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**DEPARTEMEMENT OF GOVERNANCE AND DEVELOPMENT STUDIES**

**TITLE: OGATI, INDEGNIIOUS CONFLICT RESOLUTION MECHANISM OF HALABA COMMUNITY: CHALLENGES AND PROSPECTES.**

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## **List of Acronyms**

- AA : Addis Ababa
- CSA: Central statistics agency
- FGD: Focus group discussion
- HC : Halaba community
- HZ : Halaba zone
- HZCIO: Halaba zone cultural and information office
- ICRM: Indigenous conflict resolution mechanism
- KII: key informant interview
- SNNPR: south nation nationalities and people region
- USAID: united States agency for international development

## **GLOSSORY**

- Baliky-----elders
- Boki Ogate-----village level council
- Dabo Ogate-----clan level council
- Dabo mini Ogate-----sub clan council
- Gumgmu----- the voice of participates
- Halabi hassen nasero Ogate----- general council
- Kayahando Yadoha----- the case of new or the persisting
- Korto Annakota----- father of the jurt

## **Abstract**

*The major goal of this study was to assess the challenges and the prospects of the Ogate indigenous conflict resolution mechanism in south nation nationalities and people regional state in case of Halaba community in Halaba zone. To archive this goal, an attempt was made to collect to data in the study area by using different mechanisms .qualitative research methodology was employed in the study for its appropriateness to assess the challenges and prospects of Ogate traditional conflict resolution mechanism in the study area and data was collected through the use of In-depth interview and focus group discussion. The result obtained from the study suggest that the conflict in Halaba, as in where else may vary from trivial interpersonal disagreement to the serious disputes which might lead to homicide. The most common conflict issues in Halaba communities are high growth of population, religious difference, lack of security, land grazing, farm land boarder, marriage disputes, and ethnic antagonism. therefore, to sum up the actor of traditional conflict resolution mechanism of Halaba plays role in the resolution of conflict between neighboring community or two parties and each level of actors decide clear and fair decision on the issues and finally punish the wrong doing one.*

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## **CHAPTER ONE: INTRODUCTION**

### **1.1 Background of Study**

Conflict is a struggle or contest between people with opposing needs, beliefs, values, or goal. In broadest terms, conflict defined as the incompatibility of subject positions (Diez et al 2006: 565). According to Sanson and Di (2007) Conflict resolution is a set of strategies which can be used to satisfy human need of security, identity, self-determination and quality of life for all people who are engaged in a conflict. In similar context Dereje (2010) explains conflict resolution as the suppression of conflict that has already broken out in the form of searching for solution that would reduce the level of violence and prevent its intensification either through formally or using indigenous conflict resolution mechanism.

Different societies of the world have developed their own mechanisms to resolve conflict. Like in other part of the world, African people with different background, culture, class, age and other come into conflict. The conflicting parties may be individuals, groups, families, clans or ethnic group. To manage their conflict, Africans have developed their own indigenous institution. However, the mechanisms are different from a given society to the other because of the different ways of life (Pankhurst and Getachew, 2008).

Ethiopia is a country in which various ethnic groups live together for long period of time. As conflict is inevitable, these ethnic groups have experienced conflicts of various types at different times, each ethnic group has its own mechanisms for solving conflicts too (Yacob, 2002).

Similarly, there are different conflict resolution methods in Halaba Communities for resolving conflicts that arise between individuals or groups by peaceful means. These are generally divided in to two formal state structures such as courts and informal traditional institutions, the informal traditional institutions like Ogate are the most widely and commonly used form of conflict resolution institutions in Halaba communities. However, the use of those traditional and indigenous conflict resolution mechanisms in Halaba community is reduced from time to time and it became weakened. Thus, this situation initiated as to study the challenges and prospect of the Ogate indigenous conflict resolution mechanism in Halaba community.

## **1.2 Statement of the Problem**

Ethiopia is a multi-ethnic society with their own distinct identities. Even though a great deal of ethnographic studies has been conducted through the country, there are still some societies that are not yet adequately studied, among them Halaba community is one most of the people are uneducated and they follow the traditional way of living Styles (Mesfin, 1999). In the Halaba community, there are a number of problems related to high growth of population, unbalanced distribution of resources, farm land boundary, religious difference, inequality between race, and lack of security. This has resulted to the increase of criminal activities connected with personal attack, murder; robbing, etc. these are the problems that cause the conflict between the Halaba communities (Degent, 1989). Different researchers have done studies on Indigenous conflict resolution mechanism in relation to all aspects. For example According to (Bamlak, 2013) have mainly focused on the conflict resolution mechanism in the socio-economic and political aspect. That Contrary to this, according to (Zelalem and Endalcachew, 2015) focus, on the role of indigenous conflict resolution mechanism however, he has persuaded previous studies to overlook the Indigenous conflict resolution mechanism in peace building ability from the grass root level. To this, study the researchers attempt to fill the above stated gap by assessing the challenges and prospects of Ogate Indigenous conflict resolution mechanism in Halaba community. Besides, so far in Halaba community no study has been conducted on the challenges and prospects of Ogate Indigenous conflict resolution mechanism.

## **1.3 Research Questions**

- ❖ What are the major challenges of Ogati in Halaba community?
- ❖ What are the roles of Ogati indigenous institution in resolving conflicts in the study area?
- ❖ What are the prospects of Ogati indigenous institution in resolving conflicts in Halaba Community?

