



Research Paper

The Hadiya and Kambata Societies' Customary Dispute Resolution mechanism in Ethiopia: A Systematic Review and Meta- analysis

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Abstract: This article's major goal is to examine the connections and distinctions between the indigenous conflict-resolution mechanism of the Hadiya and Kambata Peoples. To accomplish this goal, the article did follow meta-analytic methodology, having an exploratory nature along with a qualitative research approach. Secondary data pertinent to Hadiya and Kambata Societies' Customary Dispute resolution mechanisms were identified and collected and critical review was made. As the author reviewed different secondary data, both the Hadiya and Kambata Society have "seeraa" customary administration system, but it has different institutional structures and ways of settling conflicts. Since these institutions have their own role and contribute more to maintaining peace, unity, and social order among the societies, the local government, national policy makers, and other stakeholders should strengthen these institutions in accordance with the needs and interests in their contextual areas and society. As well the societies themselves should have to work strongly to safeguard their native model of dispute resolution

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I. Introduction

Conflict will always exist in the social domain of humankind. It can be brought on by conflicting human needs, the management of limited resources, and the predominance of one over the other (Assefa Abebe, 2005). It is typical of human existence. However, since the dawn of time, people have attempted to settle disputes. As a dual mechanism for conflict resolution, contemporary communities use both modern and traditional dispute settlement methods.

Indigenous conflict resolution mechanism is the one way of conflict resolution which uses local actors like elders, chiefs, clergy men etc., community based judicial and legal decision – making mechanism to resolve conflict whereas modern mechanism use formal institutions such as police, courts and various other institutions. The indigenous mechanism is based on a social philosophy, guided by the unwritten customary laws, traditions and practices that are learned primarily by moral teaching of elders (Ganga Maya Tamang, 2015) While one uses an indigenous mechanism of conflict resolution, both restorative and reparative method is used. The victim is the focal point, and the goal is to heal and renew the victim's physical, emotional, mental, and spiritual well-being. It also involves deliberative acts by the offender to regain dignity and trust, and to return to a healthy physical, emotional, mental and spiritual state, and to restore personal and communal harmony (Ibdi). Ethiopia is a nation with a diverse population. Various ethnic groups coexist over a considerable amount of time. Every ethnic group has its own distinctive cultural customs and philosophies. Hadiya and Kambata are two ethnic groups in Ethiopia that are currently found in southern central Ethiopia close to each other. Each of these Societies has its own philosophy and cultural norms.

Beginning from the time (1889-1913), the Emperor Menelik II, consolidating the Ethiopian empire under royal patriarchal imperial rule, until the Derge regime (1974-1991) of dictatorship government in Ethiopia, both ethnic groups were under one province (Tagesse Shuramo, 2014). This and other socio-economic and cultural activities determine the Hadiya and Kambata People's interaction. Therefore, it is believed that

ethnic interaction develops relationships between the societies in which its members engage in common interest. As Tagesse Shuramo, (2014) expression, the Hadiya and Kambata societies had and continue to have very strong relations with each other and with their neighbors. On other hand, all most all ethnic groups in Ethiopia have developed indigenous mechanism of conflict resolution (Daniel Mekonnen, 2016). Therefore, this article explores systematically the nexus and difference between Hadiya and Kambata Peoples' indigenous conflict resolution mechanisms in Ethiopia and gives clarity and experiences for others about indigenous knowledge and social thoughts of the Hadiya and Kambata Society.

II. Rationale and Objective of the Study.

Local methods and procedures known as indigenous conflict resolution mechanism attempt to solve conflict without reverting to a state-run legal system. According to different scholars, an indigenous method of resolving disputes relies on local actors. It is based on judicial and legal decision making process to manage and settle disputes within or between disputes. A type of informal dispute resolution mechanism, mediation is now becoming institutionalizing, even in the western world, the birth place of formal conflict resolution methods (Bush, 2005). Ethiopian societies use traditional techniques to manage various types of conflicts that develop within their ethnic groups (Eyayu Kasseye Bayu, 2020).

