

HAWASSA UNIVERSITY
COLLEGE OF LAW AND GOVERNANCE
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**INDIGENOUS CONFLICT RESOLUTION MECHANISMS. THE CASE OF OYDA
PEOPLE IN GAMO GOFA ZONE IN SOUTH NATIONS, NATIONALITIES AND
PEOPLES' REGIONAL STATE, ETHIOPIA.**

By: Fasil Seyoum

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Hawassa, Ethiopia

COLLEGE OF LAW AND GOVERNANCE

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SCHOOL OF GOVERNANCE AND DEVELOPMENT STUDIES

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By: Fasil Seyoum

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SCHOOL OF GOVERNANCE AND DEVELOPMENT STUDIES

The thesis is titled: *Indigenous Conflict Resolution Mechanisms. The Case of Oyda People in Gamo Gofa Zone in South Nations, Nationalities and Peoples' Regional State, Ethiopia* and prepared for the partial fulfillment of the requirements for the degree of Master's with specialization in Civics and Ethical Education, the graduate program in the school of governance and development studies, is produced by Fasil Seyoum Abebe.

Board of Examiners/Approved by:

Name of Advisor _____ Signature _____ Date _____

Name of External Examiner _____ Signature _____ Date _____

Name of Internal Examiner _____ Signature _____ Date _____

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Declaration

I, undersigned hereby declare that the M.A thesis entitled, *Indigenous Conflict Resolution Mechanisms. In the Case of Oyda Woreda People in Gamo Gofa Zone in South Nations, Nationalities and Peoples' Regional State of Ethiopia*; is my original work has not been presented for degree in any other university, all sources of the materials used for the thesis have been duly acknowledged.

Name _____

Signature _____

Date _____

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Operational Definitions of the Local Key Terms

Adho: conflict

Areqe: Locally made alcoholic drinking

Ba'a: An idea a young boy from a family has entitled to transfer

father's asset or property in the community of Oyda Woreda

Bitan: The traditional title or local leaders/ chief under the office of Kaati in Oyda People

Bucha: The area of traditional laws and rules are rendered

Buda: An evil spirit or eye

Chomach: The title of local chiefs below the institution of Bitan in the case of Oyda People

Danna: locally made beer

Enset: A kind of banana

Goche eke: A form of forceful marriage / abduction

Gome: Curse

Kach: Disagreement or disharmony

Kaati: King

Kushe maahe: A kind of vengeance or feuding

Kotsi manni: A potter and black smith

Kebele: The smallest unit of political and economical administration

Osh: Fight or struggle

Olale: Adultery

Oli: War

Oydina: The ruling clan of Oyda people

Oyde: Seats

Shempo Wadho: killing

Tej: A form of alcoholic drink

Woreda: District

Abstract

The main purpose of this study was to assess and investigate the role and function of indigenous conflict resolution mechanisms in the case of Oyda People in Gamo Gofa Zone in south nations, nationalities and Peoples' Regional State of Ethiopia. Parallel to the formal criminal justice system in Ethiopia, the multi ethnic groups of society have developed and used their own indigenous conflict resolution mechanism institutions. Thus, this is equally true for the people of Oyda in Gamo Gofa Zone in south part of Ethiopia. Here, the overall objective of the study lies to examine and assess the roles of indigenous conflict mechanism resolution institution in handling conflict in the case of Oyda People in Gamo Gofa Zone based on their own stated norms and moral values. In addition, the study is mainly designed by qualitative exploratory research approach to achieve the stated objectives. In order to successfully accomplish, the above stated objectives of this research, the data was collected from primary sources like from various key respondents in the study area by using qualitative instruments of observation, interview, focus group discussion and case studies. On the other hand, a secondary data resource was collected from magazines, published and unpublished government document, books, Thesis. A total number of 30 informants were participated in the study. To this end, the major finding of the study displayed that the indigenous conflict resolution institution is one of the ways of resolving based on their traditional policies of law implementation in the study area. The study also come up with the main causes of conflict in the study area and the indigenous means to resolve them through the Bucha Woga conflict resolution institution. The major causes that activate people in the study area in conflict are family related dispute, abduction, adultery, theft, over use of alcohol, murder, revenge, and bad insult, competition in the ceremony of mourning and not to keep a promise. This research also reveals the criteria for the selection of an elder in conflict resolution institution and the study areas indigenous laws and rules enforcement mechanisms. Besides, the study come up with the interdependence between indigenous and formal court system in resolving various kinds of conflict which are responsible for maintaining peace and security among Oyda people.

Key Words: conflict, conflict resolution, indigenous, ICRM

CHAPTER ONE

INTRODUCTION

1.1. Back ground of the Study

According to Fisher (2000), conflicts are inevitable/undeniable fact of human life existence and often creative. Fisher also points out that in our day to day interaction with one another, we either observed or pass through conflicts which range from interpersonal quarrel, strife, family and neighbors dispute, ethnic and inter-state conflicts to the global war. For him conflict can destroy existing relationships and bring disasters. In addition to this, he also claimed that, conflict could create opportunities for new relationship and change. In a similar assertion, Coser (1968:10) explains conflict as a struggle of values, claims over status and scarce resources, in which the aims of conflicting parties is not only the desired values but also to neutralize, injure or eliminate their rivals.

Historically, individuals, social groups and societies have disputed and competed against one another over scarce commodities and resources like: land, money, political power, and ideology. They have fought one another and bitterly sought the elimination and subjugation of rivals, in order to control these resources and commodities (Baxi and Gallanter, 1979; Moore, 1985:314-386).

Based on the above explanation, conflict could be taken as opposition between individuals, institutions, etc., that arises because of incompatible wishes or interests. Conflicts could be economic, political, social, cultural, etc., struggle with in humans at all levels of interactions.

We all deal with conflict in our daily lives- at home, work and school, personal and business relations. In today's complex society, it is common to see when communication breakdown, differences increase and conflicts arise. However, what is important is how to resolve our differences. To this end, Conflict resolution is a crucial/pivotal for day to day co-existence as human societies are in constant search for resolution mechanisms of conflicts (Alula and Getachew, 2008). According to Schellenberg (1996:13), there are various ways of conflict

resolution mechanisms around the world. For him, different societies of the world have developed their own mechanism to handle conflicts. Likewise, any other part of the world, in Africa, people with different cultural background, classes, race, clan, age and other come in to conflict. The conflicting parties may be individuals, groups, families, clan's or ethnic group. To manage their conflicts, African has developed their own means of indigenous institutions. This means, those traditional conflict resolving institutions helped to address their conflicts. However, the mechanisms are different from a particular society to the other because of the different ways of life.

In the Ethiopian context as well, Mellese (2008) states as a multi-cultural society, there are various social groups that live together in cooperation, harmony and some time in conflict. On the other hand, when conflicts are arises between different social groups of people, Abera (2000) points out that, different kinds of conflict management mechanisms applied in different parts of Ethiopia among several sector of the societies.

According to Assefa (2001), who has made a study on the Oromo People traditional conflict resolution like, *Jaarsummaa, Waqeffana, and Gada*. Based on his study, these methods have been practiced by the Oromo people which playing a significance role in resolving various types of dispute in their respective jurisdiction. Besides, *Yojoka* in Gurage people, *Shimglina* in Amhara People, *Korefinie* in Gamo Gofa people and *Mada* in Afar Region are among the traditional legal system to reconciling various types of conflict in their own separate territory in order to maintain peace and order in their societies (Pankhurst and Getachew, 2008). Therefore, Ethiopian, like their African counterpart have employed their own indigenous conflict resolution mechanisms in the process of serving conflict resolution mechanisms in resolving dispute by their respective areas of people. To sum, conflict resolution mechanism institution in Ethiopia can be categorized as indigenous conflict resolution and formal conflict resolution mechanisms which are provided by (Alula and Getachew, 2008). Both mechanisms are practiced or used in Ethiopia in the process of conflict resolution mechanisms in resolving dispute.

Likewise, the Oyda people have also developed various institutions, to regulate or govern the day to day activities of its member. To this end, the thesis deals with the indigenous conflict resolution mechanisms which are exercised in the Oyda Woreda People. Thus, this study thoroughly deals with how conflicts are settled through indigenous conflict resolution

mechanism in the case of Oyda People in Gamo Gofa Zone in South Nations, Nationalities and Peoples 'Regional State of Ethiopia (SNNPRS).

1.2. Statement of the Problem

As several literatures indicate, conflict is inevitable part of human life. Therefore, it is important to transform the violent conflict in to positive peace. Hence, every society has developed its own dispute resolution mechanisms on the bases of local customary practices or cultural historical norms. Africans, have their own philosophy of life. They have a different culture by which they see and interact themselves. Individualism, for instance, is a philosophy of life in the West as communality is philosophy of life in Africa. Collective mode of living is peculiar identification of Africans in general. In fact, this mode of living different version of life rather than implying backwardness or primitiveness which might be wrongly perceived by some Westerners. The communal life in Africa, on other hand, has an implication in conflict and its resolution. The issues of security, peace and conversely conflict are communal matters in Africa, unlike in the West. Therefore, the priority of African traditional conflict resolution mechanisms to bring about collective social stability and harmony. They do not simply focus on the corrective measure nor do they merely settle the conflict. They rather attempt to bring about sustaining peace among the disputants thereby the prevalence of enmity and hatred within as well as across communities would be brought to an end (Tsega, 2002: 69).

Indigenous conflict resolution mechanisms in Africa are generally closely bond with socio-economic and political realities of the life style of the communities. These mechanisms are rooted in the culture and history of the African people, and are in one way or another unique to each community (Rabar and Karimi, 2004:4). In addition to this, (Zartman 1989) and Tirsit (2002:28-29) described that the informal means of conflict management is a great role in the cultural heritages of African societies.

For instance, in the work of Milan (2005), the Rwandan *Gacaca* court, *Kacokemadit* meeting in northern Uganda and the *Ajaweed* Council are known in their provision of speedy solution to genocidal criminals and healing of traumas. Besides, *Kidepo* valley communities of eastern Equatorial and *Mato Oput* of the *Alcoholic* people of northern Uganda (Brock-Birgit, 2001) are also the other examples of African born conflict resolution and reconciliation mechanism.

Africa, therefore, has a number of traditional conflict resolution mechanisms which enables its people to handle and settle conflicts ranging from inter personal to inter- ethnic ones. As part and parcel of the African continent, Ethiopia cannot be an exceptional. After all, Ethiopia is believed to be a multi-ethnic state. These multi-ethnic groups of people have promoted and cultivated their own unique economic, political, social, administrative and judicial system. They have been also living in harmony, co-operation and in conflict for several centuries. Furthermore, they have developed and exercise their own traditional resolution mechanism so as to resolve various disputes that arise due to divergence of interest and other factors. They have also maintained themselves without necessitating to have copied the Western form of governance in to their methods of conflict resolution (Assefa, 2001: 17).

