

Original article

Indigenous Conflict Resolution Systems and Practices: Implications for Social Relationship Development: The Case of Debre Markos Town, 2019.

YItayew M^{1*}, Ayenew B¹, Pandey D², Almeahadi N³, Pandey B⁴

¹ Department of Nursing, health Science College, Assosa University, Assosa, Ethiopia.

² Department of Technical Education, IET, Lucknow, India.

³ Department of management, business and economics college, Assosa University, Assosa, Ethiopia

⁴ Department of Information Technology, Govind Ballabh Pant University of Agriculture and Technology, India.

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* YItayew M: Department of Nursing, Health Science College, Assosa University, Assosa, Ethiopia.

Tel.: +251918487254

myitayew27@gmail.com

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ABSTRACT

Background and Objectives: Indigenous conflict resolution mechanism is a social capital that implies the ability of social norms and customs to grasp members of a group together by effectively setting and making possible. **Methods:** Cross sectional study design with a snowball sampling were employed to see the implication of indigenous conflict resolution mechanism for social relationship. **Results:** Regarding to making relationship continuous 54% percent of the respondent responded that social cohesion is very strong in the community when they use indigenous conflict resolution. **Conclusion:** Governmental institutions like court should consider indigenous elder decisions for sustainable peace development. Standard and permanent registration system should be in practice to make the younger generation informed and courageous.

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INTRODUCTION

Conflict is a situation where two or more parties try hard to acquire the same scarce resources at the same time ^[1]. It is almost impossible to avoid conflict in human relations, to reduce its negative consequences people tend to solve conflicts, we call it conflict resolution. Conflict resolution advances a greater

wisdom of unity by permitting many community members to witness and to participate in the process of making decisions. It often generates community focused results that impact positively on the entire social relationship by using a set of strategies that can be used to satisfy the human needs of security, identity, and quality of life for all people who are engaged in conflict ^[2].

Indigenous conflict resolution mechanism is a social capital that implies the ability of social norms and focus on the values of empathy, sharing and cooperation in dealing with common problems which underline the spirit of humanity [3,4]. Those are part of a well-structured, time-proven social system geared towards reconciliation, maintenance and improvement of social relationships. The methods, processes, and regulations are deeply rooted in the customs and traditions of the people [5]. It has been practiced for a long period in many developing countries with different degrees among different ethnic groups. People in villages still trust the advice of elders in resolving local conflicts for the reasons of political neutrality and less expensiveness [6]. A study by also elaborates that, in many countries particularly in Africa since formal justice system is inefficient and because of this, it takes the second place in many parts of the continent [7].

In Africa, family ties and community networking are constantly respected, maintained, and strengthened. When there is a dispute between different parties, priority is given to restoring the relationships. The immediate objective of such conflict resolution is to mend the broken or damaged relationship, and rectify wrongs, and restore justice. Another aim is to ensure the full integration of parties into their societies again, and to adopt the mood of cooperation [8].

The indigenous conflict resolution system cultivates the relationship of conflicting parties towards the future. This conflict resolution method is necessary for the re-establishment social relationship or bringing together of the society in general and conflicting parties in particular [9].

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

resolution demonstrates their practical relevance [10,11].

Several conflict management activities like *shimglina*, *giligil*, *yezemed dangninet*, *yehager shimagle*, and *irq* which all are viable carried out at the local level and it plays a crucial role in binding people together for collective action and holding wrongdoer accountable to their actions [12]. "Shimagle" In the ancient days of "Fetha Negest" were encouraged to resolve conflict harmoniously at the local level through religious leaders. Conflict management is broadly practiced among the various ethnic groups to settle various conflicts and many other problems. Even after passing through the procedures and penalties in the criminal court, some Ethiopians tend to use the indigenous conflict resolution mechanism to control acts of revenge [13].

Since conflict is unavoidable and commensal act with humans and it is the daily act of action. Irrespective of its cause the output derivate from every form of conflict result in short- and long-term disputes. The way we negotiate and intervene on issues is the determinant factor for the continuousness of social relationships among and between people. Introducing better perspectives and creating a new lookout gives a double eye to see the role of indigenous knowledge in the area of conflict resolution mechanisms. Inspiring scholars for further research activities on the area of conflict resolution and its effect on continuous social interaction between people is another importance of the study. Moreover, the outcomes of this research may alert government agencies and organizations that are strict on the court system to promote peace and relationship. In Ethiopia, indigenous knowledge including indigenous conflict resolution is largely oral, undocumented, and not organized as a matter to use for sustainable use in the development process. Hence, this study will contribute to fill this gap and contribute to stimulate debates on how to develop the knowledge. Thus, we assess indigenous conflict resolution systems and practices: implications for

social relationship development in Debere Markos, Ethiopia 2019.

