and security in the Sheko community to show their importance and use them to address ethnic conflicts. To achieve the study's objectives, different methods like focus group discussion, participant observation, and interviews are used. In addition, the researcher tried to review various kinds of literature regarding the role of customary conflict resolution mechanisms and elders. After all, the results showed that the people of Sheko possess a weighty customary system for resolving disputes that are based on harmony, understanding, spiritual unity, and strength. The findings also demonstrated that traditional dispute resolution methods through elders are more flexible, affordable, and accessible to the local community than the formal court system, allowing the government of Ethiopia to design policies and laws that deal with institutionalizing and harmonizing traditional dispute resolution methods within the nation's legal system and providing elders and indigenous people with the proper recognition.

Keywords: Elders, Conflict Management and Resolution Institutions, Sheko Community, Koynab, Peace and Security

1. Introduction

Different communities around the world have traditionally used local conflict settlement techniques. Every community has its unique systems of indigenous conflict resolution, which are frequently founded on shared traditions, close ties to families, or institutional practices that coexist with the formal state legal system [9]. Traditional conflict resolution is the most effective technique of resolving disputes in a culture where most people are poor and illiterate, resulting in a lack of access to justice, high costs, and a dearth of lawyers. Many rural and village communities in Ethiopia handle complaints utilizing traditional tribal procedures carried out by elders rather than reporting them to the police, the legal system, or prosecuting authorities [9, 6].

The majority of developed nations use 65 as the cutoff threshold for determining whether a person is elderly or older.

The definition of an "elderly" or "older person" varies depending on the country; it is generally tied to chronological age, functional age, and retirement age. Older people were designated by the United Nations as those who were 60 years of age or older. The term has gained acceptance in the Ethiopian setting, according to the research [4], because it coincides with the legal retirement age in that nation. Like every other ethnic group, Africans have their unique way of life. They view and engage with themselves according to a certain culture. For instance, the West has an individualistic concept of life while Africa has a communal one. A distinctive way that Africans in general can be identified is their collective way of life. Although someone with limited knowledge might mistakenly interpret this style of life as being primitive or backward, it is just another pace of existence [12].

On the other hand, the way of life in Africa as a whole has

an impact on conflict and how it is resolved. Safety, harmony, and struggle issues are collective ones in the developing world, not national ones like they are in the West. Therefore, fostering social cohesion and stability is the main objective of African traditional dispute resolution methods. They don't just focus on finding a solution or resolving the problem. If they had instead made every effort to convey enduring harmony amongst the competing bodies, the preponderance of hatred and antagonism and also between groups would have extinct forever [14].

From the beginning of time till the present, Ethiopia has used a variety of local or indigenous conflict resolution techniques [6, 14]. These native methods of resolving disputes have a long history among Ethiopia's many ethnic groupings. They are linked to societal norms and values and derive their legitimacy from communal ideals rather than from the government. The elders in a society can readily resolve these problems at the local level without the involvement of the administration. As our country is home to around 80 separate ethnicities, each with its languages and cultures, there are several indigenous methods of resolving disputes among the various ethnic groups. As a result, they are not applied consistently across the nation [1].

Elders in Ethiopia have used native dispute resolution methods in official court undertakings, through Conventional techniques of justice, and in connection with conflicts between people and within groups. The Constitution, however, restricts its applicability to questions of individual law, making its submission into other conflict-related kinds of stuff without any authorized acknowledgment or enforcement because the traditional society of dispute resolution is inferior to the official court [1].

The Koynab, Kalicha, and Burjab clan-based organizations and institutions are the conflict-handling processes exercised by the Sheko community in southwest Ethiopia. Typically, they have their unique local methods for resolving conflicts that strive to report the root causes of conflict and seek to foster a sense of unity and belonging for themselves as well as for peaceful coexistence with their neighboring societies [5].

The failure of community members to improve their role in the settlement of conflicts at the community level has recently resulted in a relative decline in the conflict resolution procedures used by Elders [8]. Due to the elders' prestige and roles being weakened and diminished, there are no effective foundations, and that alone is a sufficient reason for violent confrontations to occur. Taking this into account, the primary goal of this article is to examine and emphasize the many responsibilities played by Elders to empower them to actively contribute to the maintenance of overall security and stability in Ethiopia and in the Sheko community in particular.