Equally, there also options that exist in Oyda societies for handling conflicts through their traditional or indigenous means of conflict resolution institutions. Also, the Oyda People have lived together in harmony, co-operation and in conflict within the people and outside for many years. In relation to this, the ethnic group have also developed and practiced their own conflict mechanisms aimed at handling conflicts and building a sustainable culture of peace or a smooth interaction between themselves and with their surrounding societies. Thus, the overall purpose of this study is to examine and investigate the role of indigenous institutions of conflict resolution mechanisms in the process of resolving conflict by the Oyda People of Gamo Gofa Zone in South part of Ethiopia.

There are some scholars who studied about traditional conflict resolution mechanism of the southern Ethiopia People. For instance, Yewondwosen (2006) states, the role of *Yejoka* as the most important institution of Gurage people in handling conflicts that arise between various sections of societies. In relation to this, Temesgen Minwagaw also added the methods' of conflict management in Dako- Gamo ethnic group in Gamo Gofa Zone (Gebre, 2011). Melese Mada (2008) has studied stated about the role of local elders in managing conflicts among the Wolayta people. Also, there are few works undertaken with respond to the Oyda People. Some of these are, Abraham (2003) explained the language aspect of Oyda in his work. The other work on the linguistic aspect of Oyda people are that of Haileyesus Engdashet (2002) and Fleming (1975). Besides, Dereje (2011) has studied the hierarchical social formation of Oyda people in terms of occupation and clan member ship as well as the economic inequality existed between

the farming and artisan community. However, none of them have focused on conflict aspect of the Oyda People and the resulting indigenous conflicts resolution mechanism or strategy. As a result, the rich experience of the Oyda people indigenous conflict resolution based on their own norms and values is not yet part of the academic literature. Therefore, this study was aimed to fill this academic gap by investigating the source of conflict among the Oyda people and then indigenous means of settlement within themselves and with other groups surrounding them and living together.

1.3. Objective of Study

1.3.1. General Objective

The main objective of this study is to assess indigenous conflict resolution institutions the nature of conflict in the interaction of the Oyda people within themselves and with others examine their traditional strategies to contain the conflicts.

1.3.2. Specific Objectives

Based on the general objective outlined above, the specific objectives of the study are:

1. To identify the sources and characteristics of conflict within the Oyda people.
2. To assess the role of Oyda group indigenous institutions in resolving contemporary conflicts.
3. To look in to the merits and demerit of the conflicts resolution strategies.
4. To examine the relationship between the Oyda indigenous or informal conflict resolution institutions and the formal (state) institutions.

1.4. Key Research Questions

This study answered the following basic research questions for the successful a completion of the stated objectives.

1. What are the major sources of conflict within the Oyda people?
2. How the role of Oyda people's indigenous institutions can be explained in relation to conflict resolution?

3. What are the merits and draw backs of informal conflict resolution mechanism

in settling conflict?

4. What are the relationship between traditional conflict resolution mechanism and formal

court system ?

1.5. Significance of the Study

The study is intended to contribute for a number of significances. Firstly, it would provide desirable information about the role and purpose of the indigenous conflict resolution mechanisms in Oyda People in Gamo Gofa Zone in South part of Ethiopia Besides, the finding of this research would be used by concerned bodies to consider and preserve traditional knowledge and values of traditional or indigenous means of conflict resolution mechanism in order to build good relationships between different conflicting parties as well as within in the societies at large or aimed at addressing the root cause of conflict the long term resolution-oriented approaches and the finding of this study would serves as an input for policy makers in relation to conflict resolution and peace building process. And also, the result of this study would contribute to the few works that have already been done on conflict and conflict settling mechanisms process in the region of South Nations, Nationalities and People's Regional State. To this end, the study it might serve as input for those individuals interested in to carry out in-depth studies on similar topics.

1.6. Scope of the Study

To make this research manageable, the study delimited itself to Oyda Woreda in Gamo Gofa Zone in South Nations, Nationalities and Peoples' Regional State. Because shortage of finance, time, lack of respondents and other issue that limit this study. Thus, the study focuses on the role, process and procedures of indigenous institutions in managing or handling of conflict in the study area. Hence, the ethnic group of Oyda People is subjects of the study. And also, the relationships that exist between the indigenous conflict resolution methods and the formal court system are the concern of the study. This done based on only five *kebeles* which are identified as

Shefite, Markala, Dalsha, Bagara and Balta kebele. These kebeles were selected out of the total *kebeles* of the Oyda Woreda which are twenty.

1.7. Limitation of the Study

The depth of this study was limited by financial shortage, time constraints, lack of materials and the problem of the respondents to give genuine information and over load of work in the study area. As to the study area, although it is better to include other ethnic group of Gamo Gofa Zone people, only Oyda people have covered by the study. The reason is that the problem of Oyda people may not represent other Woreda, shortage of finance, time, and energy and also the study should be manageable to deal with for the researcher. Thus, it was with this limitation that the study was designed and covered only the Oyda people of Gamo Gofa Zone. Due to the nature of the topic, the researcher was mainly used qualitative exploratory research approaches to achieve the stated objectives.

1.8. Organization of the Study

This study is organized in to five chapters. The first chapter deals with introduction/ background of the study, statement of the problem with its objective of the study, key research questions, and significance of the study, delimitation and limitation of the study and operational definition of the local key terms. The second chapter presents the review of related literature on conflict and conflict resolution mechanisms. The third chapter describes the research methodology which includes description of the study area, research design and approach, data sources of the study, sampling methods, methods of data collection and analysis. The fourth chapter would present data analysis, data interpretation and finding of this research. As the last chapter, the next chapter (five) is devoted to the conclusion and recommendations of the study.

CHAPTER TWO

REVIEW OF RELATED LITERATURE

2.1. Introduction

This chapter is briefly deals with the existing review related literatures and defining the concept of conflict and its conflict resolution mechanisms, the major theoretical schools on the causes of conflict, to look in to the merits and demerits of indigenous conflict resolution mechanism. Lastly, this chapter dedicated to explain the typologies of conflict resolution mechanism.

2.2. Empirical Review of Related Literature

The notions of conflict in the academic literature define when different confrontation groups compete with each other to achieve their expected desire or aims. Thus, conflict is the clash of needs, goals, interests, values, norms, wishes and ideologies between competing parties. In another word, conflict can be described as any situation in which two or more social entities or parties perceive that they possess mutually incompatible goals perceived divergence of interest, beliefs (Schmid, 2002). The history of conflict is as old as human history (Assefa, 2001). Conflict is not, therefore, a new phenomenon in the history of human beings. It always exists as long as human beings live together and it is an inevitable part of human experience. After all, conflict is a natural and unavoidable part of human existence that is, in nature disagreement resulting from individual or groups that differ in attitudes, beliefs, values or needs (Francis, 2006).

Conflict occurs when two or more parties incompatible interests, needs or goal through the action that the parties attempt to damage or attack each other. These parties could be individuals, groups, communities or countries. The parties' interests can differ over access of resources, their identity and values or ideology. When two groups or individuals pursue in compatible interests and needs which could be political, economic, social or cultural they involve in conflict (Bukari, 2013). Eventually, conflict is any situation in which two or more social entities or parties perceive that they possess mutually incompatible goals. According to Nader (1968), conflict is

inevitable phenomenon in human society's sphere life since the entire life of human kind is manipulated by the prevalence of conflict within the society when people set opinion against opinion, run interest against interest. Besides, Kriesberg (1973:17) in his study defined the idea of conflict as a relationship between two or more parties who believe that they have incompatible goals. He also added that conflict is a situation of competition in which the parties are aware of the incompatibility with the wishes of other conflicting party.

Based on the above explanation, conflict is inevitable nature of human life existence. It is obvious that, every human being has a goal or desire which may differ from the goal and interest of the other individual or group of people. Therefore, the incompatibility in goal and interests would results in conflict or give rise to disagreement to the pursuit of incompatible goal among parties (Kriesberg, 1973).

Above all, conflict could be taken as the relationship between individuals or group of people; an avoidable concomitant of choices and decision and an expression of the people of the basic facts of human interdependence (Zartman, 1991:370). In similar fashion, conflict is basically understood as the pursuit of incompatible goals between one or more contesting parties. Accordingly, the incompatibility of goals will leads to contradiction where the party with unrealized goals feels frustrated and cause aggression against the other (Galtung, 2004). Therefore, conflict is a common phenomenon manifested in the form of disagreement and differences of ideas in the course of human interaction. It can be regarded as in evitable part of a functioning society (Ali, 2006). Besides, conflict appears to be an essential element of human performance in diverse activities. The term could be classified based on different criteria and variables, and this creates difficulty in formulating an operational and exact definitions.

Therefore, different definitions and description on conflict are given by different individuals depending on contexts they consider. For Boulding (1962:05), who has done adequate research on social conflict defined conflict as a situation of competition in which the parties are aware of the incomparability of potential future position and which each parties interests to occupy opposition that is incompatible with the wishes of the others. Contrarily, conflict is perceived as a reaction resulting from a social interaction and a means to resolve or avert and there by preserve development and maintenance of social order (Schellenberg, 1996 and Gulliver, 1963). In addition, as long as there is the concept of society and the very existence of people, there is

undoubtedly conflict no matter the extent as well as the source of it. In fact, it is very difficult to separate conflict from human kind and it is unthinkable to see them independently; they are always together making two faces of the same coin. It is unconceivable to think a society without conflict (Assefa, 2001).

Conflict is a dynamic process in which structure and behaviors are constantly changing and influencing one another. Conflicts emerge under a great array of different circumstances. Violent conflict and non-violent results from interaction between the following three elements like: the development of certain attitude can be combined which lead to hostile behavior violent, attacks, threats, economic coercion, and discrimination. Moreover, certain structure might be in place or create something promote conflict. As the conflict develops it may widen, draw in other parties, deepen, and spread, generating the foundation of further conflict within the main parties or among outsiders who get sucked in. This often considerably complicates the task of reversing the original core conflict.

Finally however, resolving the conflict must involve in a set of dynamic, interdependent changes that involve de-escalation of conflicts behavior, a change in attitude and transforming the relationship or clashing interests that are at the core of the conflicts structure. In this respect, it often undergoes change. The change in structure, attitude and behavior will inevitably escalate or intensify the conflict cycle (Jeong, 2000).

To sum up, based on the above description, conflict could taken as opposition between individuals, groups, institution, that arises because of incompatibility interest or desire. It could be economical, political, social, cultural, struggle within humans at all levels of interaction.

To this end, Jeong (2000) defines indigenous conflict resolution as a long term settlement of an underlying long- running conflict. It needs the long term commitment of the actors to solve their differences since the deep rooted conflicts arose over non- negotiable issues. The main target of this mechanism is to handle the main causes of conflicts. Conflict resolution requires a more analytical and problem solving approach and needs to pass through complex process. Thus, it would enable the contestants to understand their differences exhaustively if they are interested to recognize the underlying causes of conflict.

The process of conflict resolution mechanisms has operated with how traditional structures and systems ensure action in bringing peace at the individual and community level relationship. In this respect, the resolution methods are emanated from general cultural life and daily experiences of living. Here, the indigenous conflict resolution mechanisms refers to the structure and units of organization in a society and constitutes the norms, beliefs, tradition that regulate the day to day life of all social realms (Kendie and Guri, 2006: 333).