## **1.4 Objectives of the Study**

### **1.4.1 General Objectives**

The general objectives of this study to assessing the challenges and prospects of Ogati indigenous conflict resolution mechanism of Halaba community.

#### **1.4.2 Specific Objectives**

- To identify the major challenges of Ogati indigenous institution in conflict resolution mechanism in Halaba community.
- To assess the role of Ogati indigenous institution in resolving conflict in study area.
- To discuss the prospects of Ogati indigenous institution in conflict resolution mechanism in Halaba Community.

#### **1.5 Significance of the Study**

Now a day's in our country many traditional conflict resolution mechanisms are weakened. On the other hand, modern formal dispute resolution institution comprehends with the culture of community. After successfully under taking this study, it reduce the challenges of indigenous dispute resolution mechanism in general and Ogate system in particular. Through identifying the problem and generating knowledge it provide information for policy implementers of Halaba Zone and it inspire used as input for further study to another researcher to use it as a spring point. Finally, it helps Halaba community to increase the use of their indigenous conflict resolution method- Ogate through reducing the problem

#### **1.6 Scope of the Study**

This study geographically delaminated to southern, nation, nationality and people region of Ethiopia in halaba zone. In term of content the study delimited in assessment of challenge and prospects of indigenous conflict resolution mechanism in halaba community more confine on Ogate traditional system. This research were conducted from November to June. The participants of the study are selected halaba community elders, clan leaders, family leaders and society

#### **1.7 Limitation of the Study**

In this study process, we were expect the following limitation. These are shortage of time, lack of finance to reach the respondents, some people may wouldn't to fill they give accurate answer and transportation constraints especially when the primary data would take place. We pass these challenges through planning our time and making strategies to get fund to resolve the financial limitation.

## CHAPTER TWO

### 2 Literature related review

#### 2.1 Understanding the concept of conflict

Conflict happens to appear when individuals or groups have incompatible interests and or goals. When one has become really an obstacle or shows a tendency to become so far another to meet his/her needs, conflict is then more likely to break out conflict could also be a result of human greedy for the reason that scarcity of any resource is always effect of life, there would always be persistent competition to have agreed control over these resource. Indeed this fierce competition would lead to sort of collusion and at times even to an intense conflict. Thus a competition for resource, among others is a major cause for conflicts that may arise between/among individual and nation at large (Barsh and Bebel, 2002).

The word conflict derives from the Latin *contligere* which means literally "to strike to get her. It is impossible for two physical objects such as two billiard balls, to occupy the same space they conflict and if either is in motion, the conflict and if either is in motion. The conflict will be resolved by a new position for both of them within the human realm, conflict occurs when different social groups are rivals or otherwise in competition. Such conflicts can have many different outcomes. One side changed, one side eliminated, both side changed neither side changed or both sides eliminated (ibid).

While conflict, more often than not, on the other hand, is used to refer to a context which appears to be that there is the act of removing one another. Thus, competition is always positive and should be understood in its constructive sense. Although conflict is also not always bad, this is not, however, the same as saying that it has always a positive impact. Conflict has sometimes a devastating effect when it is particularly violent. It is undeniable fact that violent conflict kills quite a mass of people arbitrarily. It also consumes such great deal of other material resources that they would have been used in such returnable investments. (Alexander, 2005), in this regard, writes: In any society, conflict is one of the major factors negatively affecting development. It

Diverts resources that could have otherwise been used productively (Ibid: 30). Furthermore, this same author once again adds that: Conflict is regarded as undesirable in many societies. In its

violent form, it claims the lives of many people, destroy property, and diverts human as well as financial resources away from development (Ibid:44).

Conflict exists in different form; mainly of two forms. There are direct and indirect types of conflicts depending on their magnitude and manifestation. Direct violence is the most outward violence and easily identifiable sort of conflict. It is just like a direct physical confrontation or clashes between individuals. It could also be manifested in a form of war between nation or different interests groups, on the other hand indirect structural violence, appears to be in a form of invisible and relatively UN identifiable social structures. Such violence is built deep in to the social, economic and political structures. These structures deliberately prohibit every people from having enjoyed equal social status and equal access to economic opportunities as well as involvement in one's own political matters. It is all about discrimination and marginalization suppression and exploitative world result in human suffering and life misery in general as the consequence of impoverishment to over whelming majority of the people (Jeong, 2007)

## **2.2 Types of Conflict**

Conflict can be classified according to a number of factors depending on large extent to the purposes intended. However, the most common classifications used two criteria, namely the level at which the conflict occurred and the intensity of conflict. The level of conflict is often determined on the basis of the profile of the parties or the interests involved. Conflict may be characterized in to the following levels.

**Inter-personal conflict:**-conflict between two or more person over an issue considered personal or individuals;

**Inter-group conflict:**-conflict between two or more groups, families, organizations or institutions;

**Intra-group conflict:**-conflict between peoples within the same group;

**Intra-national conflict:**-an internal conflict between group within the country and.

**Inter-national conflict:**-conflict between two or more nations.

## **2.3 Nature of Conflict**

The premise is that conflict needs to be accepted as a part of our life. Conflict in itself is neither good nor bad. The presence of conflict thus infers none other than a win/lose outcome, in which one set of values or goals takes precedence over others. Power is at the heart of this dynamic; conflict is a struggle for power, i.e., the capacity to enact values or goals that annul those of others. And the process of articulating these values and goals among groups thus becomes, by necessity and definition, a political one. This may be seen in all forms of conflict in society. Class conflict, for example, centers on a fundamental inequality of power that spirals out from differential access to resources. Racial or ethnic conflict arises from a challenge to the values and goals of a dominant group that legitimates, and indeed benefits from, the subjugation of other racial or ethnic groups. Gender conflict also, in its simplest terms, is about an inequality of power as a consequence of the prevailing values and goals. Conflict in all these cases arises from group recognition of such a power imbalance and, in some cases, of collective movement to redress it. Into this mix come leadership, ideology, and mass opinion: all of which, again, indicate the centrality of power (Hayward, 2015).