METHODOLOGY

Site Selection

The study had been conducted In Debre Markos Town of Amahara regional state among two kebeles those are kebele 04 and 07.

Description of the Study Area

Debre Marko stown is one zone of Amhara Regional state, East Gojam Zone, which is located 296 km north of the capital city of Addis Ababa and 255 km southeast of Bahir Dar.

Population

According to the Central Statistical Agency (CSA) (2007), the district has an estimated total population of 228,271, an increase of 22% from the 1994 Census. This is an average of 4.2 persons per household. The population density of 102 persons per square kilometer is less than the zonal average of 145 people per km².

Research design

Cross-sectional study design was employed. The quantitative approach was used to assess the perception and outlook of respondents about the situation of conflict in their area and the role of indigenous conflict resolution systems and practices for social development using semi-structured questionnaire.

Target population and Sampling

Debre Markos town consists of 7Kebeles with total population of 28,271. We selected two (2) out of 7 Kebeles purposively because this two kebles has mixed population with the rural community. In other way the process of settling conflict through indigenous method is exercised almost in a same way across the study area. Therefore, the target populations of the study are residents of Debre Markos Town.

Sampling Design Selection Procedures

The study conducted by using snow ball sampling technique to select the participants from local elders. *Snowball sampling is a non-probability sampling technique used by researchers to identify potential subjects in studies where subjects are hard to locate* [14]. To select the respondents through snowball sampling technique, the first step was identifying an individual who are known by the population to use a seed. Purposive sampling is a method commonly used in qualitative research that permits the researcher to carefully select participants as it illustrates some feature or process the researcher is interested in exploring [15]. The inclusion of participants in the study was based on nomination of the precursor respondent.

Data Collection Instrument

Amharic version Questionnaire was prepared to make face to face interview with selected individuals who have believed to have experience on settling conflict through indigenous method.

Data Processing and Analysis

The information collected from data sources was organized and statistical computations were made to explore variables.

Data Analysis Techniques and Procedures

Coding and categorizing the information was done for analysis. Then after categories done based on the data to be filled data was presented and analyzed. Finally, based on the findings and discussions of the study, conclusions and implications of the study were drawn.

Ethical Consideration

All concerned bodies at all levels including the study participants were informed of the purpose and relevance of the study for the purpose of ethical acceptance. Oral and written consent were obtained from the respondents prior to data collection. The respondents were selected to participate in the study

based on their willingness. The researchers communicated confidentiality of the information and the privilege of privacy to participants. The participants were informed that the information recorded and collected would remain anonymous.

RESULTS AND DISCUSSIONS

Demographic Characteristics of Respondents

Among the interviewees, respondents who solve their dispute problem by indigenous conflict resolution mechanism 42% of respondents were below grade four and 58% of the respondents were completed grade 8 and above including diploma certificate by their educational level. This shows that the community including the literate society is interested to use indigenous conflict resolution system. It may be due to the fact that the community is interested to sustain its social bondage with his neighbors irrespective of educational level and knowledge of modern justice system and indigenous conflict resolution system is a subset of cultures values and norms of the community.

Respondents with the age 25-35 are highly used indigenous conflict resolution system which is 34 % and individuals with the age of 36-45 use 24%. This may be those age groups are highly prone to engage in conflict or this may be due to the high proportional ratio of adult than the aged group in the community.

According to the study done by ^[16] the involvement in indigenous conflict resolution mechanism is reduced when educational path and age is increased. This means in other way illiterates are highly involved in conflict. But it is not true for the study area. Increment in selection of indigenous conflict resolution means may be due to the nature of Ethiopian community values and the power given for local leaders has more emanation power than the governmental court system.

Even though indigenous conflict resolution mechanisms have popular acceptance throughout the

country motivators are marginalized due to modernizing the laws, which means Indigenous conflict resolution mechanisms are not recognized by law and not properly organized ^[13]. Furthermore, in Ethiopia, there is lack of proper attention given to protect, develop, and utilize indigenous conflict resolution mechanisms in the development process.

