



**COLLEGE OF LAW AND GOVERNANCE**

**DEPARTMENT OF CIVICS AND ETHICS STUDIES**

**THESIS ON INDIGENOUS CONFLICT RESOLUTION MECHANISM IN BENCH-  
SHAKO ZONE IN THE CASE OF *TYIATEN PURIN* IN BENCH SOCIETY**

**BY:-**

**SOLOMON ADDIS**

**A THESIS SUBMITTED TO JIMMA UNIVERSITY COLLAGE OF LAW AND  
GOVERNANCE IN PARTIAL FULFILLMENT OF THE REQUIRMENT OF MASTER  
OF ARTS DEGREE IN IN CIVICS AND ETHICS STUDIES**

**ADVISOR: Mr. KALEB AMANU**

**CO-ADVISOR: Mr. MARU MATHEWOS**

**JIMMA-ETHIOPIA**

**NOV. 2022/2015 E.C**

**THESIS ON INDIGENOUS CONFLICT RESOLUTION MECHANISM IN BENCH-  
SHAKO ZONE IN THE CASE OF *TYIATEN PURIN* IN BENCH SOCIETY**

**A THESIS SUBMITTED TO JIMMA UNIVERSITY COLLAGE OF LAW AND  
GOVERNANCE IN PARTIAL FULFILLMENT OF THE REQUIRMENT OF MASTER  
OF ARTS DEGREE IN IN CIVICS AND ETHICS STUDIES**

**BY:-**

**SOLOMON ADDIS**

**ADVISOR: Mr. KALEB AMANU**

**CO-ADVISOR: Mr. MARU MATHEWOS**

**JIMMA-ETHIOPIA**

**NOV. 2022/2015 E.C**

## **Declarations**

I, **Solomon Addis** hereby declare that this thesis is my original work and that it has not been submitted partially; or in full, by any other person for an award of a degree in any other university/institution.



## ACKNOWLEDGEMENTS

Willingness and First and foremost I want to express heartfelt gratitude for the Almighty God for his surprising help to me. I would like to express my gratitude to all, who contributed to this research work. First, I extend my utmost gratefulness to my adviser Mr. Kaleb Amanu and **Co-Adviser:** Mr. Maru (Jimma University), for their constructive academic and moral support. And also to all the informants of *Bench* –Sheko Zone woredas such as ; Semen Bench woreda, Dehub Bench sheiy *Bench* woreda and Mizan Aman city administration .

My deepest gratitude also goes to my mother w/ro Zerfinesh hailu,my brothers engineer Tegene Addis, and Gashaw Addis for financial support and also to my sister Wogayew Addis for her mater support . In addition to my children Yewogneh solomon, Bantayehu Solomon, and Mekedes Solomon.

I am so thankful to all who provided generous support of material, advice, moral and others as well. To mention some of them; my firends Gebre Koins, Alemayehu Dach , Akililu Belay,Mekuria Mago, Adugna Alemayehu, Ato Worgu,(bench king) Kundis aparki, Beyene koins(dod erg/elders), Shanko Gakinans, Tilahun Komtikes, and Pawlos Shash (clan leaders).

# TABLE OF CONTENTS

<b>CONTENTS</b>	<b>PAGE</b>
ACKNOWLEDGEMENTS.....	I
TABLE OF CONTENTS .....	II
LIST OF TABLES AND FIGURES .....	VII
LIST OF ACRONYMS.....	VIII
GLOSSARY OF LOCAL TERMS .....	IX
ABSTRACT.....	X
CHAPTER ONE .....	1
1. INTRODUCTION.....	1
1.1. BACK GROUND OF THE STUDY .....	1
1.2. STATEMENTS OF THE PROBLEM.....	3
1.3. OBJECTIVES OF THE STUDY.....	4
1.3.1. GENERAL OBJECTIVE OF THE STUDY.....	4
1.3.2. SPECIFIC OBJECTIVES OF THE STUDY.....	5
1.4. BASIC RESEARCH QUESTIONS.....	5
1.5. SIGNIFICANCES OF THE STUDY.....	5
1.6. THE SCOPE (DELIMITATION) OF THE STUDY .....	6
1.7. LIMITATION OF THE STUDY .....	6
1.8. ORGANIZATION OF THE STUDY .....	6
CHAPTER TWO .....	7
2. REVIEW OF RELATED LITERATURE.....	7
2.1. THE CONCEPT OF CONFLICT .....	7
2.2. ETHIOPIA’S PERSPECTIVES OF INDIGENOUS CONFLICT RESOLUTION .....	9