## **2.4 Causes of Conflict**

Competing conceptions of conflict refers to social contradiction related to differences in interests, ideas, ideologies between human societies. In individuals and groups (Tarekegn and Hannah: 2008). Human societies have different values and properties on the use of scarce resources and opportunities in their social environment. However, for the purpose of this study conflict can be viewed as a clash or dispute due to the diversity of interests, wills and scarce resources. There is neither a single reason nor single source or cause of conflict and thus it may not be possible to exhaustively enumerate the reasons or causes excluding other possibilities.

## **2.5 Indigenous Conflict Resolution Mechanism**

Traditional conflict resolution mechanism a social capital, defined as the "capacity of social norms and customs to hold members of a group together by effectively setting and facilitating the terms of their relationship sustainability facilitates collective action for achieving mutually beneficial ends"(Fred-Mensah,2005:1).Conflict resolution comprises a complex network of forces surrounding the parties in the conflict. It is a healing process in which all stake holders contribute energy. The task is to re-establish energy flow with in individuals' families and

communities so as to re-build social harmony. In this context, reconciliation often requires symbolic gestures and associated rituals including exchange of gift and slaughter of animal (chickens, goat, sheep, and cows...) (Ndumbe III, 2001).

Indigenous conflict resolution mechanisms focus on the principle of empathy sharing and cooperation's in dealing with common problems which underline the essence of humanity(Ubuntu) (Murithi, 2006).Cultural approach to resolving and managing disputes play a vital role in promoting peace and social order in communities. Cultural values and attitudes provide the basis for interaction and the norms by which individuals and communities live. These also promote sharing and equitable distribution of resources, thus a climate for peace. Peace making underscored by the principles of reciprocity, inclusivity and a sense of shared density between people. It provides a value system for giving and receiving forgiveness. This is because society places greater emphasis on communal life. Therefore creating and sustaining positive mutual relations are shared tasks involving every one. It is beliefs that peoples are linked to each other including disputants as perpetrators or victims (Murithi, 2006). Indigenous conflict resolution mechanism typically incorporates consensus-building based on open discussions to exchange information and clarify issues. Conflicting parties are more likely to accept guidance from those mediators' than from other sources because the elder's decision does not entail any loss of face and it is backed by social pressure. The end result is, ideally, a sense of unity, shared involvement, responsibility and dialogue among groups others wise in conflict (USAID, 2005)

## **2.6 African Indigenous/Traditional/Institutions of Conflict Resolution**

Africa is a continent which has blindly and wrongly been, and still is continuing to be, considered horribly as a “dark” and hopeless” place with connotatively “primitive” societies. Primitive in this sense obviously implies to mean uncivilized. However, this is not only a mere mistake but it is also an ethnocentrically biased view. Such an unbalanced judgment emanates from the point of view which believes that there is only one perfect, absolute and standard culture, norm or value. As to the notion of absolutism, cultures and/or world outlooks other than the perceived standard one are inferior, savage and barbaric. Proponents of this notion do not recognize, or are reluctant to accept the very idea /principle of cultural relativism. The whole concept of cultural relativism is such that every society has their own norms and values peculiar to them. It is all about the proposition which advocates that any society needs to be judged in its

own term. Accordingly, right or wrong and good or bad depends on one's own cultural measurements. This view does not put all cultures in to the same basket and measure them with similar standards. All in all, it denounces the assertion that reiterates the principle 'one size fits all'. To this end, African societies unanimously have their own cultures of civilizations. It is believed that Africa is the cradle of mankind. As it might also be witnessed in many archeological excavations, there is now a day's a tendency to believe that the first men had probably lived in Africa. Indeed, Africans, at least like any other people elsewhere, certainly have for long time developed their own unique system of administration and governance. As part of their strong and viable system, they had also, and still remain to have, effective and practically workable conflict resolution mechanisms which sustained and solidified them together within their respective communities. Francis (2006) also has to say in this relation that:

According to archeological evidence, Africa is the cradle of humanity. It therefore stands to reason that Africa had, from time immemorial, evolved its own mechanisms and institutions for managing and resolving disputes and conflicts in ways that preserved the fabric of society and encouraged peaceful co-existence. The argument is that the concept and practice of peace and conflict resolution is not new in Africa, but rather it is the institutionalization of peace and conflict studies at African Universities and schools and civil society organizations, that is the new phenomenon (Francis, 2006).

Africa is, therefore, a home of wisdom and art in varieties of field of areas. In fact, the indigenous knowledge system in the area of conflict management, prevention and resolution is no exception, if not best. Francis (2006) also confirms this argument as:

It is reasonable to assume that ancient and pre-colonial Africa must have developed its own, Practical and rational wisdom. And approaches. According to pre-colonial historical evidence, Africa had developed rudimentary and in most cases, sophisticated political, socio-economic and political institutions, and with developed approaches to conflict management, resolution and peace building (Francis, 2006).