According to Abera (2003), and Alula and Getachew (2008:1), traditional mechanisms of conflict resolution institution are made by the people and draw their legitimacy from participation and consensus of the community and these mechanisms are long- persistent social practices, rooted in local cultural setting, aiming at handling conflicts, reducing tension, and rebuilding social relationships (Tarekegn, 2008:11). In addition to this, Aula and Getachew (2008) described these mechanisms and institutions as localized institution and for legitimacy are restricted to a certain ethnic group.

The above explanation indicate that indigenous conflict resolution methods are practices that are emanated from the tradition, norms, values, believes, customs. And also they are established through the consent of community and informal social laws that guide the behavior of the people. For this study, the indigenous conflict resolution method refers to the conflict handling institutions that are practiced outside the formal court structure. In general, indigenous conflict resolution mechanisms are more influential, strongly relevant, accessible and applicable than the formal criminal justice system, which is considered alien to the traditional society.

The advantage of indigenous conflict resolution mechanism according to Assefa (2001) are, it quickly responds to crisis in terms of time, reduce the regular court system case loads, they contribute to saving of public money /resources, it also reduce the shortage of judges who works in regular case and budget constraints and also complementary to the modern government structure /formal legal system. The other strong sides of indigenous conflict resolution mechanisms institutions are, they provide access to many people who do not find the formal court state structure, affordable to their needs, disputants are satisfied with their operation and view their outcomes as fair.

The other basic characteristics of indigenous conflict resolution mechanism institutions are using their ritual symbols and interpretations of myths to bring conflicts to an end (Birgit, 2001: 7). The ritual and interpretation of myths have psychological impacts on the parties in conflict. This means that, parties obey summons and other order in order to attend meeting for reconciliation and respect other proceedings of the process and tell the truth to elders in fear of negative outcomes that may result from curse. Lastly, it makes parties respect solution given by elders and shoulder their respective obligations accordingly without the need for other coercive means.

In addition to this, the indigenous conflict resolution institution is that they consider wrong acts. Therefore, in handling the characteristics of conflict offenders have to be mediated to the individual exposed and the society broken or devastate relationship and correct wrong acts and restoring justice to maintain the full realization and cooperation of parties in to their communities again (Birgit, 2001: 06). Generally, traditional dispute resolution institution are more influential and applicable than the formal criminal justice systems, issues are dealt with less anger and bitterness as well more speedy than the formal case law among controversy parties especially in remote and peripheral area.

Furthermore, for Boege (2006:22-27), indigenous conflict resolution mechanism have a number of advantages. Among these; it fits to the condition of state fragility and failure, they are not state centric and hence credited with legitimacy; take the time factor in to account and are process oriented, provide for comprehensive inclusion and participation and focus on the psycho-social and spiritual dimension of conflict transformation. In addition to this, he identifies, indigenous dispute resolution institutions have their own setbacks or limitations. For instance; it contradicts the declaration of Universal Declaration of Human Right, confined to a specific community, to the family, neighborhood, largely depending on oral traditions and lack of legitimacy for the modern law. At the end, he set out or elaborate traditional conflict resolution institutions are not terminate conflicts which erupt out of the elders authority this means conflicts in the modern world where the legitimacy and acceptance of elders is minimal and the practice of traditional conflict resolution mechanisms restricts the participation of children's and women's rights. The other limitations are only to restore the status goals and are always open to abuse/bias and gender bias, for instance in the case where there are no women elders, may believe that male elders are biased against women and that will be reflected in their decision.

Based on the above explanation, traditional conflict resolution institutions are not vibrant in rural areas unable to penetrate that of the formal legal system because, lack of resource, lack of infrastructure, lack of legal personnel, lack of legitimacy for the modern law is seen as alien, imposed and ignorant of the cultural realities on the ground, tendency to corrupt, being ad-hoc, largely depending on oral traditions as well creates inequalities in terms social status, weakening in human rights consciousness.

2.3. Conflict Theories

There are various theoretical schools that illustrate the basis of conflict and its source. Therefore, this part of study is dedicated to revealing the theories that deliver the theoretical frame work for analyzing the root causes of conflict from different theoretical schools points of views.

2.3.1. Human Needs Theory

It is one of the theoretical approaches in describing the source of conflict. This theory has been developed in the 1970's and the 1980's and is attributed to the source of conflict to the fulfillment of personal or group objectives. For this theory, in order to maintain stable society basic human needs have to be met.

According to Burton (1990), the human participants in conflict situation are compulsively struggling in their respective institutional environments at all social levels to satisfy primordial and universal needs such as security identity, recognition, spiritual needs social and development issues. They strive increasingly to gain the control of the environment that is necessary to ensure the satisfaction of these needs.

This struggle is not restricted to primordial. Thus, the violation of basic human rights including the socio-economic and political interests can be the fundamental or root source of conflict for this theory. In addition, there are multiple meanings and explanation provided for conflict by different scholars of individuals. For instance, for Cohen (1974: 94) who articulate, when men do fight ---they fight over some fundamental issues concerning the distribution and exercise of power, whether economic, political and social, further strengthen this argument. This reveals that scarcity can be cause of conflict.

2.3.2. Frustration Aggression Theory

On the other hand, this theory sees the source of conflict in connection with frustration. According to Green (1990:33), Frustration aggression theory based its assumption on that frustration creates aggressive drive which motives an individual's behavior to fighting, in similar way as do such primary drives as hunger and thirst. Thus, for Green, frustration creates instigation to aggression and ultimately to aggressive behavior and also frustration can be caused from the action of others or the person's inability to accomplish a desired end. This theory assumes that human beings as goal oriented organisms, naturally becomes aggravated when they are prevented from achieving what they desire (Jeong, 2000:67).

In relation to this, Jeong (2008:48) states that frustration aggression theory attributes conflict to frustration due to an inference with an individual's pursuit of a desired object. He further argues that the nature of frustration reflects the type of goals and means that are available to the groups. Frustration aggression theory is the more unrealistic is to achieve a desired end state, the deeper frustration might be felt. After all, frustration aggression theory put frustration as the root cause for every conflict and as the necessary and sufficient condition of aggression, i.e., aggression is always resulted by frustration (Andargachew, 2009:9).

2.3.3. Relational Theory

This theory also describes the basic sources of conflict. Interaction is the major manifestations of disagreement within in a particular society. As to Cohen (1974), the very processes of organization would increase interaction and hence conflict. When the society organized itself at one place scarce resources and power may not be distributed equally to all members of and this led to conflict. He added that, a larger population aggregate meant more disputes for mediation by elders. Furthermore, Eitzen and Zinn (1991:430) claimed that, the probability of disagreement, irritation and violations of privacy increased, when there is high contact and connection between various sections of societies. The materialist conception of the source of conflict is the other theoretical approach.

2.3.4. The Materialist Theories

It underlines that decisive factors in all conflicts are economic motives. Collier (2000) argued that lack of opportunities to the external economic resources, low level of income and inadequate resources can be the sources of conflict. In this regard, Marxists claimed that, more unequal is the distribution of scarce resources in a society; the greater is the violent of interest between dominant and subordinate section and the greater the change that may be caused in the pattern of social organization, especially in the redistribution of scarce resources. Also, the more subordinate members become aware of their true collective interests or inequality, the more likely they are to question the legitimacy of the existing patterns of distribution of valued resources and join evident conflict against dominant segments of the social system (Marx and Engle's, 1964, cited in Lindsey, 2011).

2.3.5. Structural Functional Theory

The structural functionalist theory deal with the contributing source of conflict. This theory asserted that individuals will adjust to a given structure in an organization, institution, or society. Any change in the structure of the organization or institution causes conflict and it destabilizes the organization. Besides, these theories express a system approach where each part has one or more functions to perform. It focuses on things that will maintain the state of equilibrium and collaboration in the organization (Durojaye, 2013). In addition to this, structural functionalism according to Nader (1968) states that both the structural sources and the structural functions of conflict. Structural view society as an equilibrium system whose component parts play role in the maintenance of the whole.

2.4. Typology of Conflict Resolution Methods

There are various mechanisms by which conflict can be resolved. Gulliver (1979:01), Bohannan (1967) and Dejene (2002) categorize conflict resolution mechanisms into two ways: the violent and the peaceful. The violent mechanisms include war, self-help and duel. Whereas the positive mechanisms include avoidance, burying the dispute in the symbolic process, negotiation, mediation, arbitration and adjudication.

According to Gulliver (1979), negotiation is characterized by voluntary discussion between the disputing parties and the absence of third parties decision maker. The only result is a joint decision. The above mentioned explanation shows that negotiation is one of the most common peaceful ways of settling a dispute. It involves direct discussion between or among parties to the dispute with the objective reaching an agreement. Mediation is another indigenous mechanism to resolve conflict fairly and peacefully. Mediation as defined by Zartman (1989) is an intervention acceptable to the adversaries, who cooperate diplomatically with the intervener. It is not based on direct force and it is not aimed at helping one the participants win. It is concerned with helping the adversaries to communicate, and it emphasizes changing the parties' image and attitude towards one another.

Mediation is basically the conflict resolution process without the advance commitment of the parties to accept the mediator's ideas. Mediation is a method of non-binding conflict resolution involving a neutral third parties (mediators) who tries to assist and facilitate the disputing parties reach a mutually agreeable solution. Hence, the resolution is held without resorting any use of force, and the conflicting parties also not obliged to accept the decision provided by the mediators (Jeong, 2010: 45).

Arbitration, on the other hand, is the other process of conflict resolution in which a neutral third party (arbitrators) makes a binding decision based on legal principles, laws, norms and facts to be considered. Accordingly, arbitrators have to be impartial, have good conscience and respect the objectivity of the process (Jeong, 2000: 175 and Abraham, 2012).

Adjudication is the dominant one among the formal types of conflict resolution mechanism. According to Schellenberg (1996: 9), adjudication is a process of conflict resolution method by a court. That means, it is a process of carrying a suit before the court. After all, adjudication is the conflict resolution mechanism process using courts based on established laws, rules, procedures and structures and also it requires familiarity or knowledge of the established procedures, formality and rules of the system.

The other peaceful means of settling conflict is burying the dispute in the symbolic process. When effective, practical means are an available, where there use might bring about intolerance complications or threaten social relations a dispute may be transformed and redefined in

symbolic and supernatural terms witchcraft, accusations, and performance in the ancestral cult or some other religious system (Gulliver, 1979: 2 and Abraham, 2012).

To sum up, the promotion of harmonious relationship in the wider social environment is often viewed as the goal of conflict resolution (Jeong, 2008: 40). According to Mack and Snyder (1957: 430), societies can differ greatly in their levels of conflict behavior, the way in which conflicts are played out, and the mechanisms for dispute settlement which are utilized to control and direct conflicts when they occur. Therefore, this research an effort was made to employ different methods of conflict resolution mechanisms and their interrelations, in order to study the indigenous methods of resolving conflicts among the Oyda people of south part of Ethiopia within the perspectives of the above mentioned mechanisms.