2.3.	THE SOURCES /CAUSES OF CONFLICT .....	10
2.4.	NATURE OF CONFLICT .....	10
2.5.	TYPES OF CONFLICT .....	11
2.5.1.	INTRAPERSONAL CONFLICT .....	11
2.5.2.	INTERPERSONAL CONFLICT .....	12
2.5.3.	INTRA-GROUP CONFLICT .....	13
2.5.4.	INTERGROUP CONFLICT .....	13
2.6.	CONCEPT OF TRADITIONAL CONFLICT RESOLUTION MECHANISMS.....	14
2.6.1.	GLOBAL OUTLOOKS ON INDIGENOUS CONFLICT RESOLUTION.....	14
2.6.2.	AFRICAN PERSPECTIVES ON INDIGENOUS CONFLICT RESOLUTION .....	15
2.6.3.	OVERVIEW OF SELECTED AFRICAN INDIGENOUS CONFLICT RESOLUTION .....	16
2.6.3.1.	UBUNTU INDIGENOUS CONFLICT RESOLUTION.....	16
2.6.3.2.	GACACAA INDIGENOUS CONFLICT RESOLUTION .....	17
2.6.3.3.	MATO OPUT INDIGENOUS CONFLICT RESOLUTION.....	17
2.6.3.4.	SUMMARY ON AFRICAN OF SELECTED INDIGENOUS CONFLICT RESOLUTION .....	18
2.7.	INDIGENOUS CONFLICT RESOLUTION INSTITUTIONS IN ETHIOPIA .....	19
2.7.1.	GADAA INDIGENOUS CONFLICT RESOLUTION .....	19
2.7.2.	SHIMAGELE INDIGENOUS CONFLICT RESOLUTION .....	20
2.7.3.	YEJOKA INDIGENOUS CONFLICT RESOLUTION.....	21
2.7.4.	SUMMARY ON ETHIOPIAN INDIGENOUS CONFLICT RESOLUTION MECHANISMS.....	22
2.8.	THEORETICAL FRAMEWORK OF CONFLICTS .....	22
2.8.1.	THE HUMAN NEED THEORY .....	22
2.8.2.	RELATIVE- DEPRIVATION THEORIES .....	24
2.8.3.	FRUSTRATION-AGGRESSION THEORY .....	24

2.8.4.	THE INTERACTION - FRUSTRATION THEORY .....	25
2.8.5.	THE STRUCTURAL THEORY OF CONFLICT .....	25
2.8.6.	THE MEDICAL AND FRICTION THEORY OF CONFLICT.....	26
2.8.7.	THE CONSPIRACY THEORY OF CONFLICT.....	27
2.8.8.	IDENTITY THEORY AS A BASIS OF CONFLICT .....	28
2.9.	THE OVERVIEW OF TECHNIQUES OF THE CONFLICT RESOLUTION.....	30
2.9.1.	NEGOTIATION .....	30
2.9.2.	MEDIATION .....	31
2.9.3.	ARBITRATION .....	31
2.9.4.	ADJUDICATION.....	31
2.9.5.	BARGAINING .....	31
2.10.	CONFLICT MANAGEMENT MODES .....	31
2.10.1.	COMPETING .....	32
2.10.2.	AVOIDING .....	32
2.10.3.	ACCOMMODATING .....	32
2.10.4.	COMPROMISING .....	32
2.10.5.	COLLABORATING .....	33
2.11.	IDENTIFIED GAPS .....	33
CHAPTER THREE.....		34
3.	RESEARCH METHODOLOGY .....	34
3.1.	DESCRIPTION OF THE STUDY AREA.....	34
3.2.	RESEARCH DESIGN AND APPROACH .....	35
3.3.	TYPES AND SOURCES OF DATA .....	36
3.4.	SAMPLE SIZE & SAMPLING TECHNIQUES .....	36