In spite of the fact that traditional societies in Africa are reputed to settle conflicts long lastingly and for that matter to handle their administrative cases in their own, the European colonial powers rhetorically justify colonialism to have a civilizing mission. In fact, colonialism did not only downgrade the traditional methods of peacemaking but it also had virtually destroyed the democratic institutions in many African societies (Bahru, 2002). Colonizers did this as part of

their purpose to homogenize the world in such away as their values and perspectives would be dominantly flourishing at the expense of vanishing others. In doing so, they replaced the African customary practices and institutions which for centuries had upheld the societies by their own imported customs of rule. It is because this would ultimately serve their colonial interests. Fred-Mensah (2000) has rightly pointed out how colonialism had influenced the local systems as shown among the Buem people. He has put it as: The colonial experience brought to Buem-Kator significant alternations in political, judicial, economic a In spite of the effect of modernization, the existing traditional institutions are yet serving to keep harmonies (Zartman, 2000) and solidarities among people of a certain society. Although sufficient attention is not given to the traditional institutions even in the post-independence era, however, there are to a little extent tendencies to incline to use them applying in the contemporary issues. An exemplary step to be mentioned in this regard is the application of gacaca to resolve “modern” conflicts in Rwanda. The Rwandan societies have been using gacaca traditionally for so long years at a grass root level to handle any sort of conflicts and/or disputes. The Rwandan government has also recently been able to apply it in dealing with the most deadly and worst crisis of 1994 which had eventually led to genocide reportedly claimed near to a million people. Tongeren et al. (2005) states gacaca and how it functions as: Gacaca refers to a traditional Rwandan method of conflict resolution at a village level. In cases of conflict in a Community, such as dispute over land, property damage, material issues, or inheritance rights, meetings were convened between Aggrieved parties, and presided over by community leaders. The meetings not only were meant to sanction the violators of the village norms, but also ensure that those accused, and found guilty, were again fully accepted as members of the community. Reconciliation between violators and their communities was at the core of the traditional Gacaca system (Ibid: 466).

Another African traditional/indigenous/ institution of this kind, to add, is Ubuntu which is also an effective conception of peace making institution. The role of Ubuntu in conflict resolution and its very notion in general, as in Ibeanu (2006), is stated as: As an indigenous conflict-prevention and peace- building concept, it embraces the notion of acknowledgement of guilt, showing of remorse and forgiveness, and paying compensation or reparation as a prelude for reconciliation and peaceful co-existence. The essence of Ubuntu is to promote a culture of peace, tolerance, peaceful co-existence and mutual development. As a conflict prevention and peace building strategy, Ubuntu is based on the principle of reciprocity, inclusivity and a sense of shared destiny

between peoples and communities. The Ubuntu tradition, in practical terms, is about reconciliation and building peace in divided societies, and about democratic participation (Ibeanu, 2006).

### **2.7 Traditional conflict resolution institution in Ethiopia**

Ethiopia is believed to be “Museum of people” with more than 80 ethnic groups constructing and forming one nation state. It is a country of diversity harboring varieties of languages, different religions and faiths as well as quite many nations and nationalities with their own philosophical perspective and unique cultural parities. History also tells us that Ethiopia is as ancient as 3000 years back. It is there fore, definitely true that it had experienced strong and cohesive system of administration namely Axumite civilization. In deeds every Ethiopian ethnic groups as their African counter parts have traditionally age old and time tested administrative and conflict resolution institutions at the gross two levels (Bahru Zewede, 2002)

Gada is also the most known political social and judicial traditional institution widely practiced among Oromo people. much more is said and written in different sources about the democratic nature of Gada system Hamdesa (2000) also have written that it is an effective institutional system to manage any source of conflicts among Oromo so that harmony peaceful co-existence and smooth relation would be maintained in society(Assefa,2001).

There are many other traditional conflict resolution institution in each and every nations Nationalities and ethnic group of Ethiopia .these among other may include to list at least some Mabio in Abala, of Afar Keleme, work Awassia in wolaita Melesse (2007) Guma in Woliso Oromo, Dejene (2007).

### **2.8 Traditional conflict resolution institution SNNPR**

There is more than fifty - six (56) ethnic group found in south nation nationalities and people region. Each and every ethnic group their own traditional conflict resolution institutions and traditional conflict resolution mechanisms. Among these the Kembata traditional conflict resolution institution known as seera. This institution is multipurpose or multifunctional institutions in Kembata society. It is everything such that it serves as bases for the political administration. Social interaction and means of conflict resolution with in the territory of the society yacob (2002) explains it more comprehensively as Seera refers to the code of conduct practiced and internationalized among the Kembeta. Relations between individual is, tribes and territorial unit are regulated by seera. It is alternatively known as Marietta. Which means

commitment to truth seera? Broadly neither conceived normative realm with in which individual and groups are expected to be have the territorial or tribal councilors function according to their respective seera. Seera administration aims at pacification, conciliation and correction and reintegration (Ibid: 48-49)

Sidama indigenous traditional conflict resolution institutions play a role to maintain peace and security within a given community. The indigenous institutions in sidama society are still widely existed and reselected with in sidama cultures. These institution in society deal with various issues, responsibilities and mainly their duty is dealing with injustices and setting resolving disputes among different groups society (Ibid)

## **CHEPTEER THREE**

### **METHODOLOGIES OF STUDY**

These chapters contain two major sections. The first section presents issues related with the description of the study area, such as location, population, economic activities, while the second describes the methodology, which includes the selection of the study site, research design, sample size and sampling techniques, sources of data, tools of data collection, and methods of data analysis are discussed.