As (Tagesse Shuramo, 2014) study shows, the Kambata and Hadiya people did not live in isolation; rather, they had close ties to both their neighbors and one another. The relationships between the individuals were and remain quite strong. The main ways in which the people interacted were through mixed settlements, intermarriage, economic connections, and cultural links...etc. To that purpose, this study aims to investigate the connections and differences between the indigenous conflict-resolution methods used by the Hadiya and Kambata People. In doing so, it especially aims/objectives at: I, differentiating the traditional politico-legal system of the Hadiya and Kambata Peoples; and II, identifying the major features of indigenous conflict resolution methods of the Hadiya and Kambata Peoples.

III. Methodology

This article is based meta-analytic methodology, having an exploratory nature along with a qualitative research approach. Accordingly, all reviewed documents pertinent to Hadiya and Kambata People's indigenous conflict resolution mechanisms were identified and collected from different studies. The main sources of the data was Journals, books, thesis other relevant historical records. After identifying and collecting the appropriate documents, the title and abstract or summary were assessed. Then qualitative data was broadly and comparatively analyzed using document analysis. Finally, the conclusion and recommendation were drawn.

IV. Results and Discussion

4.1 Traditional Politico-Legal systems of Hadiya and Kambata Society.

When we talk about politico-legal system, we meant that the authority, institution and ruling principles and law. Accordingly, the author's review has focused on key aspects of Hadiya and Kambata Peoples' traditional administration system, politico-legal Philosophy, the manner and basis of leadership, the making of leaders and their relations to the ordinary People.

According to the article published by (Ergogie Tesfaye Woldemeskel and G. Jai Kishan, 2016) the traditional admiration system of Hadiya People is called '*Hadiyyi Gassi Seeraa*' or '*Gessaa*'. The book written in Amharic on "*Hadiyya People: History and Culture*" by Alebachew Kemiso and Samuel Handamo (2010) clearly elucidated that the Hadiya People traditional government system is *Seeraa*, which is everything to the Society. On other hand (Tagesse Shuramo, 2014) mentioned *Seeraa* is both institution and customary code of conducts of both Hadiya and Kambata Peoples. (Muradu Abdo and Gebreyesus Abegaz, 2009) And (Abebe Demewoz Mengesha, Samson Seid Yesuf and Tessema Gebre, 2015) also revealed *Seeraa* is a customary code of conduct of Kambata People, by quoting Yacob (2002) study.

As of above authors' investigations, the customary politico-legal system of Hadiya and Kambata, which is known as *Seera* has twofold meanings. When we see *Seeraa* in political perspective, it is the traditional administrative structure or organization while in legal perspective it is unwritten code of conduct which governs the whole traditional administration system of the Hadiya and Kambata Society.

4.2 The Customary administrative structure of Hadiya and Kambata Society.

Regarding to institutional structure of customary administration system of Hadiya and Kambata People, some scholars have mentioned that there is similar customary administration institutions hierarchal structure of both Society, but others aside. For instance, Tagesse Shuramo (2014) detect that there is similar customary administrative institutions for both Hadiya and Kambata People. He classified the administrative structure as the kinship based administration/bloodline relationship/ and territorial based administration institutions. According to his explanation, kinship based administration institutions are *Mine*, *Boko* (moollo, in Hadiya) and *Ilamo*,

respectively, from the lowest to heights level of organizations and territorial based administration institutional structure includes include *Kokata* (Giira, in Hadiya), *Gocho* and *Heera* from the higher to lower level structure.

According to the book read (Alebachew Kemiso and Samuel Handamo, 2010), the article published by Daniel Handino and Gizaw Bekele, (2020) and the book written by Braukamper, U., (1980) Hadiya has six traditional administrative ladders. Such as *mine*, *Nafaraa*, *moollo*, *Sullo*, *Giichcho* and *Giira* from the lower to higher level structure.

Mine (Family) is the smallest traditional administrative institution of Hadiya which comprises only a member of close lineage. *Nafaraa* is a higher level next to *Mine* institution. It membership includes other ethnic group members who lives in same area. *Moollo* is the third level institution in the order, from smallest to largest ladder. It is the combination of more than two *mineewwa*/Families/. *Sullo* /tribe/ is the collection of different *moollo* while *Giichcho* is formed from two or more *sullo*. According to the *Seera* system of Hadiya, *Giichcho/Tribal/* comes at the next higher order above the *Sullo* institution. *Giira*/ethnic or Nation/ level institution is the highest level institution of Hadiya People according to *seeraa* customary administration structure.