3.5.	TARGET POPULATION.....	36
3.6.	DATA COLLECTION TOOLS .....	37
3.6.1.1.	INTERVIEW .....	37
3.6.1.2.	OBSERVATION .....	37
3.6.1.3.	KEY INFORMANT INTERVIEW.....	38
3.6.1.4.	FOCUS GROUP DISCUSSION (FGD).....	38
3.6.1.5.	ANALYSIS.....	38
3.7.	DATA COLLECTION PROCEDURES.....	38
3.8.	METHODS OF DATA ANALYSIS .....	39
3.9.	ETHICAL CONSIDERATIONS.....	39
	CHAPTER FOUR.....	40
4.	RESULTS AND DISCUSSION .....	40
4.1.	INTRODUCTION TO TIYATEN PURN ADJUDICATION SYSTEM.....	40
4.1.1.	SOCIO-DEMOGRAPHIC CHARACTERISTICS .....	41
4.2.	CAUSES OF CONFLICT AMONG THE BENCH COMMUNITIES .....	42
4.3.	TIYAT/ TIYATEND (KING) OR CLAN LEADER’S ROLE.....	44
4.4.	DIVISION LEVELS AMONG THE BENCH COMMUNITIES .....	44
4.5.	THE ROLE OF DOD ERG (ELDERS) .....	45
4.6.	COMMUNITY PERCEPTION AND ACCEPTANCE OF TIYATENPUREN CONFLICT RESOLUTION.....	46
4.6.1.	HOMICIDE DISPUTE RESOLUTION MECHANISM OF TIYATENPUREN .....	47
4.6.2.	RECONCILIATION PROCEDURE OF HOMICIDE CASE THROUGH TIYATENPUREN .....	49
4.6.3.	COMPENSATION PROCEDURES OF TIYATENPUREN INSTITUTION FOR HOMICIDE.....	49
4.7.	THE STRONG SIDES AND WEAK SIDES OF TIYATENPUREN INSTITUTION IN BENCH COMMUNITY.....	51

4.7.1. STRONG SIDE OF TIYATENPUREN’S INDIGENOUS INSTITUTION .....	51
4.7.2. WEAK SIDES OF TIYATENPUREN INDIGENOUS INSTITUTION .....	51
CHAPTER FIVE.....	53
5. FINDINGS, CONCLUSIONS AND RECOMMENDATION .....	53
5.1. FINDINGS .....	53
5.2. CONCLUSION.....	54
5.3. RECOMMENDATIONS.....	55
REFERENCE.....	56
APPENDX A .....	60
APPENDX B.....	62

## LIST OF TABLES AND FIGURES

<b>TABLES</b>	<b>PAGE</b>
Table 1: Target population, Sampling size and Sampling techniques .....	37
Table 2: Religion of the respondents (N=62) .....	41
Table 3: Age with gender of the respondents (N=62).....	41
Table 4: Occupation and Educational level of respondents by gender .....	41
Table 5: The Three Group Division Levels of Bench Clan .....	45
<b>FIGURES</b>	<b>PAGE</b>
Figure 1: <i>Map of Bench -Sheko zone</i> .....	35