#### **3.1 Description of the Study Area**

Halaba is located in Halaba Zone. Halaba zone is located in southern nations, nationalities and people regional state. It is located between 7' 16' 22" to 7' 33' 49" north latitudes and 38' 04' 22" to 38' 13' 05" east longitude. It is located 315 kilometers south of Addis Ababa capital city of the Country, 87 Kilometers North West of regional center Hawassa, the capital city of SNNPR, The total land surface of Halaba is 994.66 square kilometer. The Halaba is divided in to 84 kabele administrations. the Halaba is bordered with silte zone in the north, Hadiya zone in the north west and south, kambata tembaro zone in the south west, Oromia regional state in the east and lake shall a in the north east.

Based on the 2007 census conducted by the central statistical agency of Ethiopia (CSA), this Halaba community has a total population of 296,540 of which 149,887 are men and 146,653 are women. With an area of 994, 66 square kilo meters. The majority of the population is Muslims with 90% of the population, and the 10% are Christian. The community constitute different ethnic groups namely kambata, hadiya, silte, gurage, Oromo and others. The majority of the population of the community speaks Halabigna which belongs to Cushitic language families of the Afro-Asiatic language group.

Mixed farming is the major economic activity for the majority population of the Halaba. The soil types are chronic and orthic luvsols and eutricnito soil, which have good potential for agricultural activities. The agro climate condition of the region is favorable for growing different types of crops and rearing different species of animals.

Agriculture has major role in the economy of the majority population of the Halaba community. Crop production mainly depends on rain fed.

The common crops grown in the community are red pepper, maize, teff, sorghum, haricot beans, wheat and potato which grown widely produced. The main livestock population of the community includes cattle, sheep, goats, and pack animals.

### **3.2 Research Design**

The research design that were employing in this study is cross-sectional study design (one shoots) study design were used because it need to contact one with the study population. The researcher took in to account the limited time and shortage of finance. Here the intention of the researcher were assess the challenges and prospects of indigenous conflict resolution mechanism in Halaba Community. Then, this study were conducted using qualitative research method by collecting the primary data from the sample respondents.

### **3.3 Source of Data Collection**

The necessary data were gathered from primary sources and secondary sources of data's these were use;

#### **3.3.1 Primary Data**

The primary sources of data were collected from respondents through Focus discussion group, depth Interview, and key informant interview (KII). The primary data for this study were gather from elders and court respondents. Since elders and court has enough information.

#### **3.3.2 Secondary Data**

The study also secondary data were collected from both published books, magazines, journals and unpublished review of related literature; research reports, seminar papers reports and information from Halaba Zone cultural and tourism office and official document.

### **3.4 Population of Study**

This study was focused on the culture of the Halaba community. Specifically the culture of conflict resolution by Ogate. So, the participants of this research was elders of Halaba community who have full information about the issues. The other participant was police office since it has full information about the study topic.

### **3.5 Sample and Sampling Procedure**

This study were conducted in Halaba community and the researchers were forced to select appropriate samples depend on the sampling procedures followed. To this end, the Researchers were used purposive sampling technique. The reason behind to use this sampling technique was it enables the researchers to get detail information, because purposive sampling technique allows us to ask more knowledgeable people about the issue. In terms of sample size, the researchers conducted an Interview with 32 key informants, i.e. seventeen key informants are with community elders (Balky), and other eight key informants are with court leaders and the rest seven with the police officers. .The reason behind to select 32 participants was shortage of finance and time was the major factors that forced the researchers and the researchers believe that the selected sample can represent the target population because they have unique skill about the issue. For the sake of time and cost management the researchers were limited only those 32 respondents as a sample size.

### **3.6 Data Collection Instruments**

In this study, the researchers were used depth interview, focus group discussion, and key informant interview to collect primary data and secondary data were collected by reviewing different published and unpublished books which available in the culture and tourism office of Halaba zone .

#### **3.6.1 Depth Interview**

The another method of data collection for this study.it is primary data collecting instrument in this method the researcher interview the individual about their community and culture based on educational level and cultural experience or based on the knowledge data.

#### **3.6.2 Focus group discussion**

Focus group discussion defined as “exploring the perception, experiences, and understanding of a group of people who have some experience in common with regard to a situation or event (Kumar, 2005). On some specific issues different people may have different concerns. Thus, to look at concerns of different individual and even to assess their level of understanding on some issue the researchers used FGD as one methods of collecting data. This method is also very important to collect valuable data on different issues from key informants or from discussing group. The importance of FGD it helps participants to overcome inhibition, especially if they know other people in the group and remember the issue they might otherwise have forgotten.

### **3.6.3 Key informant interview**

In this study, the researchers were used elders of Halaba community and police offices as key Informants. Because they have unique skill for the issues therefore, the researchers decide to use key informant interview purposively to get detail information.

### **3.7. Method of data analysis and processing**

The researchers were employed qualitative data analysis method. Data gathered through focus group discussion, depth interview. The available data were analyzed by using qualitative methods because qualitative data were gathered through narrating of key informants' responses.