2. Research Design and Method

2.1. Research Design and Method

This study used a cross-sectional study design since data were gathered at a single moment in time over the course of

one month. The qualitative research approach was taken into consideration since it allows us to comprehend human experiences from the viewpoint of individuals who go through them [15]. Exploring people's attitudes, behaviors, and experiences is the focus of qualitative research. Additionally, it makes an effort to elicit a thorough response from study participants [3].

2.2. Source of Data and Collection Techniques

The study used both primary and secondary sources to gather the necessary data. Semi-structured interviews were employed to gather information. It allows the interviewer to investigate replies, motivations, in addition, sentiments further, besides one potential benefit is that nonverbal cues such as gestures, facial expressions, and nonverbal communication can help to further the qualitative components of the figures [7]. Key informant interviews in the form of face-to-face were conducted through three woreda officers, Arit Gurmu, Eza Bassa, Adada Assa, and Luche Mekera, five elders or "Babu" in Sheko, about the functions of elders who use traditional dispute settlement methods. Furthermore, a focus group discussion with twelve seniors in two groups who have dedicated their lives to maintaining peace and security.

2.3. Study Participants and Selection Procedures

Elders and woreda officers were utilized to choose the participants using a purposive sampling strategy. Judgmental sampling is a technique frequently employed in qualitatively designed research that enables the investigator to selectively choose participants as it highlights specific qualities or processes the investigator is concerned about in studying [13]. Participants were chosen for the research grounded on their familiarity with and experience with conventional dispute-resolving techniques. The selection process took into account the elders' past experiences as well as their understanding of community history, customs, and beliefs. Their past performance and leadership in conventional social organizations and governmental structures were also taken into account.

2.4. Data Analysis Results and Discussion

To the primary study objectives outlined thus far, information acquired from both primary and secondary sources through semi-structured interviews with key informants, focus group discussions, and document analysis was presented, analyzed, and interpreted.

3. Ethical Consideration

The goal and importance of the study were explained to all relevant parties at all levels, including the study participants, to gain their support for it ethically. Before gathering data, the respondents provided both verbal and written consent. Based on their willingness to engage in the study, the respondents were chosen. Participants were informed by the

researcher of the confidentiality of the data and their right to privacy. The participants were made aware that the data gathered and recorded would be kept private. The researcher avoided using terminology or words that are prejudicial against people based on their gender, handicap, or age when producing the research report.

4. Maintenance of Peace and Security in Ethiopia

Even though there have been and continue to be many conflicts in Ethiopia, maintaining peace through elders is a common occurrence. For instance, the Oromo people have a Jarsumma system of traditional reconciliation, which is historically handled by local elders [1]. The Metekel community in Benishangul has luba basa and harma hodha, which are conventional methods for resolving disputes in Metekel. The gojjam peoples are increasingly adopting the luba basa which largely focused on the prevention of conflict to happen and these institutional principles are extensively adopted in many places in Ethiopia [15]. The Amhara peoples frequently use elders known as Shimagiles to mediate disputes, and this procedure is known as shimgilina. The Walayta people of southern Ethiopia have a traditional institution for resolving disputes called Awassiya, which is Arabic for reconciliation. The elders' council known as deriacimma oversees this process [10]. Additionally, the author [16] showed in his research that the conflict between the Borena and Guji, Borena and Somali, Borena, and Hamer, and the Borena and Arbores groups over the Chaleb grazing area was significantly influenced by the contribution of traditional Dispute-resolution techniques through elders of a clan.

In Ethiopian culture, a man must complete all ceremonies of channel from genetic till adulthood to become an elder. The focus group participants concurred that Sheko Elders possess the insight to distinguish between good and wrong. He or she should have the maturity, and the ability for discernment, reflection, choice, and critical thought, among other qualities. Additionally, an important qualification for entry into elderhood is one's ethical character.

5. Traditional Conflict Management Institutions of the Sheko Community

To pass on harmony, order, and peace to future generations, elders in the Sheko community always ensure that communal customs and practices are respected. During the beginning of the reconciliation process, they serve as teachers, imparting moral qualities like Peace and fairness, modesty, kindness, openness, collaboration, and harmony to young immigrants. They instruct their relatives in maintaining harmony and peace both within their own families and with neighboring communities. Elders help individuals connect with their ancestors by serving as mediators and brokers of peace. They rule with respect for

the established structures for conflict management and resolution.

The key informants demonstrated that there are conventional mechanisms of Koynab, Burjab, Kalicha, and Keyazu for resolving conflicts.