## **LIST OF ACRONYMS**

**BSZ:** Bench Sheko Zone

**CPP:** Consulting Psychology Press

**FGD:** Focus Group Discussion

**FDRE:** Federal Democratic Republic of Ethiopia

**ICRM:** Indigenous Conflict Resolution Mechanism

**II:** In-depth Interview

**SNNPRS:** Southern Nations, Nationalities and People Regional State

**TKI:** Thomas-Kilmann Conflict Mode Instrument

**TV:** Television

**UNHCHR:** United Nation High Commissioner for Human Rights

## GLOSSARY OF LOCAL TERMS

**Band** = very lower races/clans such as pottery or blacks misses

**Barz** = inheritance of property or other things

**Dod-Erg** = Male Elders

**Eng Bach/ Tubk** = Family related Conflict

**Gag/Gagnass** = hostility or enemies

**Kah** = Traditional religions of Bench people

**Kanbud**= a loaf of Bread that made from maize

**Katss-woti** = murder or killing the life

**Komt** = the Higher clan level of Bench people

**Kop/peil**= Traditional drinking utensils /material made from horn or wood

**Qam** = the Middle clan level of Bench people

**Qora / Eacha** = Evil eye

**Shetan-Mash** = devil sprit

**Shun** = Reconciliation

**Tiyatinpuren** = In front of the king

**Worniyae** = girl

**Zhong**= Cassava

**Zhyazh-tate** = the first king of the Bench people

**Zhyazh** = the place in which Bench people is originated (in Shei Bench)

## ABSTRACT

*Peace is a necessary antecedent condition for societies to continue and remain prosperous. However, conflict occurring among individuals, between communities viodet peace and stability of the society. This thesis aimed at exploring the role of Tyitenpuren, indigenous conflict resolution institution among the Bench people of southern Western Ethiopia. There researcher employed qualitative exploratory research method so as to meet the stated objectives .To that end, the researcher collected primary data from different informants in Semen Bench, Debub Bench, and Shei[shey] Bench Woreda and in and around Mizan-Aman town administration. In terms of data collection tools for the required qualitative data, the researcher used interview, focus group discussions and observation. Overall a total number of 62 informants participated in this study. With respect to secondary data sources, from published and unpublished books, journal articles and government documents were used. Up on such qualitative data finding of the study revealed three concluding remarks. First and foremost the indigenous Tyitenpuren, institution is one among the various indigenous approaches for resolving conflict within the study area. Secondly the study came up with major causes and sources of conflict within the study area with subsequent indigenous approaches for their resolution, especially through Tyitenpuren, institution. Thirdly the study identified alludes with the prevailing criterion for selection of elder for conflict resolution institution and the study areas indigenous rules of law enforcement. Additionally the research also came up with the apparent relationship between indigenous conflict resolution mechanisms (ICRM). Overall the study concluded that, Tyitenpuren, institution plays pivotal role within Bench community with respect to resolving different conflicts. Then, the reconciliation process takes place around the big river and a befitting compensation corresponding to the type of murder shall be given to the victim family's .They make different ritual performances in order to clean from the crime. Eventually the two opposing groups sincerely apologize and eliminate hostility. And having performed the ritual ceremony, parties can socialize each other.*

**Key words: Indigenous, conflict resolution, Bench Society**

# CHAPTER ONE

## 1. INTRODUCTION

### 1.1. BACK GROUND OF THE STUDY

Conflict may be viewed as a form of tension arising from mutually exclusive or opposing actions, thoughts, opinions, or feelings. Conflict often occurs when people or groups perceive that as a result of a disagreement there may be a threat to their interests. According to (Kriesberg, 2003) Conflicts may also arise from misinformation, stereotypes, contradictory perceptions of justice, differing socio cultural traditions, personal beliefs or ideologies; and they are of many dimensions: racial, ethnic, religious, ideological, cultural, economic, political, social, and others. Conflict is a struggle between two or more interdependent individuals over perceived incompatible differences in beliefs, goals and values over differences in desires for esteem, control and connectedness (Wilmot & Hocker, 2011). Obi (2004, p. 15) perceived conflict as human and social problems which involve mutual hostility , disagreements, opposition resulting to man’s inhumanity to man, use of violence, and turning point or crisis, which can escalate to the level of psychological warfare, physical or naked war. Conflicts everywhere unleash complex dynamics emerging from the interaction of multiple actors. (Wood *et- al*, 2003: 59) defined there are four types of conflict, namely, intra-personal conflict, inter-personal conflict, intra-group conflict and intergroup conflicts Conflict prevention and resolution is not a recent invention. Even before the introduction of the ‘modern’ ways of dispute management mechanism (such as the court), different societies have been using their own institutions of conflict management mechanisms (Pankhurst, 2008). In Africa, conflicts have been a part of the state formation process as polities incorporated in a plurality of groups (especially ethnic and religious ones) express themselves at the national level. The horn of Africa is one of the most insecure regions in Africa (Osei-Hwedie and Rankopo (2012).

Ethiopia is one of the East African countries which have more than eighty nations, nationalities and peoples are living together with their own different languages, cultures, religions and have traditional conflict resolution mechanisms. As (Pankhurst, 2008) defined, conflict prevention and resolution is not a recent invention. Even before the introduction of the ‘modern’ ways of dispute

management mechanism (such as the court), different societies have been using their own institutions of conflict management mechanisms.

In Ethiopia various indigenous conflict resolution mechanisms has been practiced for many centuries by different societies. These indigenous conflict resolution mechanisms are deeply rooted in different ethnic groups of Ethiopia by peace building mechanisms. (Endalew, 2014).

