Full Length Research

Traditional disputes Resolution Institution among Mareko ethnic group Southern Ethiopia

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The main objective of this article is to investigate indigenous conflict resolution institution among the Libido-Mareko ethnic group in Gurage Zone Southern Ethiopia. To attain this objective, the article employed both secondary and primary data sources. The primary data were gathered through in-depth interviews, focus group discussions, and observations. Secondary data were obtained through a critical review of related literature and documents. Both primary and secondary data were organized thematically and analyzed through systematic interpretation and triangulation of various sources. The study found that conflict related with land holding, marriage and gender related issues and alcoholism are the main causes of conflict among the Libido- Mareko ethnic group in Mareko Woreda. Conflicts are manifested at family, neighborhood and clan level with varying magnitude. The study further found that different belief, value and norms that Maaga indigenous conflict resolution institution uses in conflict resolution process. The Raaga-Maaga indigenous conflict resolution institution among Libido- Mareko ethnic group has two stages of conflict resolution involving the Maaga and Raaga. The two stages of conflict resolution are highly interconnected and refer cases from one setting to another. The first stage, Maaga, has five structures: Minan woran jaana (family congregation), Hegeegan janna, (intra- and inter-village structure), nihuss-gossa (sub-clan), gichchotan hafa (clan structure) and Meexe hafa/libidan dummichcha (Mareko assembly). The article further found that indigenous conflict resolution institution involved different actors in the conflict resolution process. Finally, the article concluded by suggesting possible areas for future intervention and further research.

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INTRODUCTION

Conflict and disputes within a society and individuals over different issues are part of human history (Burtone, 1996:12). It is often argued that conflict is inevitable normal, positive and even sometimes necessary and useful for social changes (Jacob et al., 2009:1, Augesurg, 1996 in Stewart 1998). Conflicts are facts of life, inevitable and often creative (Fisher, 2000). Fisher (2000) points out that in our day-to-day interaction with others, we either observed or pass through conflicts, which range from the very interpersonal quarrel, family and neighbors dispute, ethnic and inter- state conflicts to the global war.

The biggest challenge today confronting human nature is not about occurrence of conflict per se, but how to these conflicts are fully resolved whenever they occur to

prevent them from further escalation (Bokari, 2013). In this regard, Ahmad (2011), notes that humans have sought, as long as there has been conflict, to handle conflict effectively, by containing or reducing its negative consequences. Alula and Getachew (2008) also argued that resolution of conflict is crucial for day-to-day coexistence as human societies are in constant search of resolution mechanisms of conflicts.

According to Alula and Getachew (2008), conflict resolution mechanisms in Ethiopia can be broadly classified as indigenous conflict resolution mechanisms and formal conflict resolution mechanism (state justice system).The formal conflict resolution mechanism (which is provided by the state) in Ethiopia is mainly European origin (Ayalew, 2012:8). It was introduced in Ethiopia in the 1960s, and subsequent laws issued by succeeding governments. The professed intention was to create comprehensive set of laws, modernization of the legal framework that would serve modern Ethiopia (Ayalew, 2012).

According to Alula and Getachew (2008:1), indigenous conflict resolution mechanisms are prevalent throughout the country at local level and it is the dominant justice system in the country. Indigenous mechanism to conflict resolution is made by the people not by the state and drives its legitimacy from participation and consensus of the community and its recognition of the same by the government (Abera, 2003:839). Indigenous conflict resolution mechanism emanates from the custom of the people as practiced over long period, accepted by the community as governing principle, and hence binds the society, a breach of which entails social reaction and even punishment (Dagne and Bapu, 2013:2).

Ethiopia is the home for various ethnic groups. Almost all ethnic groups have developed indigenous mechanisms of conflict resolution. Different ethnic groups like Oromo, Afar, Amhara, Benishangul- Gumuz, Hareri, Somale, Sidama, Walayeta, Gamo, Tigiray and others develop their own indigenous mechanisms of conflict resolution with certain peculiar features. These features, which comprise social traditions, values, norms, beliefs, rules, and laws, communicated and accepted among the respective communities for peaceful co-existences. Abera (2000) argues that these indigenous conflict resolution institutions of different ethnic groups were the major body of law in Ethiopia for centuries.

The Libido-Mareko ethnic group of Gurage Zone Southern Ethiopia have their own time tested indigenous conflict resolution institution, *Maaga*, which has been used to resolve intra- and inter -group conflicts. This article investigates the *Maaga* indigenous conflict resolution institution among Libido- Mareko ethnic group in Gurage Zone Southern Ethiopia, with specific reference to the structure, processes involved in and values, norms and belief related with *Maaga* indigenous conflict resolution institution.