As Ergogie Tesfaye Woldemeskel and G. Jai Kishan, (2016) study, in each level administrative structure there is leadership ranking systems such as *Min Daanna* /family judge or leader/, *Moll Daanna* /lineage chief or judge/, *Sulli Daanna*/tribe leaders/, *Gi'ichch Daanna*/tribal leaders/, *Xaaxxiit/Utaa Daanna*/ethnic or nation leaders/ including *Nafa'il Daanna* which was not mentioned in her study. It is illustrated as follows in Fig-1.

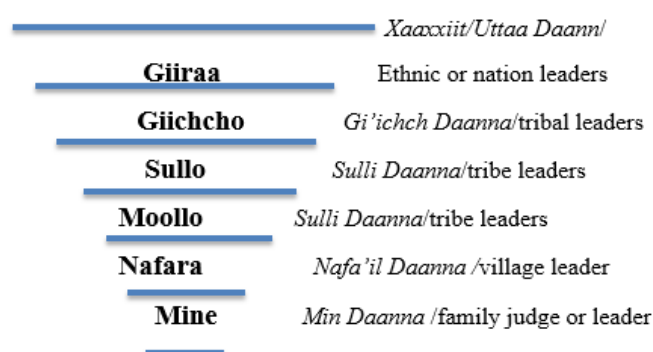


Fig1: Hadiya customary administration ladder and leadership rank in *Seeraa* system

Source: The Author, during the document review

Various researchers have written about the traditional administration structure of Kambata People in a different manner. For instance, Tagesse Shuramo (2014) have studied as there is three different institutional structures based on kinship and territorial classification by merging with Hadiya People customary administrative structure. However, others researchers studied separately. According to the article published by Abebe et al. (2015) customary administration structure of Kambata People has five ladder. Such as *Kokata* / general assembly of all Kambata/, *Gotcho* / territorial organization of Kambata/, *Muricho* / the assembly of gotcho/, *Gogota* / traditional army/ and *Ilamo* / a tribal group often of patriarchal lineage/.

On the other way, Muradu Abdo and Gebreyesus Abegaz, (2009) bring up three administrative structures such as *heera*, *cocho* and *kokota* by referring Yacob (2002). According to their description, *Heeraa* is at lowest level, followed by *Cotch* at middle level and the *kokota* as the largest territorial institution. From these researchers work, we can understand that the Kambata People customary administration institutions classification is based on lineage and territory. Its illustration is shown below in fig-2.

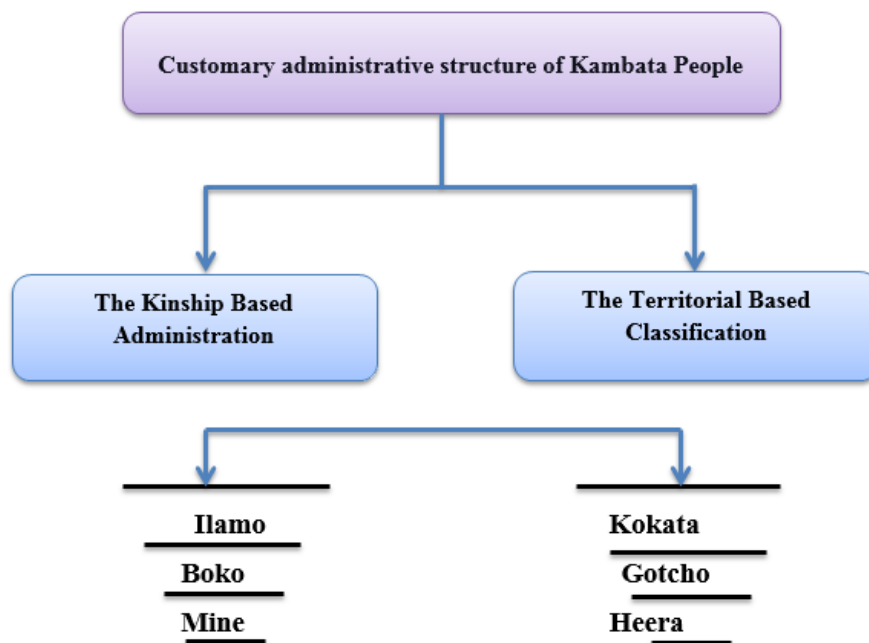


Fig2: Hadiya customary administration ladder and leadership rank in *Seeraa* system
Source: The Author, during the document review

As of Muradu Abdo and Gebreyesus Abegaz, (2009) indication, in each level of administrative structure of Kambata People there is leadership rank also. For instance *gacho dana* at Gotcho level, *woshebi dana* at Heera level, *Woma* at Kokata level, *Ilemi dana* at Ilamo level and *Boki dana* at Boko level.