According to (Sisay, 2007), there were some causes of ethnic-conflicts, that go back a long way, among few of the ethnic groups mainly for control over resources, such as grazing land, water points, and cultivable land.

Parallel to the formal criminal justice system of Ethiopia, societies also have their own customary ways of dealing with crime. In many regions of the country, and especially in the remote and peripheral areas, like Bench-Sheko zone these resolution mechanisms are more influential and applicable than the formal criminal justice system, which is considered alien to the traditional societies. In many regions of Ethiopia, the customary norms are more strong, relevant, and accessible than imposed and top-down legal norms. Moreover, experiences in different regions of Ethiopia show that people, even after passing through the procedures and penalties in the formal criminal court, tend to use the indigenous dispute resolution mechanisms for reconciliation and in order to control acts of revenge. (Macfarlan, 2007).

According to FDRE constitution (1995), nine regional states and two city administrations. But in 1922 Ethiopia is divided in to eleven regional states. The Southern West People Regional State has been experienced by different ways of different peace fully indigenous conflicts resolutions.

The current southern West Ethiopia people regional state is the home of many multilingual and multicultural societies. According to this, my study is concerning in south West Ethiopia people regional state in Bench Sheko Zone, (BSZ) depends on the indigenous conflict resolution mechanism of in Bench people. In Bench society, there are different mechanisms of indigenous means of conflict resolutions; among this, *Tiyaten-purin* is the major one. According to Bannha language *Tiyat* means is the **king** and **purin** means in front, which is collectively named “***in front of the king***” *The Bench-Tiyate* (“king” of Bench) is from their origin to the present inhabitant place of Bench. Supreme administrative and judicial powers were exercised by the *Tiyate* in their districts and villages. The Tiyate (king) had his own rules and regulations which they should be obeyed and observed. Each Tiyat has its own rules and regulations which they should be obeyed and observed (Kundisa Parki and Samuel Daltate unpublished book 2000-2007 E.C).’ Most causes



of conflicts in the Bench areas include dispute over land, conflict over marital issues, conflict over property, and conflict arise due to homicide cases are resolved by *Tiyaten-purin*. In addition, issues like cattle theft, abduction, physical violence and adultery are also solved in front of Tiyat (king). Even though the *Tiyaten-purin* in the area has significant role, however it is not totally studied and also needs some modification or rejection are necessary to competently working with other justice systems .For this point of view, this initiated the researcher to select the title studying the overall role of, namely *Debub Bench*, *Semen Bench* and *Shey Bench* woredas are expect to be selected. Both formal and informal conflict resolution institutions are practiced in the area. But the researcher shall be selected the informal or institutions, because of the knowledge gap in using of and to practice this institution especially in the new generation. The study has further more attempted to assess the indigenous institutional capacity and challenges of conflict resolution mechanism of among Bench society. In the above situation, this study will be attempted to find out the different roles of indigenous conflict resolution mechanisms of *Tiyaten-purin* in Bench people. Therefore, this study is significant roles for the following reasons. First, it provides valuable information about the roles of conflict resolution mechanisms for the local people. Second, it helps to identify the challenges that hinder the practice of *Tiyaten-purin* conflict resolution mechanisms. Finally, it has a potential to contribute by reducing the different cases which may be seen in the formal court system.

## **1.2. STATEMENTS OF THE PROBLEM**

Indigenous conflict resolution mechanism means are made by the people and derive their legitimacy from participation and consensus of the community and these mechanisms are long persistent social practices, rooted in local cultural setting, aiming at resolving conflicts, reducing tension, and rebuilding social relationships(2010). According to Alemayehu (2010) defined it as localized institution and its legitimacy is limited to particular ethnic group. Therefore, these definitions entails that traditional mechanism of conflict resolution are practices that are derived from the tradition, custom and worldview of the society.

Indigenous conflict resolution mechanism is different from society to society, from region to region, from community to community. There are as 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.

In Africa, Osei-Hwedie and Rankopo (2012) in their study has confirmed the importance of cultural processes, institutions, and values in conflict resolution and peace building among the *Akans* of Ghana and the *Tswana* of Botswana.