RESEARCH METHODOLOGY

Research Approach

To investigate indigenous conflict resolution institution among Mareko ethnic group in Southern Ethiopia this article employed qualitative research methodology mainly due to the following reasons. First, due to the nature of the research, which focuses on the community`s beliefs, opinions, attitudes and relationships. Second, this technique enables to have the critical and deeper understanding of the social phenomenon that is often cared out in a natural context. It also enables to dig the deep knowledge and skills used by indigenous conflict resolution institution. Last but not least, it is the appropriate methodology used in peace and security study.

The article uses exploratory research design to examine and analyze the indigenous conflict resolution institution among Mareko ethnic group in Southern Ethiopia. Exploratory research is typically used when there is little or no previous research or theory on the subject under investigation (Solomon, 2010:128)

DATA COLLECTION METHODS

This article is mainly based on firsthand data gathered during the fieldwork from February 2015 to end of March 2015 mainly in the rural Mareko *Woreda* and in Koshe town of Mareko *Woreda*. The following data collection methods were used during the study.

Primary Data Collection Methods

Key Informant Interview

In-depth interviews were made using semi-structured questions with selected key informants to get primary data regarding the structure, procedures, and actors in the *Raaga-Maaga* conflict resolution. A purposeful sampling technique was used to select individuals who are well versed with the indigenous conflict resolution institution. The participants were knowledgeable elders and clan leaders, who frequently participate in the conflict resolution process and have experiences in the indigenous conflict resolution institution. Formal court judges, lawyers and government officials in Mareko *Woreda* were interviewed to get information about the relationships between formal justice system and indigenous conflict resolution institution.

A total of 28Key informants were purposefully selected among those: who frequently participate in the conflict resolution processes, some of them are representatives of their clan in *libido dumichcho,* higher *Maaga* structure*,*

public prosecutors, judges, government officials and disputants were selected and interviewed. Both Amharic and *Mareqegna* languages were used during the interviews. With the consent of the interviewees, tape recording along note taking was applied in during the interviews to get a complete record of interviews for further analysis.

Focus Group Discussion

By using focus group discussion guide I conducted three focus groups discussions each consisted of five to seven participants. Two focus group discussions were conducted with elders who were selected from *libido dumichcho,* the highest *Maaga* structure, based on their rank in the structure. Through these focus group discussions information regarding types, structures, actors, and procedures of the indigenous conflict resolution mechanisms were collected. One of the three focus group discussions were conducted with government officials who were selected based on their interaction with in the indigenous conflict resolution institution. As in the interview, the researcher employed both Amharic and *Mareqegna* languages through interpreter for the two focus group discussions with elders. These focus group discussions helped to triangulate and validate the data gathered through individual interviews.

Systematic Observation

The systematic observation data collection method is the most commonly used method in social science and behavioral studies. If this method is done accurately, subjective bias is eliminated (Kotari, 2004:96).In my stay in the study are for two month (February to March) filed work I observed the actual conflict resolution processes. The researcher also attended various social events like funeral ceremonies, ritual ceremonies, weeding and different agricultural activities. These interactions with the study community members were vital to observe the situation and behavior of the people. This method enabled me to cross-validate and triangulate the available sources of information collected through interviews and focus group discussions. In those observations, I try to collect data related with procedures of conflict resolution and I try to document the ceremony in the photographs. I also contacted conflicting parties in the process of observation.

Secondary Sources of Data

To build conceptual and theoretical perspectives and

other parts of the study, the researcher critically reviewed different books, journals-articles, and internet websites related with conflict, conflict resolution, and indigenous conflict resolution institution. The researcher also analyzed local government reports and peace and security assessments, which have relationship with the research.

Methods of Data Analysis and Interpretation

After collecting the data, the next step was analyzing and interpreting through different qualitative data analysis methods. The data analysis began after transcribing the data into Amharic language and translating of the data in to English language and attempts have been made to keep the originality of the research. I analyzed and interpreted the data gathered through focus group discussions, interviews and observation thematically based the specific objective of the study. I triangulated the primary data obtained through focus group discussions, key informant interviews, and systematic observations with the secondary data to maximize the reliability and validity of the findings.

Descriptions of the People and the Study Area

Mareko who lives in the central plateau of Ethiopia, is one of the ethnic groups in Ethiopia. They are found between the longitudes of 38: 26' and 38: 33'E and latitudes of 7:55' and 8: 04'N (*Senehizeb* buklet, 2007). According to the data from Communication Office of Mareko *Woreda,* from 66 clan of Mareko around 49 clans are found in Mareko *Woreda.* The remaining clans of Mareko ethnic group live in Meskan and Silite *Woredas.*

This study focuses on the mainland of Mareko, Mareko *Woreda.* Administratively, the Mareko *woreda* is one of the thirteen *Woredas* that make up today's Gurage zone of Southern Nations, Nationalities and Peoples Regional State of Ethiopia. The *Woreda* is located in the eastern corner of the zone where they share boundary with Oromiya regional state, Silite Administrative Zone and Meskan *Woreda* in east, south, and north respectively. The *Woreda* consists of 26 rural *kebeles* and the administrative centre is Koshe, which is 160 K.m far from Addis Ababa and 82 k.m from Wolkite, the capital of Gurage Administrative Zone.