### **3.8. Ethical consideration**

All participants in this study were decided their participation willingly and the researchers were make them know the purpose of the study; give them all the necessary information regarding to the research. This study was conducted in a manner that is consistent with ethical issues that needs to be considered in conducting research. According, letter from the department of Governance and development studies was written for the concerned bodies. Moreover, a prior consent of information is request before conduct interview.

## **CHAPTER FOUR**

### **4. Analysis and interpretation of traditional conflict resolution mechanism among Halaba community.**

#### **4.1 Causes of conflict**

According to Imam Zuhar sitamo response (May 30, 2019), conflicts in Halaba as in anywhere else may vary from trivial interpersonal disagreements to serious dispute which might eventually lead to homicide. The most common conflict issues in Halaba are land boundary dispute, ethnic antagonism, marriage dispute and abduction. The land boundary dispute is the main causes of conflict between neighboring groups when one pass the border line between two specific group lands of two brothers, among neighbors and other relatives of property by the border. Because majority of the Halaba people are farmers cultivate need are as for their living. Thus, they need areas for their cultivation and animal grazing purpose.

Another serious problem in Halaba community is the inferiority and superiority among the race. Thus, these are most serious cause of conflict between Halaba communities. The inferior one can't marriage from the superior races group without abduction. So, abduction is another cause that lead to conflicts abduction is taking of women by man use of force in order to marry, because of declining the influence of modernization, Political action and Christian value.

Ethnic antagonism another cause of conflict among Halaba society. Some time majority ethnic group influence the minority ethnic group in commonly sharing resource is like water. In the above informant response cause conflict arising out of scarcity of availability natural resource, inferiority and superiority based on race. Our support in this have conflicts could be intra or inter clan, enter ethnic and inter personal in nature. In this regard, are intra clan conflict between the side, sefato and derimo clan due to competition over scarce natural resources and sense of superiority of one clan over the other, these cause the conflict between the Halaba community.

#### **4.2 Conflict Resolution Institutions and Mechanisms**

Based on the data obtained from in depth interview, there are mechanisms for conflict resolution that was developed by the community in the study area which can resolve conflict from its source. The most widely practiced institutions in the study area, according to FGD participants, elders and key informants in order to bring peace and order between individuals or among groups include the Halabi Hassen Nasero Ogate institution, Dabo Ogate institution, the Dabo mini Ogate institution and boki Ogate institution.

Those who participate in the Halabi Hassen Nasero Ogate, Dabo Ogate, and Boki Ogate would often meet to conduct conflict resolution processes under the great tree known as Ogate Halla (canopies of great tree in which Ogate assembles. For the Halaba, according to our informants, Ogate halla is a wide open place or it could be a tree yard where people meet to deal with their differences through peaceful means. Thus, as a place of gathering each institution has its own Ogate and it is believed that it is a place where truth is spoken and differences are settled among the people.

#### **4.3 The Halaba Indigenous Conflict Resolution Mechanism (The Ogate)**

According to Garedi Mundino Interview response (May, 31, 2019) the Halaba of southern Ethiopia have developed a set of indigenous laws that prohibited and allowed particular actions in order to maintain the wellbeing of the society and keep the community in peace. As forwarded by the informants, custom laws governing behaviors of conduct have been in the people since long time and they tend to impose limits to all possible actions of an individual and a group and ensure predictability and possible action. This body of indigenous law and values that keeps the wellbeing of the community is the Halabi Serra.

The people of Halaba, as to the elders, have long history of peaceful coexistence among themselves and with other peoples outside of their boundary. However, when conflict occurs between individual and groups, the people have developed its own mechanism to keep the wellbeing of the society. Therefore, based on the data obtained from the study site clearly shows Ogate institution as institutions of conflict resolution among the Halaba of southern Ethiopia. This institution processes conflict and conflict related issues based on the worldview of the people and power vested on them by the customary law. In the study area, Ogate served as indigenous mechanism that can maintain peace and security for its people based on the values and world view of the people. At the same time, it was a long lasted means to control those behaviors that are considered by the society as socially bad and abnormal. In line with this, there is a formal court system operating in the study area as an additional means to maintain peace and order between individuals and groups and worked hand in hand with the indigenous one.

Therefore, Ogate conflict resolution institution is the forms of indigenous mechanisms of conflict resolution in the study area. As the data obtained from the informants, the Ogate system is a hierarchical and this system foresees a peaceful and mutual resolution of conflict between individuals and groups for long period of time. The Ogate indigenous conflict resolution system

has its own characteristic features. Its characteristic feature is that the system assumes hierarchies of power where power from one institution differs from the other. Hence, based on the data obtained from elders, this system of conflict resolution has structured in to four hierarchical powers.

These are the Halabi Hassen nasro Ogate (general council), the Dabo Ogate (clan level council), the Dabo mini Ogate (sub clan council) and the Boki Ogate (village level council). Depending on what form of conflict, the people start the resolution process at Ogate system and if they are unable to settle the dispute or if they are unsatisfied with the decision, then they go to the Ogate in order to find better justice.

#### **4.4. Role of indigenous conflict resolution mechanism in Halaba community.**

##### **4.4.1 Process and mechanism**

According to Dibeho, Umar and jemal, selam key informant interview, (may, 31, 2019) conflict resolution process of Halaba community was initiated by elders who discuss the issues that have become problem for community. They first gathered information from each parties and then decided to work are specific procedures should be seriously followed by people when there is loss of lives in conflict between ground and family. The elders open a general discussion between two or more conflicting parties.