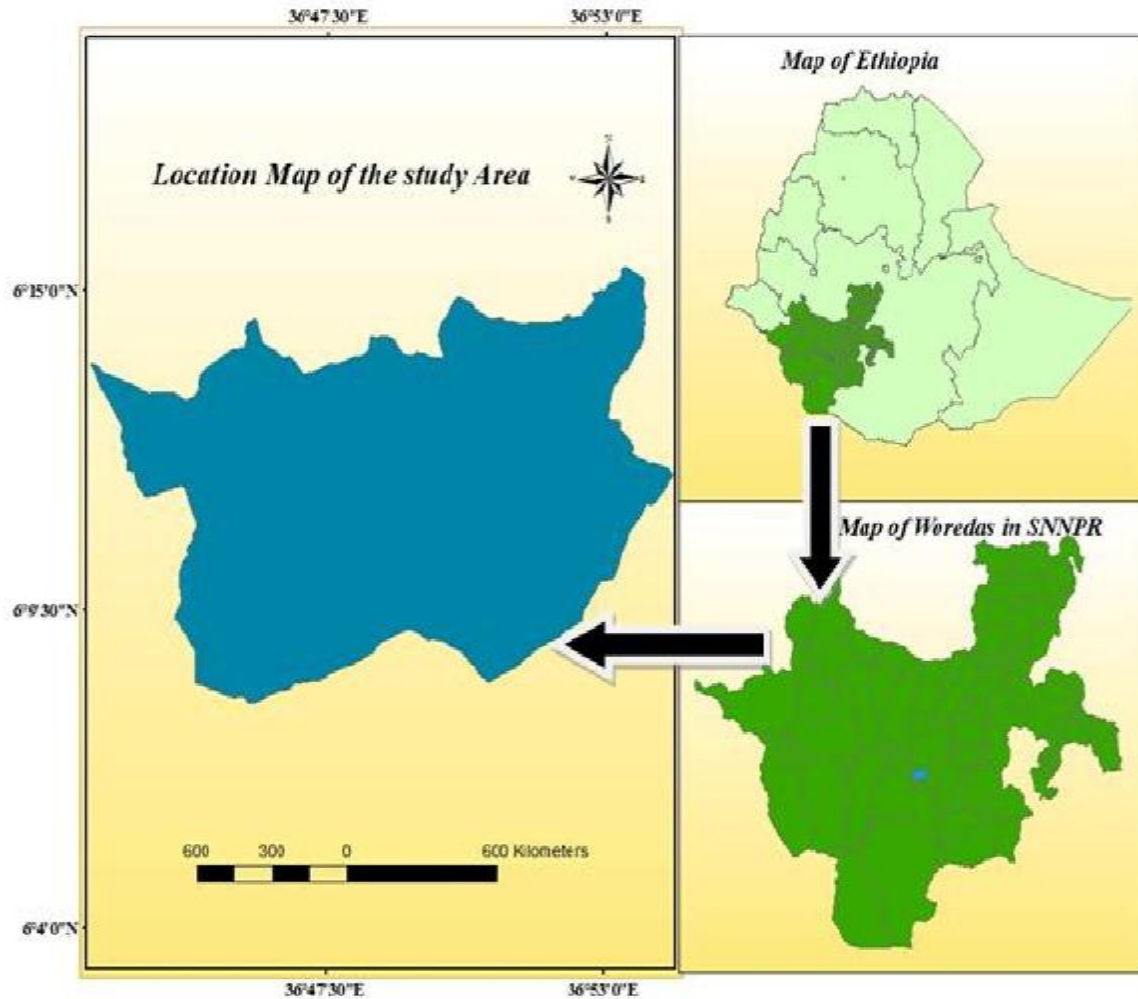
CHAPTER THREE

RESEARCH METHODOLOGY

3.1. Description of the Study Area

This study was conducted in Oyda Woreda in Gamo Gofa Zone in South Nations, Nationalities and Peoples' Regional State. According to the data obtained from Oyda Woreda Road and Transport Office, the capital of the Woreda administration is Shefite town. The Woreda is located 523 km south west of Addis Ababa, 258 km from Arbaminch town, the capital of Gamo Gofa Zone, and 311 km from Hawassa. As the data gained from Oyda Woreda Agricultural and Rural Development Office, the Woreda is bordered by Demba Gofa Woreda in the north, Geze Gofa Woreda in the north west, Ari- Woreda in the in the west, Maale in the south, and Uba Debretsehay Woreda in the east. The Oyda Woreda is found along in mountainous and plateau topography which rise as high as 1000 to 2950 above sea level and which from the southern Bako Mountain rings with the exception of Shefite, Woreda's administrative town which is situated at 1700 meters and considered as *Kola* (low lands) by local standards.

Map of Oyda Woreda



Source: Study area map generated from Ethio GIS (2007)

The *Woreda* is comprised of twenty smaller administrative units known as *Kebele*, each comprising varying number of villages. Among these kebeles, Shefite, Bagara, Baltsa, Markala, and Dalsha are selected as the site of this study area. This is because it is believed that most of the information's that are necessary for my study are found in these *kebeles*. The *Woreda* is rich in rivers and spring water resources including Hoshme, Zenti, Ergino and Lomate are the main rivers in Oyda *Woreda* of Gamo Gofa Zone.

The Woreda also has a number of tourist attraction sites and cultural heritages the water falls of Zenti in Dalsha kebele, the Bombar cave in the plateau of Shela, mountain Sa'a Gula in Dama kebele, are amongst the most important tourist attraction site in Oyda Woreda of Gamo Gofa Zone of south part of Ethiopia. Besides to this, the predominant inhabitants of the *Woreda* are farmers and *Enset* (Yam) plant constitutes the basic of their substance economy, which supplemented by variety of cereal and root crops are produced and livestock comprising cattle, sheep, and goat are also raised on small scale. Thus, the Woreda is inhabited by three ethnic groups such as, Oyda, the Ari and the Gofa. The Oyda people make up the majority in terms of population number. The most widely spoken language in the *Woreda* is Oydigna, but people residing in and around Shefite town also speaks Amharic and Gofigna. According to the 1994 national census report, the number of Oyda population was about 14,000. With the correct figure based on 2007 the census more than 45,100 people are live in the Woreda. With the exception of Shefite, a town of the district the majority of the population lives in rural areas.

3.2. Research Design and Approach

In order to conduct this study, the researcher used qualitative exploratory research approach. The reason behind for using an explorative method is that the topic needs in-depth exploration and detailed view of the subject matter in its natural setting (Creswell, 1998: 7). Therefore, this particular study would focus on assessing and investigating the role and process of traditional conflict resolution mechanism in resolving conflicts in Oyda Woreda People in Gamo Gofa Zone in South Nations, Nationalities and Peoples' Regional State. Therefore, this particular study is mainly designed to be qualitative exploratory research approach.

According to Kruger and Newman (2006), exploratory research is a research which studies an area that has not been studied and in which a researcher has to develop initial ideas and a more focused research questions. Exploratory research is also aimed at examining all sources of information based on range of evidence and discovering new ideas and qualitative data. Thus, as stated above, this study would focus on assessing and examining ideas, experience and viewpoints of the Oyda People in handling conflict through their indigenous institutions. Usually, there are one or more specific pre- defined groups the researcher is seeking. To sum, the Oyda *Woreda* is selected based on his prior work experience in the area. So, the researcher was

very happy to be acquainted with the Oyda people and investigate the indigenous institution of these peace loving people in conflict resolution institutions.

3.3. Data Source of the Study

The data for this study was collected from both primary and secondary data sources. As such, the primary data was collected from key individual informants like; traditional court officials, formal legal judges, police officers, local authorities and elders. On the other hand, secondary data was collected from books, magazines, report of organizations, published and unpublished materials and Thesis.

3.4. Sampling Methods

In order to do this study, the researcher used only purposive sampling techniques. Accordingly, the researcher selected appropriate sample size. In terms of sample size, interviews from those key informants such as; four key informants from traditional local or community elders, two key informants from formal court of judge and two from police officers. And three of them from (FGD's) were conducted from various section of groups like; elders, formal judges, women's, youth, local authorities or leaders. Each focus group was consisted of eight discussants. Observation was also another major instrument of data gathering method in order to obtain valid information in the study area.

3.5. Method of Data Collection

To collect and obtain relevant data, the researcher used the following qualitative data gathering instruments in order to achieve his objective in studying the role of indigenous or customary institutions in resolving conflict.

3.5.1. Interview Guideline

In-depth interview is a very important instrument to dig-out detail information of one's perception, experience and impression about a specific issue. Also, it is an ideal method to get valuable information on a certain cultural practices and beliefs from the view of participants (Kikwawila Study Group, 1994: 10). Thus, the interviews were conducted by considering age, sex, status, occupation, experiences and residence for this study.

3.5.2. Key informant interviews (KIIs)

The purpose of key informant interview is to learn from people's who have a lived experience idea on the topic of interest, to learn their terminology, and judgment to understand their perception and experience (Kikwawila Study Group, 1994: 22).The Key informant interview (KII) helps the researcher to collect sufficient information about the issue under the study and sharing the experience of the people. The key informants were chosen on the basis of their knowledge of the culture and their experiences in indigenous conflict resolution mechanism. Thus, elders of the community, police officers, formal court judge, and administrative officials were sources of information. Therefore, in order to obtain relevant data on past events and on cultural reality, the researcher conducted key informant interview with few knowledge individuals. Hence, this study has employed this method to supplement the findings obtained through other means. To this end, the researcher is used open-ended questions to conduct this study and also the interview was conducted through phone, face to face contact and postal service to obtain necessary information about the roles of indigenous conflict resolution mechanism in the study area.

For the purpose of this study, the researcher recruited ten key informant interviews that satisfied the following inclusion criteria. So, the participants who have:

1. The experience and participated in resolution process
2. A leader ability and known in community as an elder
3. Above 45, age were admitted as a study participant
4. Merely male elders were selected because of the role of women in indigenous resolution practice is limited
5. Their willingness to participate in the interview and their ability to provide consent

3.5.3. Observation

It is one of the qualitative research methods, that using in combination with other methods like; interview and Focus Group Discussion is an integral part of primary data research process which enables the researcher to facilitate and develop positive relationship among key informant and

stakeholders whose assistance and approval are needed for the study to become reality. And also, get valuable in determining whom to recruit as an informant for the study (Mack, 2005:16). Thus, the researcher used direct observation was the best preferred alternatives to achieve the stated objectives. By using this method, the researcher observed the place where conflict resolution process where taking place in different part of the woreda, called *Bucha*.

3.5.4. Focus Group Discussion Guideline

In order to conduct this particular study, the researcher had also conducted focus group discussions as a means of collecting data. According to Bryman (2004: 247-8), the reason for using focus group discussion (FGD) as data collection method is that; it help the researcher to develop an understanding about why people think the way they do, members of the focus group can bring forward ideas and opinions not for seen by the researcher, and the interaction found in group dynamics are closer to the real life process of sense making and acquiring understanding.