Administrative map of Gurage Zone

Mareko *woreda* is one of the largest districts in the Gurage zone administration of Southern Nations, Nationalities and Peoples Regional State. According to the data from Central Statistics Agency (2008), the
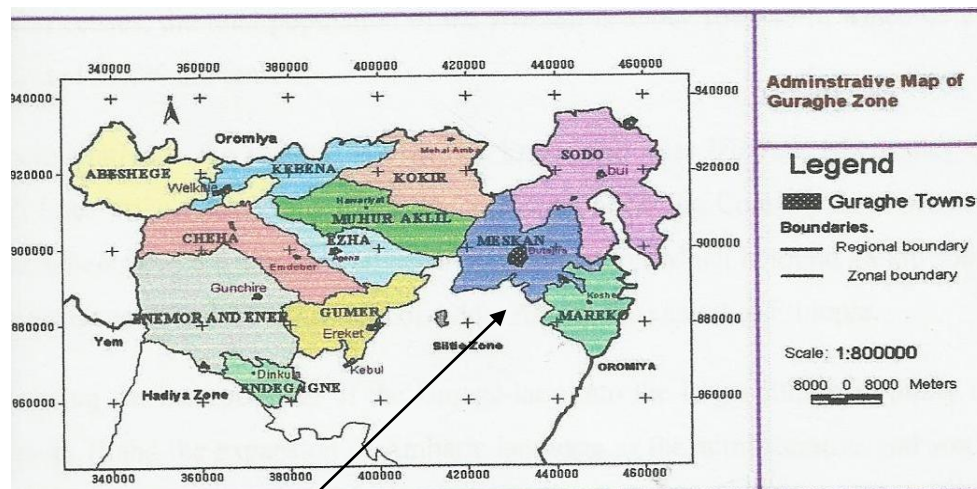
Figure 1: The study area (Mareko *Woreda)*. Source: Wubeyed (2010)

Woreda has a population of 81,892 in which 50.2% of them are male and 49.7% are female. The *Woredab* is inhabited by Mareko, Gurage, Silite, Oromo, Amhara, Hadiya and other ethnic group. See Figure 1

Following the incorporation of the Libido- Mareko land into the larger Ethiopian polity under Emperor Menelik II and the expansion of Amharic language as the administrative and working language, the generic term `Mareko` is collectively applied to call those people who live in the *Woreda*.

The Mareko ethnic group is the Cushitic language speaking society which is surrounded by the neighboring Semitic language speaking societies (Sodo, Mesqan and Silite). The language they speakis collectively known as *Marekegna*.

The ethnic group has a complex clan system by which conflict is often managed. The ethnic group is made up of more than 66 clan and more than 100 sub clan and detailed families, which have its own role in indigenous conflict resolution institution. Among Mareko, decent and clan categorization is core of social organization. They trace decent in depth and they recon up to seven to nine generation patrilinealy. Terracing decent through the mother side is unacceptable, though unofficial matrilineal concept is observed in the ethnic group. The Mareko is patriarchal society where the males are heads of households and follows a patria local settlement pattern

Marriage among Mareko is exogamous. Having sexual relationship or marriage among the same clan or sub-clan is considered as taboo. For this reason, prior to the conclusion of any marriage, consulting elders or enquiring about the blood relationship of the boy and the girl is must. In addition to this, member of the same decent have amoral obligation to care for all relatives.

Religiously, the majority of Mareko ethnic group practices Islam. Christianity (Ethiopian Orthodox Church and Protestant) also practiced by significant number of the ethnic group. Among the ethnic group Catholicism and indigenous religions are numerically insignificant..

Economically, Mareko led their life through subsistence agriculture. The area is known for production of different plants like wheat, *teff*, maize, bean, and other. The Mareko`s land is well known in its production of the well known Mareko pepper and onion. The dominant staple food in the area is *teff* and wheat. Productions beyond consumption are provided to market for transaction. In addition to farming, the significant number of the *Woreda* population also engaged in trade and service activity.

The Mareko gives high value for domestic animal, which is a sign of prestige. Animals are also part of their daily life. Particularly, the value of those animals as a medium of compensation, in return to the inflicted conflict and dowry was high in previous time. Due to this they rear cattle, goats, sheep, donkey and other domestic animals. These domestic animals are reared for various purposes. They are the sources of butter, cheese, milk, beef, fertilizers, and means of transportation for the local people.

Values and Beliefs Systems Related to the Indigenous Conflict Resolution Institution

Any community has its own long existed values and beliefs, which help the society to live together and uphold its identity and provide guidelines in maintaining peace and harmony of the society. Literatures, regarding indigenous conflict resolution mechanisms, such as Alula and Getachaw (2008) and Tarkegn and Hannah (2008), are recommending their significance in resolving conflicts at grass-root levels. Oshaghae (2000:213) also points out, resolution of more serious conflicts is impossible without the management of less serious conflicts at the lower levels. Such literatures indicate the success of

indigenous conflict resolution mechanisms in revealing truth, provision of win-win solutions, and reconciling conflicting parties. In addition, these studies show that the high legitimacy of the systems among the members.