Common Types and Causes of Conflict

Those who get in dispute by means of theft commonly use local elders than disputes by other means, which is 41% of the total respondent and those who get crime due to blood revenge is less to use indigenous system of conflict resolution mechanism in the study area which is 15 %. This may be due to the nature of sensitiveness in the case of blood revenge. It indicates as the less sensitive the issue the more to be solved by indigenous means; the highly sensitive the issues and prone to revenge the less chance to be solved because of different reasons. The reasons may be fear from negotiators to act on such emotional system and involvement of court system may continue irrespective of the harmony created by indigenous means. "*Matafiyaw Ateren*" is a phrase spoken by many elders who assign to solve difficult dispute means and failed to do so.

Land related issues are the second common cause of conflict, which is around 24% of the total respondent, this finding is similar with that of ^[17]. This indicate that land is the main cause of conflict for many people in least developed countries. According to these authors, the main cause of dispute for peoples in developing countries is the occupation of land by one party from another or ownership of land. In my study setting even though it is not clear to say more on the parties involve in land related issue family members or persons from the same clan may get in dispute due to conflict of interest. It is also another opportunity for indigenous negotiators; issues may go to get fix easily since land related issue is the problem of relatives who has kin or other family members. "*Shimagle Kus Yakamsal*" is most commonly used when the opponents are close to get solution and the selected man/women create a

dynamic means of solution by giving them shared value. During this time selected ones need to communicate the two or more interested groups separately and deal with individual in common and in private manner.

Effect of conflict on social relationship

Based on the response obtained from the study area fate of conflict may end up with loss of minimal cessation in social interaction or physical harm and may progress to tied revenge act. Conflict that ends up with minimal cessation of social interaction has 45% of occurrence and this all may not need to intervention or it may be self-limiting through time by itself. Otherwise among the type of conflict result in physical harm has 75% chances to be solved by those indigenous means like *Yezemd Shimagle* or *Yenefs Abat*. During physical attack the one who is blamed and confirmed to be the cause of dispute is ordered to bow in front of his opponent by caring a big stone by saying "*Yikrta Ken Tilogn New*" and the receiver on may say "*Medhaniyalem Yikr Yibelhene Yikrbiyalew*" then he throughs mall amount of saliva by making his lip and tongue splash together that is to mean it is My word or "*Kale new*". "*Yenefsabat* and *Yehagershimagle*" are not alone to restore the relationship of the community, Idir, labor organizations like *Mekenajo*, religious association like *Mahber, Zikir, Senbeteetc* have been also used.

Nature of participant for social cohesion mechanisms for consolidating social relationship

The variables used to assess this was participants social status or relationship with the community, added advantage on social cohesion by means of indigenous conflict resolution system and contribution of elders to strengthen social relationship. Regarding to the relationship they had with the community 54% of respondent responded that thy have very strong relationship with the community and 6% of the respondent has very weak social relationship with the community. This indicates that local community contribution is not based on because of the presence of conflict it is also

because of the value of the person for that the community. The more engaged in community activity the more prone to get support from his neighbor.

Regarding to the advantage obtained by Indigenous conflict resolution system to increase social harmony by 68% of respondents, to address common problem of the society by 56% and to boost tolerance and support between the community by 40% of respondents. The contribution of the system to maximize social cohesion and to sustain social life is believed to be very strong and economical by 78 % of respondents ^[18]. It shows elders who follow the system have strong potential and ability to advice the people in general and conflicting individuals in particular. It is an indicator for indigenous conflict resolution system cultivates the relationship of conflicting parties towards the future. This conflict resolution method is necessary for the re-establishment of social relationship or bringing together of the society. Indigenous conflict resolution system allows conflicting parties to work cooperatively by minimizing their gap in productive way that does not demolish their relationship ^[17,19].

In addition to this indigenous conflict resolution can provide us procedures that can resolve disagreements successfully without harming relationships. The method used for a conflict at hand can make available a frame work to deal with predictable conflicts. Additionally, this conflict resolution method could help to take benefit of the resolution in the past and to learn from experience or skill. The ultimate aim of conflict transformation is the restoration of relationships.

Generally local elders and the system they are using have great capacity and ability in peace building process and consolidating social relationship of the society by increasing social harmony, addressing common problems of the society and increase support each other and tolerance in the study area.

Challenges and Weaknesses of Indigenous Conflict Resolution Mechanism

Even though indigenous conflict resolution has its own social advantage for individuals, groups, societies and communities, it has facing many challenges from different directions. To alleviate these problems, these indigenous conflict resolution systems need to concern from organizations that are responsible for maintaining peace and crime plummeting centers. Among the challenges faced for indigenous conflict resolution mechanism lack of support from responsible body for persons who engaged in it, decrement acceptance from the coming generation and lack of motivation from elders are commonly mentioned. Regarding to support from peace stabilization center to the local elders the only support on the current time is locally constructed home for making meeting that is done by the community through mobilization by village representative from kebele and this may result in another dispute between peoples of the same village. Lack of clear legal mandate for the community policing officer to support local elders and non-limited involvement of court system on already solved problem is also another challenge for indigenous conflict resolution system.