In both Society customary leadership system, the making of leaders and their relations to the ordinary People is almost similar. Thus, it is based on moral virtue and economic well-being. A person must meet certain requirements in order to be chosen by the community as a leader. For instance, who has deep knowledge of the customs and cultures of the people, is decisive, honest, loyal, and concerned about their problems. Must also be a well-known orator, wealthy, disciplined, and could lead his families in exemplary way (Ergogie Tesfaye Woldemeskel and G. Jai Kishan, 2016). Tagesse Shuramo (2014) also added that aa person who could be a leader, expected to have wisdom, patience and broad views about justice and peace. Based on these criteria, the leaders are elected by democratic way in both communities keeping the representation of family genealogy. Direct non-representation of women in leadership may be taken as a weak side in Hadiya and Kambata People customary administration system. However, their husbands, sons, relatives or neighbors, who are assigned for the leadership, often consult women in the house in Hadiya and Kambata *Seeraa* system (Tagesse Shuramo, 2014).

In addition to advice, women also play a great role in customary dispute resolutions in both Hadiya and Kambata People *Seeraa*. In Hadiya society, women have their own strong traditional institution which is called “*Heeffichcho*”. *Heeffichcho* is a traditional Hadiya religious and sociocultural organization for married Hadiya women only. There are no women from other Hadiya ethnic groups included. Women who were not married are not permitted to join the organization or participate in any of its activities. Under *Heeffichcho* institution all married women have the responsibility of praying for peace, stability, prosperity and giving the ritual responses of divinity for sophisticated problems of the society has faced (Samuel Kemeso, 2021). Women in Hadiya society have been contributing and playing a great role in conflict resolution by gathering together in this institution. However, currently this traditional belief based institution became weak due to Christian religion dominance. Nowadays, it is considered idolatry by society.

On other hand, *Landimacho* (ruling system given to Women among Hadiya Society), played a great role in conflict resolution. The society values it and preserves it through ritual and fear. In Hadiya culture, there are various purposes of the *landimacho*. The societal peacekeeping, crime investigation, and conflict resolution are/were some of the general functions (Adane Woldeab Shanko, 2020). This customary dispute resolution system is still active among Hadiya Society.

In Kambata Society, women play a key role in preventing an escalating conflict by say “*ele ele ele*” and put their scarf on the ground. As a result, the ongoing conflict immediately cease up by conflicting parties (Eyayu Kasseye Bayu, 2020). This is also common among Hadiya Women. There is a great consistency in the belief that curse made by women leads to misfortune among both Kambata and Hadiya People. They often

ascribe the reason of their misfortune to the act of the spirit (ayyaana). It is also believed that a curse hurts the descendants of the cursed up to seven generations. However, the Kambata and Hadiya believe that curse harms if and only if it is morally justified. It does not hurt the innocent person (Ibdi).

In general, as the literature shows, in both Hadiya and Kambata people, a crucial component of traditional political and legal philosophy is the system of casting curses and blessings; it is a powerful, unrelenting force in forcing the community at large to adhere to the valued legal values and norms. Sacred social philosophy of these People aimed to maintain peace, justice, social order within and out of the Ethnic groups.

4.3 The Procedures of Conflict Resolution in *Seeraa* system of Hadiya and Kambata Society.

It is obvious that conflict exists in every human society and in a variety of contexts or circumstances, with varying degrees of intensity. Hence, the Hadiya and Kambata society, like other societies and places, are not free from the conflicts. As Abebe et al. (2015) investigated; the most common conflict causes in Kambata People are grazing land, water, farmland and borderland. Alike the shortage of resources is the main causes of conflict in Hadiya Society.

In *seeraa* customary administration system of Hadiya People, the society has its own indigenous alternative dispute resolution mechanism which is broadly known as "*Lomananno*" which represents both mediation and arbitration in combination. *Lomananno* means the elderliness, which is the quality or state of being elderly. When conflict happen it is unquestionable that almost all the members of the society first prefer to bring their cases to the "*Lomanna*" (Gizaw Bekele, 2021). As Tagesse Shuramo (2014) study shows, similarly *nubaabo* (elders) stands for reconciliation of any disagreement among the Society.