As far as indigenous conflict resolution institution is concerned, the beliefs, values and procedures the system involves during conflict resolution take credit for the system's success in maintaining peace and harmony of the society. This sub-section discusses those values and beliefs the indigenous conflict resolution institution involves in the study are

Xiirro

Mareko ethnic group members have a belief which says *un proper use of any crop and immoral killing or harming of any animal have xiiro. Xiiro* literally stands for atrocity. This *xiirro* is considered as a main source of criminal matter conflicts among the ethnic group. *Xiiro* is believed to be result of some hidden misdeed or immoral act of the conflicting parties or their ancestors that left unresolved. It is not something that gained by chance rather it is the result of a person's and his/her ancestor`s and sometimes their clan misdeed and immoral act. *Xiiro* is not confined to the life span of an individual person rather it transcends the life span of an individual person with the potential of manifesting the spirit of *xiiro*in the descendants.

Mareko ethnic group members believe that human and animals have equal value and *xiiro*, because one God creates both. Due to this, Mareko, give high concern in their interaction with the surrounding environment, which ranges from the way one treats his/her domestic animals like cat, dog, donkey and so on to the interaction and treatment of different people. For example, if someone kills domestic animal immorally or without purpose, due to that immoral act, the blood of the killed animal is in his/her hand. Due to this, he/she or his/her descendants might kill someone or be killed. According to *Raaga (Azemache* Chololo Kasemo), the highest stage of conflict resolution mechanism in the study area*,* simple animal *xiiro* might lead to homicide or physical injury. Due to this, in all criminal matter related conflicts, conflicting parties are advised to investigate their and their ancestor's history, their relationship with animals and to finish it according to the appropriate ritual process as advised by *Raaga*. Unless, it is believed, they will continue to suffer from similar incidences

Hoda

Hoda literally means invocation, which is practiced when one of the conflicting parties refuses to solve the conflict through R*aaga-Maaga*. The type and magnitude of the

Hoda is depending on the injury and accusers willingness.

In homicide case,*Hoda* began before the burial ceremony of the bereaved. The *Maaga* (conflict resolver) asks the deceased's family consent and invoke by saying:

Please give us the responsibility to solve the problem according to the traditional law of the land …please… put us under the corpse.

If the deceased`s family refuse they fled the area by saying *melameete* which means think about our proposal. The pleading continues every three days until the deceased`s family accept the indigenous conflict resolution mechanism, *Raaga-Maaga.* This *hoda* may takes years.

If the deceased`s family refuse the pleading, the *Maagas* pass to the next and the highest stage of *Hoda,* which is considered as by the ethnic group as high *Xiiro*. In this *Hoda* the *Maagas* put white cloth and local beer, *deqasa,* on tomb of the older person of the deceased`s family. This is called *eduit allwaacho*. This *Hoda* means 'by the spirit of your ancestor, for the sake of their spirit, accept the tradition of your ancestors and accept the indigenous conflict resolution institution, *Raaga-Maaga'.* This is the highest and the last *Hoda* as far as indigenous conflict resolution institution is concerned. Any conflicting party who refused the H*oda* has the right to take the case to the formal court. However, if one party tries any reprisal it is the responsibility of the ethnic group to protect the property and the family of the plaintiff.

Hoda is highly feared among Mareko ethnic group members because it is believed that it bring X*iiro* to the family and creates conflict with the spirit of ancestors, which is believed to bring disaster on the land, cattle, environment and crops of the family. In addition to this, it also affect the family member`s day- to-day activity and their interaction with the community. Due to this, no one in Libido-Mareko ethnic group wants to undergo *Hoda*, especially *eduit allwaacho,* the highest and most feared invocation among the ethnic group.

Qaala-Maala

Qaala-Maala, literally means swearing, which the *Maagas* or the conflicting parties may prefer to settle the conflict. *Qaala-Maala* happens when the disputants deny the plain facts or no witness or even after the proof of evidence. In the *Raaga Maaga* conflict resolution process it is common that the prosecutor and the witness take *Qaala-Maala,* though sometimes the accuser also takes the swearing. The traditional value of the ethnic group discourages taking *Qaala-Maala*. Because of its horrifying damages of swearword, any members of the ethnic group do notwant to take *Qaala-Maala,* unless he/she is sure about the issue. *Qaala-Maala*is an action-

oriented swearing that is the most scaring, intimidating, and a thrill swearing which involves various ritual activities that all Libido-Mareko ethnic group members try to avoid in their life.