When we come to our country Ethiopia, Indigenous conflict resolution mechanism has been practiced among the various nations and nationalities and people of Ethiopia. Most venerated traditional institutions such as the *Shimagele*, *Awchacign* and *Afersatta* in Amhara people, *Gadaa/Jaarsummaa* in the Oromo people, *Nemo* in Shinasha, people, *Korefinie* among the Gamo *Joburas* in Agnuak and *Korefinie* among the Gamo in southern Ethiopia have served as major institutions and mechanisms of conflict resolution among different families, clans, tribes' nations and nationalities of Ethiopian society. Disputes regarding claims on the use or ownership of individual or communal land, water, cattle, grazing area, local custom, religious matters etc....were often resolved through these institutions.

The same is true in Bench people such as *Tyitenpuren*, *wot*, and *Dod-erg (elders)* still knows common means of conflict resolution. Therefore, this study is significant for the following reasons. First, it provides valuable information about the roles of indigenous conflict resolution mechanisms for the local people. Second, it helps to identify the challenges that hinder the practice of indigenous conflict resolution. Finally, it has a potential to contribute to contribute the prevalence of *Tiyaten-purin* for others Ethiopian communities.

Therefore, in light of the above stated problems, the major purpose of this study was to investigate the indigenous conflict resolution practice of *Tiyaten-purin* and its resolution strategies among Bench peoples. Therefore, the researcher has try to explore adequately the role of *Tiyaten-purin* in Bench people which had not been studied and discovered by others in the previous studies.

### **1.3. OBJECTIVES OF THE STUDY**

This research has the following general and specific objectives.

#### **1.3.1. GENERAL OBJECTIVE OF THE STUDY**

The general objective of the study is to examine the perceptions and challenges of *Tyitenpuren* indigenous conflict resolution mechanism.

### **1.3.2. SPECIFIC OBJECTIVES OF THE STUDY**

1. To explain the society's perceptions of *Tyitenpuren* indigenous conflict resolution mechanism.
2. To examine the practice of *Tyitenpuren* /indigenous conflicting resolution in the study area.
3. To identify the challenges that affect *Tyitenpuren* /indigenous conflict resolution institutions

### **1.4. BASIC RESEARCH QUESTIONS**

1. How the community perceives the *Tyitenpuren*/ indigenous conflict resolution mechanism
2. How the *Tyitenpuren* /indigenous conflict resolution is practiced in the study area?
3. What are challenges that impedes to implement *Tyitenpuren* /indigenous conflict resolution institutions effectively?

### **1.5. SIGNIFICANCES OF THE STUDY**

The role of traditional conflict resolution mechanism of the Bench people of the southwest Ethiopia under the period of study has significant from the following perspectives The study to pointed out that local communities favor through indigenous conflict resolution mechanisms than courts due to numerous reasons. The main significant of the studies are, first, indigenous conflict resolution mechanisms follow informal processes in managing conflict cases. In Bench society the *Tiyaten-purin*'s rules and procedures of indigenous conflict resolution are more immediate and meaningful for the Bench nations. This is because indigenous conflict resolution of *Tiyaten-purin* is more developed based on the Bench people's cultural concepts, values, and procedures. That are easily understood and accepted by the community itself unlike court systems. As a result, local people feel sense of control and ownership over the processes involved in indigenous conflict resolution mechanisms of *Tiyaten-purin*. Second, it has reveal the rationale and outcome of people related to conflict settlement mechanisms. Third, it contributes to concerned bodies like the formal justice system and peace and security offices of the study area. Fourth, it enables the new generation to create awareness about the *Tiyaten-purin* and modify some demerits of managing conflicts. Five, the study offers to contribute information to the local administrators to consider indigenous knowledge for indigenous conflict resolution mechanisms. Six, it helps to reduce the number thief, crime, feeling of revenge, divorce, work load of police, prosecutor & judge. It also helps to reduce

the government's budget and expenditures on prisons and prisoners. Seven, It helps to disrupt revenge-seeking on individual victims or groups and the finding of the study may be used by the concerned bodies (legislative) to consider and preserve indigenous knowledge and values. Eight, It may serve as a reference material for interested researchers, policy makers and planners who need to conduct future studies in the study area. Moreover, it may enable the concerned bodies to build-up suitable strategies to manage and resolve conflict between individuals and groups in the study area. In addition, the study can serve as a spring board for those who want to make further study on related issues among Bench society.