To sum, focus group discussion was undertaken with various categories of informants with the aims of assessing different views about the role of indigenous institutions in resolving conflicts and collecting large amount of data pertaining to the issue by preparing open- ended questions for each group discussants through face to face discussion under the study area. Therefore, the focus group discussions was made with the local elders or traditional court officials, youth, formal judge, police officers and government officials of Oyda Woreda People of Gamo Gofa Zone to examine and assess the role of indigenous institutions in handling conflicts in the study area. To this end, the researcher is conducted three focus group discussion and each of them have eight discussants by considering age, occupation experience, status and sex as well as residence for this study.

3.6. Methods of Data Analysis

For this study, the researcher analyzed and interpreted the data collected and presented from literature review, key informant interview, interview, observation, focus group discussion and from case studies that respond to the research questions. In other words, the raw data was tailed and structured so as to make manageable for analysis. Hence, the researcher applied totally analytical and qualitative research approach to interpret data. The reason for selecting qualitative approach is to study things in their natural settings, interpret phenomenon and getting in touch

with every social event (Lincoln, 2000 and Ospina, 2004). In short, qualitative research approach is preferred to collect data about human life realities, experience, emotions, feelings, organizational functions, cultural phenomena and their interaction with nature. Therefore, in order to conduct this study, the researcher used qualitative research method to assess and investigate the role of indigenous institutions in resolving conflicts in the study area. To this end, for the purpose of clarity and convince some selected data was collected by each data collection techniques was compiled and further elaborated in to meaningful and patterned information soon after the completion of that particular data collection session.

3.7. Ethical Consideration

It is obvious that ethical consideration is as essential as other aspects in the process of conducting research for significantly affect the success of the study. In this regard, a researcher needs to consider ethical standards of the host community on which the research would be conducted. Therefore, the researcher has tried to consider and respect the cultural, social norms and traditions of the host community on whom the research would be carried out. To do so, first, the ethical approval and clearance would be obtained from Hawassa University School of Governance and Development Studies department of Civics and Ethical Studies. The *Woreda* governing bodies and other concerned parties would be contacted and get permission would be obtained from them.

Thus, the central purpose of this research was clearly communicated to the participants and the researcher was also let them know to with draw if they get discomfort in the process of the participation. While writing the report, he has refrained from using unnecessary terminologies that might disappoint the participants of the study and the researcher have tried to avoid my personal bias. Confidentiality and anonymity would be ensured and therefore, it would be impossible to know who said what. The interest of the participants would be given due place in the process and nothing would be made that would harm the participants physically, socially, psychologically. The relationship between the researchers would be based on mutual trust and they would not be misused and all the ethical concern would be respected appropriately throughout the process of the study. Finally, they would be informed of the information obtained from key informant interviews the data obtained will be used for research purpose only.

CHAPTER FOUR

DATA ANALYSIS AND RESULTS

4.1. Introduction

In this chapter, an effort is made to discuss and analyze the concept, source of conflict and the roles of indigenous conflict resolution mechanism institutions of the Oyda People. As in anywhere else, conflict in the study area, as to my key elders reveals that may possibly differ from minor disagreements between various parties to serious conflict which in the end leads to killing. Thus, conflict defined as dispute or disagreement between two or more individuals, families or groups require a proper mechanism to resolve them so that the parties to the conflict will try to build some level of trust and confidence between themselves. Every society perceives something as to what a conflict is and why it happens. For the Oyda people, conflict would be regarded as contestation or argumentation between individuals or various groups of society. For example, to disrespect the rights of others, cheating to the people and failure to respect senior citizen is an act of wrong as the data collected from key informant interviews.

4.2. The Concept, Sources of Conflict and Things to be Immoral among the Oyda People

As the data obtained from elders, for the people of the studied society conflict could be taken as anything breaking the rules and any action contradict the traditional norms, customs and moral values of the community regarded as a wrong act. In the other words, something is wrong in Oyda People is that anything that is conflicting the accepted moral values and norms or the social standards which are set by the community. Thus, some of the wrongful acts and practical examples includes, disrespecting elderly people, breaching the basic rights and liberties of other people, telling false hood, failure to fulfill a promises and denying the truth, cheating or lying the property and money of other people and feuding as the key informant interview described in the study area.

Therefore, as the data collected from informants, conflict is a clash of needs, goals, interests, values, norms, wishes and ideologies between contesting parties. Besides, conflict is a regular phenomenon in all realms of social relations and undeniable fact of part of the Oyda people life

existence that ranges from personal, family, local, community, national, regional and global perspectives. It is also seen as inevitable in their life existence. Understanding the contemporary conflict issues in the study area becoming pivotal in trying to investigate and describe the main role of Oyda indigenous conflict resolution mechanism institution. In order to understand the conflict resolution mechanism in the studied area, a brief discussion and analysis of the source of conflict is briefly presented under this section.

As informants elaborate, conflict can be defined as disagreement, strife, misunderstanding, quarrel, dispute, disharmony, communication barriers and fight against between individuals or groups of people from Oyda perspective. For instance, the term *Kach* refers to disharmony or absence of peace and stability, and *adho* implies conflict in Oyda People, and *Osh* refers to fight and disagreement and *Oli* which means that war. According to the above stated idea, conflict is a form of disagreement, disharmony, struggle against groups of people or persons to achieve ones goal, interests and ideologies on others, which comes to be in harmony with definitions by other groups or the academic debate as well as the key informant interviews explained under the study area.

As stated in the above presentation of this paper of study, based on the moral values and norms of Oyda People as explained from elders, not respecting the fundamental rights of other people, denying the truth, breaking a promises, cheating the money and property of others insulting, killing, feuding and disrespecting elderly people and also contradicting the moral norms and rules of the community regarded as a wrong acts by Oyda people results in consequence. If someone breaches the governing moral principles and regulations of the society, the wrong-doer is supposed to be creating a damaging impact on that particular person and the society as a whole.

4.2.1. Disputes Related to Family Matters

As the data collected from key informant interviews, conflict within family members mainly activated by distribution such as land, cattle, property management and dispute over allocation of labor. In addition to this, unfair treatment from husband is also another manifestation of conflict among the family members in the study area. In such case, mediation of family related causes of conflict is efforts to be made at family level, by engaging the spouse' parents and strong relation from both sides. However, in some circumstances, a family based disagreement affairs go to the

modern court systems or judiciary branch or in their indigenous conflict resolution mechanisms administrative office. Conflict also happen between brothers and sisters over issues of wealth transfer and inheritance of assets up on the death of their fathers. Based on the tradition of Oyda, as to the key informant interviews and elders explained, only the son in the family members has the right to inherit to their father's property.

Distribution of asset and property in the study area has the other source of conflict. This happen when the father dies, it is the youngest boy who becomes entitled to possess the property or money of his father's. Such kind of inheritance of money and property in local language saying is known as *ba'a*. The reason is that the society believes the last son to be proper for inheriting his pacts properly should be, therefore, given all the properties in order to lead his future ways of life and the remaining sons are thought to be already leading their livelihood. Moreover, the last son is believed to take the duties of watching and looking after his father. Due to this, the younger son has the right to inherit his father's wealth. Therefore, this is found in the high land area of the studied community as the key informants explained in the study area.

Whereas in the low land areas of the people of Oyda, the elder son has the right to inherit his father's asset. Because it is assumed that the eldest son is their first, he has the right to inherit property and wealth as well as take his father's duties, when he passed away. But, there is another condition, the father of a given family members, provide their assets to their sons based on their interests to whom they like one sons different from others on the ground of wealth owned or owner. So, such kind of condition is paves the way for conflict in the future when sons know or aware that they are given lesser property than others as data obtained from informants under the study area.

The other aspect of conflict in the study area is inheritance or transfer of land as the elders give information, women's have little or no right to own and transfer as well as inheritance of family assets in Oyda People of Gamo Gofa Zone; however, there are some improvements with regard to inheritance of father's wealth and money.

At the end, as to the key informant interview indicates that, property inheritance may cause or induce for the cause of conflict among sons. In this time, through the involvement of elders, clan leaders, uncles and intimate friends in those controversy cases will discuss and mediate to

get their share according to the stated rules and regulations of the traditional practices of the Oyda community in general. However, if it is not managed in such circumstances of mechanisms, they take the issue to the *Bucha Woga* which is customary conflict resolution administrative institution of the Oyda.

Based on the above stated description, inheritance and wealth allocation among family's members could be taken as the major attributes of conflict in the study area. In relation to this, the above discussion reveals that uneven distribution wealth and property inheritance between sons or children's can be a factor for family based conflict in Oyda People. Such conflicts two are resolved through indigenous conflict resolution institutions as the respondents explained in the study area.

The following case show about conflict that arose because of property or land transfer among family members which took place in Dama kebele is described as follows.

Ato Kibru was a well-known and respected man in a small kebele called Dama. Although, he was a well-respected person in that kebele, Ato Kibru behaves badly at home, he is known's to beat his wife and his two children in the house. No one in the surrounding area know about his behaviors of Ato Kibru until one Monday evening when Ato Kibru's neighbor's heard shouting coming from his house. Several minutes later the Police arrived and caught took Ato Kibru to the police station. After two days Ato Kibru was taken in to the formal court system where every the neighbor of him heard that he was suspected of killing his wife. Since he was such a well-respected man, people have suggested from the beginning that his case should be seen by the formal court.

4.2.2. The Issue of Adultery (*Olale*) and Abduction (*Goche Eke*)

Other prime factors leading to dispute in the study area is adultery and abduction. According to the tradition and norms of Oyda local community, making sexual relation with any married women with the presence of his legal wife is a wrong full act as marked as a kind of arrogance behavior as well as immoral practices. As to the elders in the study area, they reveal that the norms, values and principles of Oyda culture is strictly denounce or forbid the act of adultery.

As to the data collected from key informant interview, the practices of adultery are one of a serious societal syndrome and create the infringement of societal basic norms and customs of the studied community. If someone engages in or committed the act of adultery, he or she will be out casted and segregated by the community and reduction of the status of individuals. According to the culture of the people of Oyda, if an individual found to be adulterous and still lives in the society without purifying from sin, it is considered that he or she polluting the community. At the end, based on the moral principles of the Oyda people, the one who committed adultery is obliged to leave the area to the other neighboring society up to he gets cleaning. As the informants, he or she has to stay in his exile until elders call him to come back. The first thing elders can do to purify is calling the adulterous to come in to his home land holding cabbage which was produced in his exile. After doing that, in front of elders the adulterous has to confess saying “I am against the norm, against the *Bucha*, against the *Kaati* and against the people as a whole.”

Following confession, as to the informants, goat slaughtering ceremony will take place as a symbol to purify his sin on one hand and his integration with the society on the other. After the goat was slaughtered, the blood will be taken and the man who is accused of adultery will wash his hands. It was believed by the people that the blood of the goat will purify an individual from his sin. Then, the wrong doer will integrate with its community following his confessions and ritual of purification in front of the elders.

Based on the above stated description, the act of adultery would results in polluting the community, and withdrew the area to the other nearby ethnic groups of societies for eight days until he is subjected to ritual purification because of the violation of the social norms of the neighboring societies as the key informant interviews described in the study area.