The party who prefers *Qaala-Maala* may be allowed to swear in different ways depending on the type of the conflict and its complexity. However, in most occasions the accuser has the right to choice the kind of *Qaala-Maala*. This is done with the belief that it makes the decision easy and acceptable by the accuser. In the conflict resolution process, if the prosecutor denies the claim and take *Qaala-Maala,* the conflict resolution process stop there and the *Maagas* give advice for both parties not to harm each other and not to mention the other person's name in a negative manner and wait the consequence of the *Qaala-Maala.*

Qaala-Maala in the Mareko ethnic group has various kinds depending on the conflict. Several items are used in this process like spear, muck, crop, fire and hole. Those things symbolize different things. The *Qaala-Maala* taker is required to say words loudly following the *Maaga b*y jump each things prepared for swearing and put on the ground, 'if I lie let the spear stab my stomach, let no animal grow in my family, no crop grow in my land, let my body buried in the hole, let my descendents smashed like water smashed fire,'.

The procedure of *Qaala-Maala* in conflict resolution process serves as mechanism in revealing the truth. Since every Mareko ethnic group members fears taking of *Qaala-Maala* and they try to avoid it in their life, the likelihood of making *Qaala-Maala* on false ground is rare.

In the *Qaala-Maala* taking ceremony, women also take part and play huge role in finding the truth. In any *Qaala-Maala* taking ceremony a husband cannot take *Qaala-Maala* without the presence of his wife and children and their consent. The consent of the wife is a must because it is believed that she is in the position to take the effect and consequences. If she refused to give consent for her husband to take *Qaala-Maala,* the swearing is not taking place because her refusal is taken as evidence against her husband. The system's intention of making *Qaala-Maala* the collective duty of the suspect's wife and children help the indigenous system to reveal the truth through collective work of the suspect and his family.

Gudda

*Gudd*a literally means a covenant or contract entered by two conflicting persons (groups) to solidify trust, friendship, and support and so on between themselves. *Gudda* in many occasions performed at the end of the conflict resolution process. Once an individual or groups are entered *gudda,* it is a lifetime partnership.

Even though the breach of *gudda* is punishable by *Raaga-Maaga*, its practicality is more of moral obligation than legal obligation. People are bound by *gudda* not because of their fear of legal aftermath rather the fear of *xiiro* and *faro*. Because is *gudda* is entered through swearing by the name of God and underpinned by different ritual activities, any breach of *gudda* is penalized by God and bring *xiiro* to the family and the group. For this reason, *gudda* is feared and respected among the local people and people tied by *gudda* are life time friends and family called *ye gudda zemede*.

According to the Libido-Mareko ethnic group member conflict resolution institution   *gudda* is given on two causes: one, in homicide and two,   in serious conflicts(when the *Maagas* fear the two parties may enter to another conflict). In these two conditions to confirm the termination of enmity and to show their friendship that maintains mutual assistance in time of joy and sorrow, the reconciliation through *Raaga-Maaga* is ended after disputants are tied up by *gudda*. After tied up by *gudda,* the disputants do not need each other for feud.

For example in homicide case the conflict resolution ends with ritual ceremony by slaughtering *hemecha,* black goat, which is highly feared among the ethnic group members, called *heemecha gudda.* In the case of serious conflict, the *Maaga* bring the conflicting parties respective mothers and put the two conflicting partiesat the leg of the opponent`s mother and feeding the opponent`s mother breast since then two become brother. G*udda* enables the indigenous system to restore severed relationships between conflicting parties.

Uulten Seera or Meexe Seera

The Mareko ethnic group members have developed a set of customary laws called *Uulten Seera or Meexe Seera* that prescribe and proscribe particular action so as to keep order in Libido-Mareko land, *Mexee*. This *Uulten Seera or Meexe Seera,* govern the behavior of any member of Libido-Mareko ethnic group member and limits all possible action of individual and group.

The term *uulten* or *Mexxe* means the land of Mareko ethnic group and *Seera* literally translated as customary law, which contains moral ideas about good behaviors, and specific prescription about mundane like dress and grazing practices. It covers every aspect of social relations, including marriage, family administration, animal rising, dressing, conflict resolution, religious practices, speaking style and so on. For example according to *Uulten Seera* of Mareko taking *guuma* (blood money) and marriage between same clan is forbidden.

Every Mareko ethnic group member is expected to respect and protect the customary law of the land. If someone is against the law, it is the responsibility of anyone who knows the *Seera* to stop the action. However, anyone who refuses to respect the law of the

land gets advice from elders in his/her family, his/her clan and at the end from the assembly of Mareko. Faller to observe the customary laws would be followed by sanction against the perpetrator, which makes life so difficult.

The conflict resolved by the indigenous conflict resolution institution, is believed to be reinforced by the values of *feero,* and *xiiro* and ritually and morally sanctioned by the procedures of *qaala maala* and *guuda* and the deliberation of decisions are conducted with full awareness of the *Uulten Seera* in the form of customary law. The conflicting parties belief on these values and procedures made them obedient to *Raaga-Maaga* decision and loyal to the rules for various ritual and moral reason.