According to both Hadiya and Kambata *seeraa* system, the term *Lomanna*-in Hadiya *nubaabo*-in Kambata denotes responsibility for reconciliation and the ability to negotiate challenging situations, not necessarily age (Ibdi). In these societies, all members are expected to discharge their duty in dispute resolution but they do not have the same role in the dispute resolution as the elders hold the case and give last decision; the others will have the role of witnessing, advising the disputants and observing the process. So, this shows us that all the society members uphold collective responsibility to promote peaceful life in the society (Ibdi). As same authors identified, numerous conflicts could be solved through indigenous dispute resolution mechanisms in the Hadiya and Kambata society, starting from the smallest conflict like *game'ilimma* (insulting) to the highest conflict *Manna Shimma* (murder).

In reconciliation process the *Lomanna* or *nubaabo* use different traditional mechanisms to solve conflicts and restore peace among the Society. According to the expiration of Gizaw Bekele, (2021) the ways of investigating or gathering facts of conflict and restoring the peace in customary dispute resolution mechanisms of the Hadiya society includes *Laallo* /Search for a Clue/, *Duunchchaa* /cursing/, *neqaasha* /Eyewitnesses/ and *hidditano* /Oath/. The *hidiro*, *neqaasha* and *guddo* are the main ways that *nubaabo* use to investigate the fact of conflict and restore peace among Kambata Society (Tagesse Shuramo, 2014)

A study of Abebe et al. (2015) cited by Ibsa Aliyi Usmane (2019) demonstrated that *Reeda* and *Gudagambela* are the customary conflict resolution methods of Kambata people. *Reeda* is in charge of resolving disputes. By finding out to stop the individuals on the side of the deceased from taking revenge, these bodies can step in and defuse the tension that has developed between the two parties. This is so that they won't bias one party over another since they are typically thought of as neutral institutions because they are made up of various Kambata clans. *Gudagambela*, which identical to "*xiiga guulla*" in Hadiya People implies declaring or concluding something or an event not to happen again. It is a traditional ritual process and symbolic representation of purification of the 'curse' and reconciliation of conflicting individuals/groups. Among the Kambata Society, this tradition works both in resolution of inter-personal as well as inter-group conflicts

V. Conclusion and Recommendations

5.1 conclusions

One of the conflict management mechanisms used in Ethiopia to resolve intra- and inter-ethnic conflict is the use of customary Dispute Resolution (CDR) methods using informal institutions. Despite the fact that customary dispute resolution mechanisms vary from society to society, from region to region, and from culture to culture, they all have a certain characteristics in common. Accordingly, from this review one can understand easily the alike and unlike main features of the Hadiya and Kambata Peoples' customary dispute resolution mechanisms.

One essential component of the customary political and legal philosophy of both Hadiya and Kambata Societies is the practice of uttering curse and blessing spells. Their customary administration system is known as *seeraa*. In both Societies *seeraa* system there are different customary administration structures and ways of conflict resolutions to maintain peace, unity and social order. In *seeraa* system of Hadiya and Kambata peoples, *Lomananno* or *nubaabo* is the indigenous alternative mechanism to settle conflicts and restore the peace among

the societies. The term *Lomanna*-in Hadiya, and *nubaabo*-in Kambata denotes responsibility for reconciliation and the ability to negotiate challenging situations, not necessarily age. The main actors in these societies customary dispute resolution mechanism are the conflicting parties (plaintiff and defendant), conflict resolver (elders) and the crowd. In general, there are similar and different procedures in both Hadiya and Kambata Customary dispute resolution mechanisms regarding to structure of customary administration institutions, values and principles, reconciliation and rituals, enforcement methods and actors in Conflict Resolution Process.

5.2 Recommendations

Based on the finding, it is recommended that both the Hadiya and Kambata Peoples and scholars should have to work strongly to develop, safeguard and introduce the *seeraa* customary governance system of them in the rest of others; nationally and globally. In addition to this; since these institutions have their own role and contribute more to maintaining peace, unity, and social order among the societies, the local government, national policy makers, and other stakeholders should strengthen these institutions in accordance with the needs and interests in their contextual areas and society.

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