4.2.3. Abduction Related Conflict

This is another big challenge that has been practiced in Oyda community for a long year. This happens when adult man or person uses force or coerce instead of the girl family’s agreement. In another words, if the girls refuses, the boy and his supporters arrange time and kidnap the girl. It is also made without the permission of the girl. In short, abduction occurs when a boy marries a girl without her parent’s will and when the girl’s family gives negative answer towards the boy’s

family. It is solely conducted with the mind of the boy and his supporters as the data obtained from key informant interviews in the study area.

Abduction is a kind of taking the girls by force for the purpose of marriage without the consensus of herself and her families. When the girl's family reacts badly, the practice of abduction causes of conflict particularly when the girl's family attempt to separate the abducted girl from the abductors using force. In this situation, the abductor fights against to retain the girl. Then, this form of conflict leads to several constraints on both bodies. As the informants explained, however, abduction in this day is rare and has been minimized as a result of attitudinal change and awareness creation through education as well as the intervention of legal institutions of government in such area.

4.2.4. Conflict Related to the Ceremony of Mourning (*Bale Ayth*)

Mourning ceremony is one of the cultures of Oyda which is highly valued and celebrated. This occurs when a person deceased in the surrounding of the area of Oyda, the mourners come from various places in the Woreda in order to participate in the celebration. In such occasion, a group of people are not entering in the morning until the first group of people finishes. Then, all groups are entering in the mourning houses one by one.

The members from different areas of kebele in the Woreda will come in the mourning house which led by their local traditional leaders or chiefs (*Chomach, Bitan and Godi*). So, the entire group is expected to enter in to the mourning house one by one. When coming to the mourning house, each clan sings and praises their own leaders, their achievements what they did in their respective areas. In their stay inside the mourning house members would sing and appreciate what the deceased man has done when he was alive. In this time, as the data collected from informants, each clan and group is intended to complete without wasting time in the morning ceremony. In line to this, the other waiting groups have to wait up to the entrant groups come out from the mourning house. However, if one group not keeps the ground rules there is, the possibility of disagreement between those groups during the celebration of mourning house. Hence, this is another contributing source of conflict in the study area.

From the above mentioned statement one can understand that mourning ceremony particularly, failing to respect or follow the rules of the morning ceremony, could be the cause for conflict

among Oyda society. Besides, the above explanation also reveals that, in the study area the need to use force, undermining the status of others and failing to appreciate the cultural norms and strategies in the morning ceremony is a source of conflict. People in the study area resort to violence means when they feel they are undermined and their values are violated by others. In this regard, indigenous institutions of conflict resolution are still works to settle conflict which erupted due to failing to respect the rules of mourning ceremony among the people of Oyda. However, with the recent socio- cultural changes in the study area, such forms of conflict cases are reducing from time to time.

4.2.5. Failure to Fulfill a Promise

Breaking a promise is one of the manifestations of conflict observed in the study area based on borrowing and lending of property and money between individuals and group of people. The lending and borrowing could be described in terms of money or land and property. According to the informants in the study area, the one who borrowed the money or other materials may unable to return on time or betray the borrowed money or other thing this results in conflict. This particularly occurs if two or more parties agree over such issues only on verbal basis or instead of formal based agreement.

In the community of Oyda, property lending and borrowing is practiced. For instance, an individual borrows land from one who has plenty for a particular period of time based on the equal share of what the borrower has produced what is locally called as *Kothe*. To this end, as the above stated explanation indicates that lending and borrowing money and property is very essential for the sake of supporting one another in time of difficulties as explained by informants, the failure to respect an agreement among individuals or groups of people become the manifestation of dispute. Furthermore, sometimes people resort to violence as a means of protecting their basic claims, rights or freedom. In such circumstances, the Oyda traditional conflict resolution institution has a great role in handling those violations of agreement.

The following case show about conflict that arose because of failure to respect a promise in terms of lending or borrowing money which took place in 2010 E.C. in Shefite town described as follows:

Kuse borrowed money (600ETB) from Askale and agreed to pay it back within 30 days. Askale gave it to him in front of Kuse's own friends. However, Kuse failed to give back the money he had borrowed within the agreed time. He complained to the witness who insisted he should keep his promises and give back the money. So, Askale took the case Woga conflict resolution administrative institution. The Woga elders started to examine the case at hand heard such case between the disputant parties by searching facts and truths speaking. Then; finally, elders pass binding decision against one found guilty, Kuse. Then Kuse paid 600ETB what borrowed from Askale. To this end, Kuse made an apology for breaking a rule in front of the Bucha Woga conflict resolution institution and the people by saying I should be blamed for violating the law of the people and the Bucha, I also cause for violence; now I'm in front of you for your apology. Then, the people and the Bucha forgiven him and the matter ended with reconciliation of the two groups. Lastly, the conflict between Kuse and Askale the Bucha Woga was resolved based on the custom and traditions of the studying community.

From the above discussion, failure to fulfill a promise in the study area as viewed as the basic sources of conflict among disputant bodies. Therefore, in such situation the informal conflict management mechanism has a great role in resolving conflicts based on the moral values and norms of the society in to the traditional conflict resolution institution of Bucha Woga. At last, Kuse paid her fines (150ETB) after the local elders of Bucha among the people of Oyda in Gamo Gofa Zone in South Nations, Nationalities and People's Regional State of Ethiopia.

4.2.6. Crime Related Conflict Murder (Shempo Wodho) and Vengeance (Kushe Maahe)

According to the data obtained from the key informant interviews of local elders in study area, homicide and feud are a crucial societal problem and an immoral practice, and also, it is unacceptable act morally and legally to kill a fellow of Oyda man or even it is highly prohibited attempt to shoot an individual's who is not a member of the Oyda society. In addition, pointing a spear or other killing equipment on an individual is strictly denounce according to the traditional cultural practices the people of Oyda. Therefore, as to describe by the key informant interviews, if an individual attempt to kill an individual from the society it is believed to endanger or threaten for revenge.

Thus, the issue of revenge is another serious issue that aggravates basic source of conflict in the studied community. Based on the moral values of Oyda society, a man is strongly prohibited to kill another man in community. These kind of criminal offences used to be committed in the area of mourning ceremony, abduction, adultery, over use of alcoholic drinking, theft and during praying of God in religious institutions. To this respect, there is a strong social taboo that prohibits a man not to kill another man from the community; however, still the crime of killing is existing among Oyda people. When a person commits a crime of murdering, an offender is isolated or out casted from the community because of failing to obey the moral value of the studied society, face exile, and pay compensation and the social exclusion from the society.

From the perspectives of Oyda People based on the source of informants, the illegal act of feud which is committed directly against the killer, and hence killing someone from the family members, relatives, or blood kinship are the most targeted and vulnerable section of society by revenge. In addition, the issue of revenge is takes place by damaging the agricultural products, cattle, burning house and trees as well as setting fires on agricultural products are also observed in the study area.

4.2.7. Alcohol Induced Conflict

Based on the information obtained from the Oyda Woreda court judge, over use of alcohol drinking is one of the major sources of conflict in the study area. This type of conflict causes a serious damage to the people's health, it affect the social life with others. In general, over use of alcohol drinking may commit offence, such as robbery, stealing, the act of homicide, sexual assault or intimidations are the most witnessed factors for conflict between individuals or groups of people the study area.

Further, conflict in wedding ceremony is also common. During tailed observation the researcher saw that people drinking alcohol such as, tella, areqe, tej in the wedding ceremony. So, when the people drink excessively, it is clear that results in shouting, insulting one another as well as by reflecting abusive words would bring disagreement and create loss of human life and frustration as well as disturbance of the member of society in the studied area. Furthermore, one of key informant interviews participants of this study stated that over use of alcoholic drinking has an

adverse impact on both individual and societal interaction including sexual intimidation, rape, disharmony, and bloodshed, and war, exhaustion of both human and material resources.

4.2.8. Conflict with Regard to Insult

It is obvious that, insulting somebody is another attributes of dispute which leads to a big challenges in the community of Oyda Woreda. As data obtained from key informant interviews, using offensive words can cause annoy and angry the people and erodes god interaction or social relationship between individual and group of people. If someone insults against another with regard to a clan or tribe and also social position of a kinship and ethnic group of person then would bring a serious conflict among them. For example, insulting someone by using offensive words like, *Manni* (pottery and tannery), *Buda* (evil spirit), is viewed as a wrong acts insult which paves the way for disagreement among individual or various group of society. This is because of insulting someone by using offensive words is negatively harming those people. In relation to this, they are not allowed to have farm lands and to farm with other people. Therefore, the groups of *manni* and *Buda* (evil eye) were considered as inferior to farming land other people would not use the same coffee cup as lower social rank given to them by other society in the study area. However, the group *manni* make pots and tanners as important to the community, but, until recently, they are not encouraged in their work. They should not build their house in the village. They lived in isolated areas and kept in their distance from the village or town inhabited by other people in the study area.

After all, insulting someone on the ground of cultural traits like, clan or blood relation by saying *manni* (kosti) *slave* (black smith), *buda* (evil eye) would aggravate conflict between those groups of people. Intact, *manni* and *buda* are the most isolated and marginalized segment group of the Oyda people. Also, no one agree to form relation and marriage as well as social life for those undermined or segregated section of people. In general, as to my observation in the study area, the groups of *Kotsi* (*manni*) and *buda* are the most excluded and misfortune sector of society in the daily walks of life in the community of Oyda Woreda in Gamo Gofa Zone of south part of Ethiopia.

In addition, the *manni* (pots) they are merely interact among themselves and are marriage and not allowed to retain farm land and livestock as well as settle in areas like, near to river banks or

outside skirts of village. And also, based on the tradition of Oyda people marriage with socially segregated and marginalized people like that of manni, black smith and buda is considered as a social taboo. Thus, it is only allowed for Oyda boy to have marriage relationship with socially accepted groups and strictly prohibited with those lower rank and alienated section of society. In order to tackle or mitigate such backward thinking as my points of view in relation to the respondents, each clan members should be struggle to reverse such kind of bad names given by other people to them. In addition, an individual's related to a particular member of clan by using offensive words to annoy and insult those undermined groups could be sentenced based on the moral values and traditions of conflict resolution institution called *Bucha Woga* as to the key informant interviews stated in the studied society.

4.3. The Roles of Indigenous Conflict Resolution Institution of Oyda People

Under this section, this study tried to briefly discuss the role of indigenous conflict resolution institution in resolving various conflict issues. It is clear that, there are various indigenous conflict resolution institutions in Ethiopia. As seen before, these indigenous conflict resolution institutions in Ethiopia function on the bases of local customary practices or cultural norms. In similar way, the People of Oyda Woreda of Gamo Gofa Zone have their own means indigenous conflict resolution mechanisms in handling conflicts between different sections of community in their respective territory. This institution is called *Bitan, Kaati* and *Chomach* in *Bucha Woga*. In this section, the researcher tried to assess and investigate the role and function of this indigenous conflict resolution institution in the study area.

4.3.1. Conflict Resolution Institution in Oyda People

As to the researcher observation and data collected from key informants in the study area, there are conflict resolution mechanisms of institution among Oyda People of Gamo Gofa Zone of south part of Ethiopia which can handle conflicts related case from its bases. As to the data collected from focus group, local elders, and key informant interviews in order to ensure peace and order between individuals and different groups, *Kaati, Bitan*, and *Chomach* are some of the most commonly used institutions by Oyda local community.