Indigenous Conflict Resolution Institution: Structure, Procedures and Actors

Mareko ethnic group members have their own conflict resolution institution like any other society. The Mareko's conflict resolution institution is known as *Raaga-Maaga.* It is a system of local governance, which administers different affairs of the society including conflict. This indigenous conflict resolution institution has two stages: *Maaga* and *Raaga.*

Maaga is the first stage of indigenous conflict resolution institution that shows tremendous success in Mareko ethnic group conflict resolution. *Maaga,* as a system of conflict resolution, exists in every corner where Mareko ethnic group inhabited (even outside Mareko *Woreda*). The term *Maaga* refers to both the first stage of conflict resolution institution and the conflict resolvers.

The first stage of Mareko ethnic group conflict resolution institution, *Maaga,* has five different structures: one, *Minan woran jaana* (family congregation)*,* two*,* sub-clan (*nihuss-gossa),* three*, Giichchoten hafa* (clan structure)*,* four*, Heegeegen jenna* (intra-and inter-village level) and five, *Meexe hafa* or *libidan dummichco* (the assembly of Mareko).

Each structure of *Maaga* has its own authority and process of conflict resolution. The use of each structure is dependent on different factors like the scale and types of the conflict, actors in the conflict, relationship of conflicting parties and the nature of particular conflict and so on. *Maaga* solves any criminal and civil matters in Mareko *Woreda* in general and in Libido-Mareko ethnic group in particular. Anyone who is not satisfied with the lower *Maaga* structure has the right to ask appeal to the higher structure. This process of asking appeal is called *gefeetchaa*.

Minan woran jaana (Family Congregation)

Minan woran jaana (family congregation) is the lowest conflict resolution structure in Libido- Mareko ethnic

group by the *Maaga* conflict resolution institution. This conflict resolution structure resolves minor criminal related matters (example, law scale physical injury) and many civil matters within the family.

A family in Libido-Mareko ethnic group mainly includes parents and children, though this conflict resolution structure resolves conflict arising between cousins, nephews, uncles, brothers from different mothers, husband and wife, parents and children and close family members. According to my informants many conflicts at this stage are related with economic issues, like inheritance claim and claim over resources. This *Maaga* structure also resolves minor family affairs, disputes between families, disagreement between husband and wife. According to the informants, from the formal court many of civil matters are resolved at this *Maaga* structure.

The authority of *Minan woran jaana* structure is limited under the family jurisdiction. It assembles frequently to address conflict issues under the roof of one of the conflicting parties or at the convenient places of the closest family member. Conflict resolvers at this structure are family members, proposed by the conflicting parties and chaired by male elderly person in the family, known for his good reputation. Even though the conflicting parties have the right to oppose the *Maaga* proposed by the opponent, since the issue at hand is family issue, their acceptance is too low. Due to this, at this structure, intimate family members of the disputants serve as conflict resolvers. In addition to this, any family members and relatives can attend the conflict resolution process.

The procedure of presenting cases to *Minan woran jaana* structure involves various forms. The conflict can be present to elders by one of the conflicting parties or their close relatives. Family members of the conflicting party could also call the disputants to settle their dispute if they are convinced that such conflicts could affect the family. And according to the informant from formal court, sometimes the attorney and the judge also initiate and advise the conflicts between close family members to resolve their problem by indigenous conflict resolution institution, *Minan woran jaana ,* particularly civil matters.

Since the conflict is within the family members who have close blood, psychological and social relationship, and conflict resolvers at this structure do not propose a binding decision. Rather, they create a condition that enables the conflicting parties to discuss their differences in order to resolve their conflicts. The punishment at these stage ranges from kissing shoulder to taking goat from the wrongdoer and slaughter it. It mainly focuses on forgiveness and restores family ties. Any conflicting party, who is not satisfied with the decision of *Minan woran jaana,* has the right to appeal, *geffech*a, to the higher *Maaga* structure. If the conflict is criminal matter, after *Maaga* at *Minan woran jaana*, resolve they sent the disputant to *Raaga,* the next stage of conflict resolution

stage.

Giichchotan hafa (Clan and Sub-clan Structure)

The procedures, process and the structure of conflict resolution at clan and sub-clan level is same in the study area. However, *Giichchotan hafa* is the highest conflict resolution and appealing (*geffecha)* structure within a clan and *nihuss-gossa* (sub-clan) is the lower conflict resolution structure in the clan and appealing (*geffecha),* structure for conflicts form the *Minan woran jaana* (family congregation).

Giichchotan hafa is the third structure of conflict resolution in the study area next to *Minan woran jaana* (family congregation) and *nihuss-gossa* (sub-clan) conflict resolution structure, which resolves conflicts that arise between the members of the same clan and issues presented to it by the *nihuss-gossa* (sub-clan). Conflicts within a clan that are not resolved at lower *Maaga* structures (*Minan woran jaana* and *nihuss-gossa*) are referred to *gichchotan hafa* in order to see the case by the clans` council.