According to key informant and FGDs in the process of conflict resolution, elders started to rest the family of the victims and asked whether or not agree to the intervention of the elders. If the two conflicting parties agree he elders take the responsibility of both sides. Then each conflicting parties raise the case of conflict that lead to conflicts and the elders take the points which is correct or which is wrong from the raising point of each sides. After gathered information from both side the elder remove the two conflicting from the seats and discuss the points collected information. The elders meeting more than three time to decides the final decision for both sides and the groups or parties which is damage or violet more is punished by money or other social activities like idea.

Differently societies have their own way of conflict resolution mechanism. The Halaba societies have their own mechanism of conflict resolution called Ogate. These mechanism of conflict resolution is very acceptable respective by communities. Any disagreement can be solved by this mechanism and people live together. For this reason, traditional conflict resolution mechanism of

Halaba the most acceptable and respectful among Halaba people and other neighboring nation and nationalities of southern regions. Like Hadia, Kembata and silte.

According to the key information interview the clan elders arrested interests in the maintaining peace. Whenever, possible traditional conflict resolution mechanism should reinforced the traditional authorities of elders. A reinforcement of the traditional authorities of the elders by acknowledging them as a community representative. Traditional conflict resolution mechanism of the society cannot always resolved conflict because the traditional authorities can further refers to higher authority when conflicts or disputes goes beyond their capacity . For this reason traditional authority linked with more formal modern legal system.

In the tradition of Halabi Serra if any family or clan faces any kind of problem any kind of problem they may discuss together and seek solution for the problem through the assembly known as “Ogate”. Ogate is an assembly which takes place in the place where the case arise or in the areas where the personalities who lead the assembly live.it takes place under a huge tree known as Ogate halla ( shade of great tree) .

In the assembly of the Ogate the head of a household, the father, represents each family of the village’s clan level meeting. He is member of the Boki-Ogate. The council of nearby settlements / village that is led by the Boki-Muricho the head of the Boki-Ogate. The clan council, the Debo-Ogate is led by the respective it’s respective clan chef Debo-Muricho who with the Boki-Muricho represents it’s respective clan solve whatever cases arise at the clan level.

The clan chef in any level of Ogate assembly the Ogate of the three levels communicate current news and issues concerning the respective areas or peoples before beginning the issue of the day. Such an exchanging of the new information is known as” Dudubu-Akemu” to mean exchanging of news or issues. After this, they being the issues of the day and saying ‘Kayahan do’” Yadoha’ meaning is the case new or the preexisting. The regular assemble of the Ogate is conducted every two weeks.

Two leaders selected to lead the discussion of the assembly. They also sit face to face and continue the discussion. These two peoples are called “Korto Annakota’ meaning fathers of the Jurt. The system of assembly is more of the democratic type, in which each member of the assembly is a part of the discussion making through the process of ‘Gumgmu” that is the voice of

participants in which each member forwards his idea by supporting or opposing. Finally through the majority vote the decision is made.

#### **4.5 Perspectives of Indigenous Conflict Resolution Mechanisms**

The success of any conflict resolution mechanism depends largely on the approach and view people have about it. The approaches represent the views or perspectives held by individuals, groups or communities about the conflict resolution techniques. The perspectives comprise of the traditional dysfunctional perspectives, modern functional perspectives and the integrated perspective which comprises of both the functional and dysfunctional approach. Contends that the adoption of the modern functional or positive approach states that the ICRM are necessary and important ingredient, with all positive and functional consequences for the community would make the technique highly successful in its application in the community. Conversely the application of the traditional dysfunctional approach depicts the ICRM as all inadequate with all negative and dysfunctional consequence for the community will make the application cumbersome, difficult and ineffective. The consideration of the ICRM on both negative and positive designs make groups, communities and individuals to have a concise view of the application and the possible success in the management of the communal and the individual conflicts.

On the contrary the proponents of the modern prospect approach the application of the ICRM argue that they are less expensive, result in long term outcomes, and require less resources and procedure to execute or administer and implement. The middle ground perspective is the integrative view that advocates that the ICRM has challenges and prospect.

The proponents argue that the mechanisms have both challenges and prospect On one extreme they are less expensive, less procedural and require less training and resources to implement and execute thereby are favorable. On another end the techniques present a more cumbersome, informal, rigid and non-elaborate methods with no clear cut lines of management and implementation. The three perspectives contend that those communities, groups or individuals holding the positive modern and functional approach to the ICRM enjoy using mediation, arbitration, conciliation and communal adjudication through either the opinion leaders or the elders. Accordingly the mechanisms thrive and work better under the modern viewpoints that encourage their application and evaluation. On the other hand those holding the negative view on

the ICRM have made it difficult and cumbersome for the application of the techniques. According to interview and FGD response (June, 01, 2019).

#### **4.6 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.

According to in-depth interview and focus group decision admits that the application of ICRM among low civilized communities and societies continue to experience challenges. The points out that while most of the challenges work to impede the success and effectiveness of the strategies, some challenges may contribute to huge enhancements of the mechanisms. The core among the challenges comprise of the need for adequate resources, redundant cultural practices, lack of effective communication programs and technological orientation to enable information transfer and sharing, the competency and capacity level of the community leaders to adequately use the structured and modern techniques, and communal life style structure. Closed cultural practices, one way communication and the use of manual technology with less capacitated leaders in the use of ICRM contributes to their failure and non-effectiveness.