Kaati (king) is the final and supreme administrative office or institution in Oyda Woreda community. The idea of *Kaati* selection is ordered by personality traits like, economic rank,

wisdom, and knowledge and prudence. Therefore, the *Kaati* is expected to shoulder different responsibility including ensuring food taboos, avoiding impurity such as contact with mourners, women during seclusion periods, holding annual rain sacrifice. In relation to this, *Kaati* is obliged to maintain law and order through the institution called *Bucha Woga* by applying truthfulness and apology as sacred place where wrongful acts should be reversed.

Besides, *Chomach* is also another very significant indigenous conflict resolution mechanism. The main role of *Chomach* is to maintain and strengthen peace and stability in their own respective community. The people involved in these institutions, they have to meet to perform conflict handling process in a big place or area known as *Bucha Woga*. Based on the data obtained from key informant interviews the people of Oyda have to meet and settle conflict by telling or speaking the truth in front of the *Bucha Woga* in the open place based on the norms and tradition of the studied community. *Chomach* is involved in all ritual and magical activities of the *Kaati*. Similarly the *Bitan*, when conflict arise between individuals or group of people in the society such problems are resolved through their own office.

According to the data obtained from elders, the word *Kaati* refers to the name of the king of Oyda and accordingly *Kaati* institution is an institution where the process of conflict resolution takes place in the office of the *Kaati*. Hence, the name of the institution is derived from this word. This institution is the highest in terms of jurisdiction as compared with the *Bitan* and *Chomach* institution of conflict resolution. What makes this institution different from the other is that, this institution is found only in one area in the district. The seat of this institution is in the ritual centre of the Oyda called the *Baltsa*.

The *Kaati* institution of conflict resolution are able to deal with conflict cases caused by bad insult like, potter or black smith , slave, evil eye, homicide issues, adultery and also see other cases of conflict if it was not settled by the *Bitan* and *Chomach* institution. However, the most usually seen conflict cases are murder and bad insults. Whereas, *Bitan* is the second power retaining conflict resolution institution next to the *Kaati* institution in the *Bucha Woga* conflict resolution institution.

This institution sees conflict cases that are not resolved in the *Chomach* institution of conflict resolution. This institution is found in almost all places in the study area. Therefore, they can be

easily accessed by the community. If a person whether accuser or accused is not satisfied by with the decision that passed by the institution found in his respective area, he has the right to go to the place he thinks will provide a better justice as informants explained.

Chomach institution is the other kind of conflict resolution institution found in the study area. In terms of power, this institution is found at the bottom of power hierarchies in the institution of conflict resolution where the people often begin their case from this institution in their village.

For example, if the type of conflict is simple or a conflict between relatives or neighbors on simple issues, the resolution process will takes place at this institution. In this regard, informants described that, to deal with simple conflicts, first, the case would be seen in *Chomach* institution. However, if this institution could not able to manage such case, the issue would transfer to the *Bitan* institution. So, the *Chomach* institution allows an individual to go to the *Bitan* or whatever he likes to go. The elders who involve in the above mentioned three main institut ion of conflict management have should a good skill, knowledge of the Oyda people cultural norms and laws of the society. And also, they see and resolve eventually, as informants explained the elders work in the institution become a pivotal role to render final decision from simple to sever conflict cases in the study area.

4.3.2. The Oyda Indigenous Conflict Resolution Mechanism (*The Bucha Woga*)

The people of Oyda in Gamo Gofa Zone has developed and practiced cultural norms and informal laws that prohibited and offered a particular action to ensure the welfare of the community and build up peace and stability of the society. Based on the informants collected data in the study areas, the informal cultural norms and laws are important to regulate the behavior of individuals and various groups of society. And also, impose sanctions to any actions and take appropriate possible measure. The *Bucha Woga* comes from two words, *Bucha* and *Woga* . *Bucha* means traditional local Oyda term which represents the society as a whole and *Woga*, refers to principles or norm, custom which made by the society. Therefore, *Bucha Woga* demonstrates the norms, laws of the people of Oyda Woreda of Gamo Gofa Zone in South Nations, Nationalities and People's Regional State of Ethiopia.

As data collected from elders, under *Bucha Woga* open place or institution people come together to settle conflict on the established social rules and norms. Besides, the customary norms of

Bucha Woga as an institution to handle conflict related cases according to the perspectives of the people of Oyda Woreda. This institution is served as conflict handling mechanisms to maintain and create harmonious living condition among the people. In relation to this, the formal court system is also conducted in the study area as a methods to ensure the prevalence of justice and peace between individuals or groups of people and works with in combination and side by side with traditional institution conflict resolution one. As put forwarded by the informants, the *Bucha Woga* conflict resolution method work in collaboration with that of the formal conflict resolution methods in the studied area community. Therefore, the indigenous conflict management institution and formal court system are interdependent in order to maintain peace and order as well mutual trust in the study area.

As focus group discussion described, *Balta Bucha* , *Bagara Bucha* and *Dalsha Bucha* are the names of conflict management institution and also served as the name of kebeles of the Woreda. In relation to this, *Balta Bucha* is the highest in terms of hierarchy of power, *Bgara Bucha* is the second and *Dalsha, Bucha* is the third in terms of power. In such situation, it is not allowed for a given Oyda person to begin his issue from the final decision making organization in the *Bucha Woga* conflict management institution. A person starts the conflicting issue from *Dalsha Bucha* administrative institution or kebeles of the Woreda, if the cases are not resolved in this institution as to the informants explained it goes to the final decision making power resides in the hands of *Balta Bucha*.

4.3.3. The Rules Adhered by *Bucha Woga* Institution

As the data obtained from interview, the *Bucha Woga* is a traditional mechanism of resolving different types of conflict cases in the study area. *Bucha Woga* is also an institution for which all the communities gave recognition. Thus, the institutions are a means to search solutions for conflict related issues. To this respect, the institution deal with all kinds of conflict that happened because of conflict in the ceremony of mourning, homicide, family related dispute, revenge, adultery, abduction, failure to keep a promise and alcoholism.

The conflict resolution under *Bucha Woga* conflict resolution mechanism held under a big tree area and following some procedures and principles as the key informants, the process of handling disagreement start with the separation of the disputing bodies engage in conflict and

reporting the cases as made by parties themselves elders, relatives, neighbors, and friends. Before they are turned in to dispute as the data gained from respondents, the attempt should be made to settle the issue through bargain. Besides, the place of conflict resolution which takes place under a big tree is respected by both the offender and defendant family. In other words, the place of *Bucha Woga* is seen as sacred or holy that everyone should respect.

As the data collected from elders, if someone violate or breach the *Bucha* and cross through place, the *Bucha* will bring damaging impacts on that person and his family. After all, in the place of *Bucha*, justice is maintained and truth spoken for the society of Oyda. Then, the process of conflict management begins with the leader of *Bucha* the disputant party's provide their points of view or the reason that led to conflict based on facts and evidences forwarding before the elders of *Bucha*. In this way, the elders have to investigate and look after the view that is forwarded by those disputant bodies. Besides, both parties have the right to express their arguments with the support of evidences before the elders of *Bucha* make final binding verdict on both parties, then, the *Bucha* elders cross examine and follow the moral values and norms of the society and deliver final- decision and reach agreement for mutual benefits between the conflicting parties.

In *Bucha Woga* institution, compensation is another component of conflict resolution mechanisms in the study area. As data obtained from elders, after decision is completed, based on the reason of conflict and devastating outcome, the wronged person or group should be compensated for the wrong done. Based on the belief and norms of Oyda society, if someone murders an individual he /she is obliged to pay compensation for the destruction that is made during the disagreement. In relation to this, the compensation is carried out either in terms of birr or cattle (the compensation is concluded in form of cattle or birr to the victims) individual and apology is also rendered to terminate the problem. According to the key respondents after compensation is rendered, the conflicting bodies make a promise in order to eliminate the feeling of vengeance from the wronged person.

The following is sworn by the disputant parties before the *Bucha Woga* elders up on submission of cases to be submitted. For instance, if I hide the truth (*Tatur to achiko*), if I involve in a disagreement (*Tani ittaochte gelez emaqqiko*), if I involve in bad thing (*To Wordo Wochiko*). Depending on the type and the destruction, there are ceremonies that will take place after the

conflicting parties made an oath. For example, if conflict caused the loss of life, goat will be slaughtered and food made from false banana with locally made beer called *daana* will be rendered. At the end of goat slaughtering ceremony, elders will gather for final blessing. Then, the process of conflict resolution will complete with elders blessing.

4.3.4. The steps and Procedures for Election of Elders in *Bucha Woga* Institution

As the data gathered from elders in study area, the number of traditional elders of authorities for *Bucha Woga* institution is in between seven to ten whose function is to settle multiple forms of conflict that existed in Oyda people. The selection of the elders in *Bucha Woga* institutions follow certain rules and requirements based on the moral norms and traditions of Oyda society. Tribal kinship is another requirement for the selection of local elders for the process of conflict handling mechanisms. According to the informants, the members of *Manni* clan (pots and crafts) are considered by the society as disliked and undermined groups of people. Due to these reason, a person who belongs to those despised clan members is not allowed to serve as an elder for conflict management mechanisms in the study area. In addition, the family members of *slaves* (black smith) are also given lower rank in the society and unable to be chosen to serve as an elder of conflict handling institutions. This is because of an individual has a member of slaves, he/she is not able to pay or return back what he/ she borrowed from a lender either property or money in the people of Oyda Woreda. When the slave completes the work service, the ownership will ignore and seat separately. Still know, the community named as those clan members as a slaves. The reason is that, the back ward thinking of the people of Oyda towards such groups of society or to be a slave in Oyda is to be socially placing an individual to a downgraded in status and undermined in the society. Knowingly or unknowingly, if any one who is related with this name participates in the resolution process, he will be cursed with gome which can bring bad luck and disease on the person and his family as to my informants explained. The other pre requisites to choose the elders of the institution of *Bucha woga* conflict settling methods are based on knowledge, experience of elders, charismatic and persuasive ability in the process of conflict resolution mechanisms and to negotiate cases of conflict among the disputant parties. As the data obtained from informants, in relation to knowledge and skill of elders, they also follow the cultural and norms of the studied community to mediate and compromise the different forms of conflict.

To sum up, elder's personal quality, impartiality, fairness, social recognition, acceptance, tolerant, truth fullness, well informed, reasonable, skill full, convincing capacity and freed from bias are some of the criteria which serve as an elders selection for Bucha Woga conflict resolution institution in the community. The point for the selection of elder's are recognition from the studied community includes being ethical, politeness, free from adulterous, obey the norms and beliefs of the society are becoming an effective leadership in managing conflicts in the society. After all, being ethical, honest, respect the norms and traditions of the community, respectful, dedication, civility, neutrality, objective, non- discrimination, are some criterion to the elder's to be member of a *Bucha Woga* dealing with conflict institution in the study area.