The clan leaders or council in Libido-Mareko ethnic group serve as administration organ of the clan and conflict resolver. This clan council, *conetemeechoo*, has five to seven members who are selected from the sub-clans on the base of good reputation, knowledge of *uulten seera*, leadership quality, and acceptance in the community and so on. The clan council is led by head of the council, *jemedila* and has secretary and follow-up committee. In *Giichchotan hafa* structure, conflict resolvers are mainly clan leaders. In addition to council of the clan, elders known for their good reputation and mastery of *uulten seera* take part in the conflict resolution process at this structure. However, conflicting parties have the right to propose their own *Maaga* and/or give consent for already selected conflict resolvers.

Every clan in Libido-Mareko ethnic group has its own place of assembly, *hafa,* which is historical and culturally attached to the clan and where the majority of its members are reside. It is an open air under a roof of a large tree but in some condition, it may set at any convenient places. Even though the clan has fixed place to set and see cases, it addresses issues related to the clan members irrespective of geographical location. This structure resolves conflicts presented to it by the clan members, sub clan and family congregation. It resolves any conflict within the clan except homicide.

According to the customary law of the land (*uuleten seera*) homicide case is out of the jurisdiction of *gichchotan hafa* mainly for three reasons*.* First, to prevent revenge from the mother`s side clan. Marriage among Libido-Mareko is exogamous. According to Libido-Mareko *uuleten seera,* a person`s clan is counted from the father`s side and any member of the ethnic group is member of at list two clan, so whenever there is homicide in the clan the other side clan might take revenge against the father`s side clan. Second, to raise the confidence of the mother`s side clan in the conflict resolution process. Third, the *gichchotan hafa Maaga* structure cannot resolve homicide case because the whole clan is considered as criminal.

The decision at *gichchotan hafa* structure is not binding. It can be appealed to the next structure, *meexe hafa/libidan dummichcha* (the assembly of Libido-Mareko). However, in most cases, conflict resolvers of *gichchotan hafa* structure exert their maximum effort to resolve every conflict under their jurisdiction. If the conflict is a criminal matter, after clan`s *Maaga* settle the conflict they sent the disputant to *Raaga,* the next stage of conflict resolution institution.

Hegeegan janna (Village Structure)

Hegeegan janna is the second structure of conflict resolution in the study area next to family congregation and parallel to *gichchotan hafa. Hegeegan janna* structure predominantly addresses conflict between the members of a village (not member of same clan), due to their day-to-day interaction and its authority is limited under village jurisdiction. It resolves any conflict except homicide.

Conflicts that are addressed at *hegeegan janna* structure include, disputes between friends, conflict between neighborhoods, *iddir* and *eqqube* issues, property destruction by animals, land related conflict, theft and so on that are caused by the members' day-to-day interaction. It assembles frequently to address conflict issues and has no fixed places to resolve disputes but conflict issues could be addressed at convenient places near to the accuser`s house under a big tree, *hafa*.

When the relationship of the conflicting parties in the village is broken due to the fight or disagreement, the procedures of presenting cases to *Maagas* involves many forms. For instance, an angry party could bring complain to the attention of elders or the elders themselves could call the disputants to settle their dispute if they are convinced that the existence of such conflicts could affect the day-to-day activities of the villagers. Third party, who was in the place when conflict is taking place, would also initiate the conflict resolution process.

The conflicting party selects the conflict resolvers, *Maaga*, at this structure. Conflicting parties have the right to select equal number of *Maaga* whom they trust, think protect their interest and who has the ability to resolve the conflict easily. These conflict resolvers might come from the village or anywhere who are known for their good reputation and seniority. In addition to this, any *Maaga* who is selected by the opponent must get the

Figure 2; Aba Dishele Warka, the historical venu of *libidan dummichcha*

consent of both conflicting parties unless he cannot set as a *Maaga* in the conflict resolution process. Both parties may also commonly choose one *Maaga* to chair the conflict resolution process that they think are neutral and transfer the conflict peacefully and partially and who is known for his reputation. However, sometimes the *Maaga*, who are selected for the resolution or by third party who initiates the conflict resolution process, might select the chair *Maaga*. Generally, the conflict resolvers at *hegeegan janna* structure ranges about seven to nine depending on the complexity of the conflict. However, anyone can attend the conflict resolution process.

At *hegeegan janna* structure, the conflict resolution process begins with *faate`o* (blessing) followed by presenting the case by the conflicting parties. At the end, elders usually need to have a discussion on the issue presented before them and in the main time *Maaga* may decide the parties and other participant to allow them some time for discussion. When the parties move aside, *Maagas* discuss the issue and come up with compromising decision that is comprehensive and able to settle conflict among the parties. Decision at this structure is made sometime by the majority vote style.