The Koynab is a prestigious institution and the pinnacle of society. It belongs to the Wugbab hereditary line, which is the monarch's dynasty. The Koynab, who serves as the community's protector and defender, is in charge of resolving disputes that cannot be resolute by the Burjab. Tradition holds that the power of Koynab to make the right decision is a gift from God and that anyone who rejects his decision will be expelled from society. Koynab's judgments are consequently all authorized.

Burjab serves the Sheko community by promoting harmony. The Burjab was given duty for reconciliation by the koynab and keyazus (clan chiefs). Burjab is also charged with organizing every feast and elaborate ritual of the Sheko, including the coronation. He is also in charge of organizing the clan chiefs' funeral service. The Bujabs held a valued social standing in the Sheko community as a result of these and other duties. Their function in managing and resolving conflicts is also significantly impacted by this. In conflict management and resolution activities, the Burjabs, by using their authoritative power and supporting it with wisdom and experience to interpret myths bring conflicts to an end. To clean away the evils of conflict from society, cattle and/or goat of a particular type is sacrificed.

Taking care of and protecting the community is the responsibility of Keyazus or the clan leaders. They focus on conflict management, prevention, and resolution. As to the key informants, in the Sheko community, people who commit serious crimes are unable to settle in the neighborhood where they made the crime. People who commit these crimes will lose the support of the community. People in the community will no longer welcome the perpetrators. They will be exposed to a variety of risks when they are isolated, including the possibility of dying in retaliation. The offenders are consequently obliged to relocate, most usually to a nearby neighborhood. That group's tribal chief will schedule a visit to the group's new home and inquire as to why there is segregation there in conjunction with elders. Following an investigation into the offense, the two clan elders collaborate to address the issue and continue the dispute resolution processes. Because of this, each clan chief oversees the integration of newcomers into their society and does not permit them to merely settle in their territory. Under a clan's control, there is nowhere for lawbreakers to hide.

Another institution of the Sheko community for handling disputes is the so-called Kalicha. One of the major sources stated that a male from the Koynab family could be Kalicha. As a result, they take part in activities for conflict management and resolution as Koynab or Kalicha. In the Sheko community, there is a tradition and belief that the Kalicha knows everything and nothing is hidden from him. As a result, during the reconciliation process, the disputing

parties do not withhold anything from the Kalicha, and they are dedicated to carrying out all tasks assigned to them by the Kalicha. The Kalicha is thought to possess mysterious power that enables him to handle whatever issue they run into. Because it is believed that the kalicha has mythical power and should be respected for his role in conflict management and resolution, the contesting groups are expected to settle down their disagreement amicably after accepting the kalicha's ruling.

Above importantly, without the support of the elders, conventional conflict management and resolution organizations are nothing more than a shell. They give it their permission to give the reconciliation lasting power.

6. Conclusion

As for the key informants, most of the Sheko community inhabitants are not interested to be judged due to the reason that they claim that the traditional system which they inherited from their ancestors will be collapsed by the nation's authorized structure which typically functions under the Westerns legal systems. In addition, the elders elaborated that the penalty system of the legal law is fragile in educating the disputing parties and lacks the weight to show others not to engage in conflict. Elders work for sustainable peace by reconciling the disputing parties and always want the ground to satisfy all the parties. Since the researcher is working for years in the Sheko community, in elongated observations he finds that even in the case of disputants after arrival to the legal system, the elders on their side started their role and the accuser may go to cut off the accused. But mostly, they are not interested to go to the legal court. Rather, they prefer to narrate their complaint to the elders. Although elders play an important role in maintaining long-term peace and security, their involvement in social and economic as well as cultural, and political aspects of society has occasionally waned. The findings corroborated [2, 11] and demonstrated that traditional methods of resolving disputes through elders were more flexible, cheap, and available to the local community. They also significantly benefited the legal court system by easing the shortage of judges, lowering court costs, and lowering caseloads in courts.

7. Recommendations

Finally, the study forwarded the following recommendations to preserve tranquility and safety in the research area.

- 1) It is important for the Ethiopian government to craft broad policy directives and regulations that address the institutionalization and harmonization of traditional dispute settlement methods within the national legal framework.
- 2) Even while elders play a crucial role in resolving disputes and fostering peace, the government offers little support or incentives. In order to properly recognize elders and indigenous conflict resolution

methods, the government should.

- 3) It is better to support or use different forms of communication specifically media programs to teach people about the role of customary conflict resolution institutions and elders.
- 4) Elderly-run institutions play a significant contribution in helping the authorized court system by lowering the caseloads in courts, hence it is preferable for the government to collaborate with them.

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