The attitude towards the women and youth participation in Peace building, communal beliefs and customs need for general and wide acceptability of the conflict outcomes, economic and social spheres and family structures constitute some of the serious threats to the use of ICRM. Many Halaba societies have negative attitude about the participation of women in the conflict management. The women are there to be seen and not to be heard.

This may be connected to the strict and non-progressive cultural practices among many Halaba communities. The process is grossly flawed. As a result there is serious gender and age imbalance as women and youth are largely excluded from important community decision making processes especially those regarding conflict and their management and yet the two groups play a critical role in precipitating conflicts. Challenges also exist in the forms of lack of training and development among the leadership, poor communication and information sharing attributes among the communities, inferior planning and decision making methods, low technological orientation, environmental circumstances, cultural structures and these contribute towards decreased effectiveness of the conflict resolution techniques at the community or within the societal levels. Conflict management requires leadership with adequate skills, knowledge, abilities and capabilities required through more formal and informal training systems. Majority of the leaders among the communities presiding over the conflicts have no prerequisite and appropriate training and development levels to administer, implement and evaluate the conflicts managements programs. Thus the elders are not entirely able to operate and resolve conflicts within these structural limits of customary conflict management systems. A lot of time is consumed in the public forums because there is encouragement of broad discussion of aspects

that may be unrelated to the central problem that has triggered the conflict. The informal training level is purely inadequate to help administer the management of conflicts effectively. Additionally the closed cultural orientations that inhibit the sharing of information, providing data about the community secrets, and discussing the community issues in public among the Halaba has been a great challenge among the communities. The success of the conflict resolution depends on the nature and number of challenges it faces. According to interview and FGD response (June, 01, 2019)

#### **4.7 Punishment and Compensation**

Based on the informant obtained from the respondent, the types of punishment would depend up on the kinds of problem at hand. For example, in the case of simple conflicts and faults there may be discussion on the matter and after the guilty is identified both parts are asked to compromise each other by saying “wolihafayitu”/Awuf/ apologize. In the case serious crimes for example, robbery of cattle/burning of house ,attacking of others etc. the other punishment would be serious even the criminal would provide money, bull or honey which is in the culture known as” wodefa”.worjamu which means punishment by providing bull male goat, sheep, or money that can replaced these animals. ”wodefa means providing honey full of a big pot. In the criminal is not ready to accept what was decided on his as punishment the case may be taken to the last step decision maker of the tribal leaders and the last level of the” Ogate”.(Focus Group Discussion, June, 02, 2019).

## **CHAPTER FIVE**

### **CONCLUSION AND RECOMMENDATION**

#### **5.1 CONCLUSION**

Based on the data obtained from interview, and focus group discussion show that conflict is activated by different cause in study site. Breaking the rule in the morning ceremony, inheritance and property claims, breach of contract, violation of societal values, and loss of human life are among the causes of conflict in the study area.

In the study area, indigenous conflict resolution mechanism i.e. Ogate plays a remarkable role in resolving conflicts which arises between different groups and individuals in the community. The Ogate conflict resolution mechanism primarily focuses on providing conflict resolution services to local communities based on long term and sustainable outcomes. The mechanism tries to combine truth and mercy as well as peace and justice through forgiveness, tolerance, peaceful coexistence, apology and compensation. It equally focuses on the past and the future relationships of the parties in conflict. Thus, such a mechanism in Halaba, is effective in addressing conflicts and bringing lasting peace between parties in conflict.

The people of Halaba societies are composed of different clan groups that they have generally called Halaba ethnic group. They have their own culture, beliefs, customs, values and languages. The study was mainly focus on challenges and prospects of Ogate Indigenous conflict resolution mechanisms in south nation nationalities and people region specifically in the case of Halaba community.

This study basically concerned on the perception of cause of conflicts in the society dominantly the land boundary dispute between neighboring groups. Arises through when the one passes the border lines due to controlling farm land, religious difference ,inequality between the race and other factors, actors of conflict resolution (local leaders) when resolving conflicts through traditional means of their custom, norm and belief of their society. They also preferably concerned with handling the all form of conflicts between the communities. These elders use their maximum effort to resolve conflict and baring peace and stability to the society.

Generally, these traditional conflict resolution mechanism of Halaba community is acceptable by the people of Halaba it is also better than the formal form of institution or courts because they

punishment of traditional conflict resolution system easier or less by it saved time, money, energy than the legal court.

## **5.2 Recommendation**

Based on the finding at the study the following recommendation is suggested to improve the identified problem.

- ✓ Based on the our research findings, we recommended that the responsible bodies or the local government should preserve indigenous conflict resolution mechanisms in the study area and should give enough attention and support for other researchers who want to study challenges and prospects of Ogate indigenous conflict resolution mechanisms as their research topic.
- ✓ Traditional mechanism of conflict resolution should be taken as one of the modern institution or formal institution in the society beside of the social controlling mechanism.
- ✓ These traditional conflict resolution promoting peace and agreement between the parties and increase maturity based on commonality and brotherhood respect each other; promote stability and security in the society. It create great integration (solidarity) within the society, increase the conflicting parties knowledge about negative sides of conflict and harmful destruction of conflict each other weaken the negative attitudes of the people and to enhance effective inter cultural communication and develop, processes and system that promotes empowerment peace facilitate agreement that after mutual gain for each parties

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