The *Maaga* at this structure mainly facilitates situations that enable the conflicting parties to discuss their differences in order to resolve their conflicts' easily. However, *hegeegan janna* structure *Maaga* does not propose a binding decision. Any unsatisfied party has the right to appeal to higher structure of *Maaga, meexe hafa/libidan dummichcha.* In general, *Maaga* never give up until the conflict is resolved. If the conflict is a criminal matter after the village`s *Maag* resolve they sent the disputants to *Raaga,* the next stage of conflict resolution.

Meexe hafa/libidan dummichcha (Assembly of Libido-Mareko)

Meexe hafa or *libidan dummichcha* is the highest and the final *Maaga* conflict resolution structure among Libido-Mareko ethnic group. *Meexe hafa* or *libidan dummichcha* has the authority of resolving conflicts of any kind including homicide, which may arise between clans, sub-clans, villages, families, and individuals. It also addresses any issues that are directly appealed (*geffecha*), or cases referred by the lower *Maaga* structures.

Conflict resolvers at this structure are selected from each clan of Libido-Mareko ethnic group and have chairperson and secretary. The *libidan dummichcha* meets regularly once in a week at the capital of Mareko *Woreda*, Koshe, in open air under a big tree in the compound of old mosque. At time when special issue is presented or special discussion is needed *meexe hafa* seat at a particular venue called *abba Deshelee warka,* the historical venue of *libidan dummichch.*

According to the observations and informants before the deliberation process started at *libidan dummichcha* structure, the *Maaga* perform two important things. First, members of *libidan dummichcha Maaga* exchange information. Before passing to the resolution process, led by the chair *Maaga,* the elders exchange information. If there is a problem that needs a solution, they discuss about the issue and find a solution. Second, before the actual resolution process starts, the elders ask (*faate`o*) the creator, a blessed day, revelation of truth, age for the aged, life to the youth, peace forgiveness for misdeed and prosperity to the land. See Figure 2

Any case at *libidan dummichcha* structure is presented in writing to the secretary. The conflict resolution process began when the chair *Maaga* allow the secretary to call the disputants. On the occasions when the offender is not known, the claimant gives the name of the suspect to the *Maaga*. And the *Maaga* give the responsibility to the heads or representative of the suspect's clan to bring the suspect in their assembly. Failure to respond is considered as the admission of guilt. Then the accused is liable for paying compensation. If the suspect appears

Figure 3. Members of *libidan dummichcha* Maaga

before the court, he/she has the right to hear the case in written or verbally by the accuser and asked to admit or refute regarding the claimants claim.

After the conflicting parties confirm to be judged by *Maaga,* elders request them to call *wasse* (guarantor) to assure their presence in appointment day when their cases are handled and to accept the rule of *Maaga* and *Raaga*. The *wasse* also questioned his/her consent to be the disputants' guarantor and to bring the plaintiff at the court of the elders at time of needs. If the *wasse* agreed to be the guarantor, the elders could start the hearing process and left the floor for the conflicting parties to present their own information, opinion, and claims about the conflict or they dismiss the crowd for other appointment.

Following utterance of blessing, disputants present their cases, standing in front of elders. The plaintiff takes the chance first and then the defendant would follow. Following the debate of conflicting parties, elders let the crowd to express their questions, suggestions, and objections. The *Maaga* and any participant can ask questions, which would help to resolve the conflict. In this process both parties are supposed to not to interrupt each other, unless they are allowed or asked by the *Maaga.* If the conflict is complicated, they give time for disputants to think about not more than 15 days. See Figure 3

After *Maaga* collect all the necessary information from the conflicting parties, they might look for witness to testify the issue under proceeding. Based on the information from the conflicting parties and witness, *Maaga* pass on to identifying the guilty. Once *Maaga* identify they would indicate where the fault lies through argument and tails. A decision at this level is binding. If the conflict is a criminal matter, they refer it to *Raaga,* but if the conflict is a civil matter, they refer it to the appropriate *Maaga* structure for the execution.

The reconciliation process and referring disputants to *Raaga*, the second stage of conflict resolution could not proceed unless the guilty party accepts his/her fault. In

rare case, the guilty party disagrees or does not accept his/her fault. In this scenario, the jurisdiction of indigenous conflict resolution institution ends and the issue is referred to the formal court.

The above five structures of conflict resolutions are used to resolve conflicts that arise at family, sub-clan, village, inter-village, clan, and inter-clan levels. The lower three *Maaga* structures, which are confined under their respective locality, resolve minor disputes that arise due to the members' day-to-day interaction. *Gichchotan hafa* structure addresses conflicts of any type that arise between clan members. The fifth structure, *libidan dummichcha,* resolves any conflicts that arise between different clans of Libido-Mareko*,* which is the highest *Maaga* structure of conflict resolution and the final *Maaga* appalling structure in the study area. Its decision is binding and unappealable

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