4.3.5. Enforcement Mechanisms of the Bucha Woga Decisions

As several literatures indicate, indigenous dispute resolution mechanisms have not got attention like that of the formal laws and regulations. The indigenous conflict resolution mechanisms have their own informal social laws and principles to implement decision and function on the bases of local customary cultural practices in their respective society. In short, they are an institution that are created on the bases of consent of a particular community to regulate the behavior of the people and govern their society based on stated norms and moral value that have a set rules attached to them. The indigenous rules and norms in Oyda Woreda recognize the methods of law implementation to be on the bases of moral values and norms of the people. Based on the data collected of elder's, if someone is not able to accept the final judgment of elders of the *Bucha Woga* law enforcement that person would get social punishment, being isolated from social life or interaction, curse. Based on the moral values and norms of Oyda People, curse is one of the main mechanisms to implement decision offered by traditional institution. According to the social rules and norms of the people of Oyda Woreda, if someone violates the accepted social norms and values of the surrounding community and fails to respect the judgment of the *Bucha Woga*, he or she has departed from the daily walks of social interaction in the society.

4.4. The Relationship between Indigenous Conflict Resolution Mechanism and Formal (State) Institution

Under this sub section this study tried to reveal the relationship between indigenous or informal conflict resolution and formal court system in their supportive and cooperative work towards the

benefits of humanity in the study area. As the data obtained from the formal court and traditional authorities of elder's, both indigenous and conflict and the formal legal bases of judicial system used side by side to promote and secure favorable condition among societies to live in peace and stability as well as harmony. Moreover, they have also closer relationship and united to work together for the common interest of the institution and promote mutual trust as well as prosperity for their respective societies and within neighboring communities. Based on the data collected from ritual elder's as put forwarded in the study area, indigenous conflict resolution mechanism institutions and formal court system, have united to support one another to the common cause of peace and prosperity. This is because of the formal judiciary branch of government has established on the bases of the formal procedural law, whereas the indigenous laws are created on the bases of traditional moral authorities to govern and co-exist the society to live in stability and co-operation.

In short, under the study area, the *Bucha Woga* conflict resolution mechanism institution is works in combination with that of formal court of law. For instance, in their jurisdiction, person takes the case before the *Bucha Woga* conflict resolution institution according to their willingness. Then, the *Bucha* local authorities of elder's have obliged to see the case and resolve conflicts. Lastly, the local elder's will provide the result of the dispute to the formal bodies of a state. As the data collected from the formal court of judge in study area, the mentioned traditional institution (*Bucha Woga*) are co-operate and work together with one another to strengthen collective peace and security of the community. This means, both institutions teaches and creates awareness among society refraining from committing criminal offenses.

On the other dimension, both indigenous and formal conflict resolution institutions are an authority to settle the case of property inheritance, divorce acts, division of assets and disintegration of family members. To this end, the interdependency that exist between the formal court system (woreda police station, judges, legal personnel, lawyers), and the local traditional authorities (elder's, kebele of *BuchaWoga* court system) are among a pivotal role to foster peace and stability in the studied communities.

CHAPTER FIVE

5. Summary, Conclusion and Recommendation

5.1. Summary of Major Findings

This study has shown that conflict is inevitable part of human existence. It prevails at interpersonal, family, local, community, regional, national and international level. Likewise, the people of Oyda in Gamo Gofa Zone in south part of Ethiopia experience a various sources of conflict and conflict related cases between individuals or groups of society. Such kind of a dispute is contained in their own ways of resolving mechanisms which are developed and preserved to present by the Oyda community. In relation to this, the people of Oyda offer due attention for the maintenance and prevalence of peace and order.

The people of Oyda Woreda in Gamo Gofa Zone have promoted and used their own means of indigenous conflict resolution methods which play a crucial role in resolving conflict through negotiation and reconciliation between the disputant parties in order to live in peace and harmony as well as co-operation among themselves and with others. However, on the data obtained from observation, key informant interviews and case studies, violation of the valuable moral asset and norms of the society, lying, insulting someone by using abusive words, disrespecting the rules and policies of mourning ceremony, breaking or failure to keep a promise in terms of lending and borrowing of property or money, homicide, over use of Alcohol, revenge, adultery and violation of agreement are the most contributing factors that led to aggravate conflict among the Oyda people.

In this regard, the *Bucha Woga* indigenous conflict mechanism institution is regarded as a base for effective conflict resolution mechanisms for Oyda Woreda People of Gamo Gofa Zone in South Nations, Nationalities and Peoples' Regional State of Ethiopia. Thus, the *Bucha Woga* plays a commendable and a significance role in resolving different types of conflict in the area of Oyda community. In relation to this, the *Bucha Woga* indigenous conflict resolution institution also delivers services for the local community to live in peace, harmony, trust, cooperation, forgiveness, toleration, respect, compassionate, gratitude and apology so as to live in a sustainable durable peace and prosperity in Oyda community. In general, indigenous conflict

resolution mechanisms have traditional legal or moral legitimate authority which is grounded to the moral norms and values and functioned from the perspectives of the people of the studied area.

5.2. Conclusion

From the conclusion made, the following major findings were drawn. With this regard, in their long existence, the people of Oyda in south of Ethiopia have experienced various types of conflicts between individuals and groups in the society. Such a conflict has its own means to resolution mechanism which was developed by the society. In other words, the people of Oyda have developed their own indigenous conflict resolution mechanisms which serve as a traditional solution for conflict where the restoration of relation and meaningful trust and reconciliation that prevail between parties in conflict among all the concerned members of the society. Therefore, they spend plenty of time and effort in conflict resolution mechanism and peace keeping among themselves and with others.

As shown in the conclusion, the finding of the study, as data obtained from observation, interview, case studies and focus group discussion reveals that conflict is activated by various sources in Oyda community. For instance, violating the moral rules and traditions of the studied society, not to respect the rules of mourning ceremony, inheritance of property or asset claims, homicide, and loss of human life and bad insults are among the prime factors or causes for conflict among Oyda community. The result of the study also indicates that the Oyda indigenous conflict resolution mechanism of *Bucha Woga* plays a significant role in managing conflicts which arise between different groups of society. Besides, the *Bucha Woga* conflict resolution institutions provide various services for the studied society on the bases of long lasting outcomes. And also, such mechanism tries to integrate truth and mercy as well as peace or order through forgiveness, tolerance, apology, compensation, impartiality, and justice and co-operation. Therefore, the Oyda indigenous conflict resolution mechanism is effective in handling conflicts and bringing lasting peace among parties in conflict. Besides, the study indicated that, the relationship or co-operation between informal conflict resolution mechanism and that of the formal (state) worked together to ensure peace and stability in the studied society. At the end, the result of the study also shows, indigenous conflict resolution mechanism have moral legitimate authority to function their task within the perspective of the studied society.

5.3. Recommendations

On the bases of the major finding of the study obtained and the conclusion drawn, the following recommendations were forwarded to consolidate and strengthen the roles and functions of Oyda indigenous conflict resolution mechanism institutions in handling various conflict cases in their community. In this regard, the role of indigenous conflict resolution mechanism institution has a pivotal role to realize and ensure peace and harmony for societal welfare in relation to the formal court system.

Furthermore, the indigenous conflict resolution institution should be encouraged and maintained for peace building process for public organizations and any interested bodies may consider it as a reference in promoting the indigenous values of the people in general and the mechanisms in particular. It is also, supposed to serve as a significant and reliable ground for concerned bodies like policy makers, legal personnel's and developmental partners (government bodies and nongovernmental organizations) in their activities towards initiating, executing, handling and supervising the holistic and sustainable development of the study area and other similar localities of the state in the area of conflict resolution mechanism.

The indigenous conflict settling institution has a pivotal role to address the past and the future relationship between the parties in conflict and also within the society at large, particularly in remotest and peripheral areas where in the absence of formal court systems. To this end, the indigenous conflict resolution institutions method have been preserved and developed in near to the future by the woreda administrative bodies and aimed to address conflict matters and peace building process among the people of the studied community this is because, matters or issues deal with or settled with less anger and bitterness, low costly and quicker than the formal law case through their own traditional law and clan structure in their respective jurisdiction so as to reduce the public spending of resources and government budget and over load of judges in judiciary branch of government as well as for the prevalence of peace and security in relation to the formal court system.

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Appendixes

Hawassa University

College of Law and Governance

School of Governance and Development Studies

Department of Civics and Ethical Studies Program

Appendix –A:

An interview guide prepared for Oyda Woreda informants (to be filled by the People of Oyda Woreda)

Dear Respondent, I am Fasil Seyoum a post graduate (Master) student at Hawassa University, Ethiopia College of Law and Governance School of Governance and Development Studies department of Civics and Ethical Education Studies Program. I am carrying out a study **on the title: *Indigenous conflict resolution mechanisms. The case of Oyda People of Gamo Gofa Zone in South Nations, Nationalities and Peoples' Regional State of Ethiopia.*** Thus, the main objectives of this interview is to collect relevant information or data regarding to the sources and conflict and the role of traditional conflict management methods in Oyda Woreda People in Gamo Gofa Zone in South part of Ethiopia. The data is prepared to gather necessary information through interview in order to conduct this research is only serving as academic purpose.

And be sure that your response will not be used for other purpose. Therefore, I frankly request you to give your response for the following questions as provided below. The success of this study directly relies on your honest and genuine responses to each question. Finally, your response will be highly respected and accorded the highest confidentiality.

Thank You for Great Cooperation!

Appendix- B:

Questions in reference to the personal data of key informant interviews (General personal information).

1. Name of your Woreda _____
2. Name of your kebele _____
3. Your sex _____
4. Age _____
5. Marriage Status _____
6. Level of Education _____
7. Work _____
8. Your Religion _____
9. Responsibility you are currently holding in the society _____
10. How many years you are living in that area _____
11. Interview place _____

Appendix-C:

The Necessary Information that reveals about the meaning of Conflict and its Resolution

Mechanisms

1. What do you think about conflict? Do you have any idea regarding to conflict?
2. What are the things to be wrong in your local area?
3. What was the main reason for conflict in your community?
4. What do you think are the major factors that lead to aggravate conflicts in Oyda society?
5. Would you describe conflict resolving process takes place? How can the area of the people understand the conflict resolution methods? Are there any ritual and symbolic description in relation to the place?
6. What are the types of conflict handled by indigenous conflict handling institution?
7. Would you mention the main role and function of indigenous conflict settling institution in handling matters of conflict or how do you think it should be resolved?
8. Are traditional conflict management institution settle cases like murder/ homicide? Is there any revenge in your localities and what methods to be taken to abolish such kind of feuding?
9. What were the procedures and proceeding used in handling conflict in your community?
10. Would you describe how the selection of the traditional elders in *Bucha Woga* conflict settling administrative institution to make decision, Is there any social or religious penalty to enforce decision?
11. What mechanisms to be used to implement judgment through indigenous conflict resolving institution?
12. What do think the relationship between informal conflict resolution institution and formal court system? Would you identify the types of conflict that are mostly settled by your organization?
13. What kind of conflict is difficult in your institution, and how your institution does in such circumstances?