Lack or unavailability of permanent registration system is also a big challenge for the coming and the current generation, this may be the reason that Youngers are not interested and satisfied by the solution given by local means. Actually, it is not to mean that only documentation problem creates this challenge the neutral court system also minimize the confidence obtained from local elders since it may not make them free to get charge from court. This means after decision passed by local elders on conflict parties, the government continued to punish the disputants by neglecting the decision of the elders. This is equivalent with a study done by previously Lack of clear legal mandate, limited financial support from different national and international governments and limited capacity for oversight of system performance can all put in

danger the effectiveness of the method to improve access to justice for the society ^[20]. Especially these issues are visible in developing countries.

CONCLUSION

Indigenous conflict resolution mechanisms are practiced in Debre Marcos town. Indigenous conflict resolution mechanisms manage almost all kinds of conflicts ranging from minor such as financial, familial and blood revenge cases. Elders and Priests are the ones who are influential from the community and know both conflicting parties. Motivators serve as negotiators of the system have to be rich in social capital and experienced in conflict resolution. Dialogue and negotiations between the two parties is very important. Then, facts about causes of the conflict are established and consensus about the truth is achieved through negotiation. Once consensus about the truth is achieved, the offender will ask apologies and the victim will forgive

The aim and function of the indigenous conflict resolution mechanisms in Debre Markos town went beyond resolving a particular conflict. Instead, the goal is to restore good relationship among the parties, resolve underlying causes of conflict and foster friendship and harmony among community members. As such they both restore justice and prevent any future conflict. Thus, the indigenous conflict resolution mechanisms have values that are consistent with the values and principles of restorative justice including inclusion, participation, restitution, and reintegration. Despite the huge importance of indigenous conflict resolution mechanisms, their reliance is being undermined by lack of proper recognition and integration with the formal court justice system.

Theft and land related issues are most common type of conflict that gets solve by indigenous means. Shinglina, Yezmed, gelagay, yenefabat, mahber, zikir and sunbetare commonly practiced method of indigenous conflict resolution. The reason that forced residents to use indigenous conflict resolution mechanism is different. First, indigenous conflict

resolution mechanisms follow informal processes in managing conflict cases, thus more immediate and meaningful to the local people. This is because indigenous conflict resolutions are developed based on the cultural values and norms that are easily understood and accepted by the community itself. As a result, local people feel sense of control and ownership over the processes involved in indigenous conflict resolution mechanisms. Second, unlike the formal court processes, indigenous conflict resolution mechanisms are important for reducing the delay and cost of conflict resolution. Many poor people are deprived of access to justice simply for the reason that they cannot have enough money to pay the transportation, accommodation and legal representation costs to go through with the court processes. Third, indigenous conflict resolution mechanisms are also important mechanisms of overcoming the barrier of illiteracy and service rural populations in their vicinity which makes it easy to access justice.

This conflict resolution method is necessary for the re-establishment of social relationship or bringing together of the society in general and conflicting parties in particular. After using indigenous conflict resolution mechanism, many households invite their conflicting party in coffee ceremony so that initiation of social harmony get began.

RECOMMENDATION

An indigenous knowledge system in Ethiopia including conflict resolution is oral in nature and not systematically documented. The findings of the study established that there is a greater need to use indigenous conflict resolution means and at the same time lack of acceptance from younger generation, lack support from modern justice system proper attention are the challenges. So indigenous knowledge has to be integrated into formal education system and formal documentation system should be used in the development process. Hence, strategies have to be developed to protect, develop, promote and disseminate indigenous knowledge so that they

can be easily accessible and utilized for the development of local communities.

Ethiopia has long history of practices different legal systems, both customary system and indigenous system; though no formal recognition is given to the use of indigenous conflict resolution mechanisms in criminal matters under Ethiopian laws. Hence, necessary legal recognition and formal status to the application of customary dispute resolution mechanisms in criminal matters is needed.

Local elders play an important role to settle disputes and building peace. Extra system to stop theft like creating job opportunity for adults and making modernized demarcation system for land related issue may add significance result to cut the root of dispute means.

Disclaimer

The article has not been previously presented or published, and is not part of a thesis project.

Conflict of Interest

There are no financial, personal, or professional conflicts of interest to declare.

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