## **1.6. THE SCOPE (DELIMITATION) OF THE STUDY**

The geographical coverage and extent the study is focused in the Bench Sheko Zone, depends on two Woredas, namely *Semen Bench Woreda and Debub Bench woreda*. This study will be limited and more focus on the major role of indigenous conflict resolution mechanism of *Tiyaten-purin* that practiced by the Bench society. According to that, the only Bench nation will be covered by this study.

## **1.7. LIMITATION OF THE STUDY**

Even though indigenous conflict resolution mechanisms can play an important role in restoring and maintaining social harmony, order and law, they are facing with some challenges that need serious attention by the government and other concerned bodies. The same is true; on this study, the researcher has faced lack of enough documented sources and tangible information. The researcher will assume the financial and other related drawbacks has been face. However, the researcher has try to overcome any challenges with various stakeholders to realize the expected goal of the study.

## **1.8. ORGANIZATION OF THE STUDY**

Chapter one includes back ground of the study, statement of the problem, objective of the study, research question, significance of the study, scope and limitation of the study. Chapter two includes review of related literature. Chapter three includes Research methodology. Chapter four result and discussion and chapter five findings, conclusion and recommendation

## CHAPTER TWO

### 2. REVIEW OF RELATED LITERATURE

This chapter attempts to deal with review of related literature. The followings are the major topics considered in this chapter: theoretical and conceptual review of works on conflict management practice and resolution strategies, theories of conflict and empirical literature reviews.

#### 2.1. THE CONCEPT OF CONFLICT

(Alexander, 2005), in this regard, writes: In any society, conflict is one of the major factors negatively affecting development. It diverts resources that could have otherwise been used productively (Ibid: 30). Furthermore, this same author once again adds that: Conflict is regarded as undesirable in many societies. In its violent form, it claims the lives of many people, destroy property, and diverts human as well as financial resources away from development (Ibid:44). Conflict exists in different forms; mainly of two forms. There are direct and indirect types of violence depending on their magnitude and manifestation. Direct violence is the most outward, visible and easily identifiable sort of conflict. It is just like a direct physical confrontations or clashes between individuals. It could also be manifested in a form of war between nations or groups of different interests. On the other hand, indirect violence, which is synonymously referred to as structural violence, appears to be in a form of invisible and relatively unidentifiable societal structures. Such violence is built deep in to the social, economic and political structures. These structures deliberately prohibit every people from having enjoyed equal social status and equal access to economic opportunities as well as involvement in one's own political matters. It is all about discrimination and marginalization, suppression and exploitative world order. And all these in turn would result in human suffering and life misery in general as the consequence of impoverishment to overwhelmingly majority of the people. For clearer conceptualization of the two types of violence, and their distinctions, it is important to quote HO-Won Jong's explanation on this issue. He, for instance, states direct violence as: Direct violence, the popularly understood meaning of violence, is referred to physical injuries and the infliction of pain that is caused by specific person. Thus killing and beating, whether they happen in war or interpersonal situations represent direct violence.... In direct violence, clear subject-action-object relationships are established, as we observe someone who hurts other people by a violent act. Direct violence

generally works fast and grammatically. It is personal, visible, manifest and non-structural (Jeong, 2007).

Conflict happens to appear when individuals or groups have incompatible interests and/or goals. When one has become really an obstacle or shows a tendency to become so for another to meet his/her needs, conflict is, then, more likely to breakout... (Bearish and Webel, 2002) in a more or less similar way put it as: ... The word conflict derives from the Latin *configure*, which means literary “*to strike together*”. In fact, we argue by saying that it is worthy of noticing not to have a. Thus, competition is always positive and should be understood in its constructive sense. Although conflict is also not always bad, this is not, however, the same as saying that it has always a positive impact. Conflict has sometimes a devastating effect when it is particularly violent. It is undeniable fact that violent conflict kills quite a mass of people arbitrarily. It also consumes such great deal of other material resources that they would have been used in such returnable investments.

The definition of conflict varies because of its complexity. Bison (1988) describes conflict as a destructive event perhaps because of the series of disagreements that may lead eventually to an aggressive action. Analyses of various definitions regarding conflict have similar components that indicate: conflict is natural and inevitable; occurs due to incompatible goals, need, or values; develops with differing opinions and perceptions; and results in power imbalances and limitations of resources. As Stoner (cited in Plunkett & Raymond, 1994) conflict is disagreement between two or more organizational members or teams. Conflict occurs because people do not always agree on goals, issues, perceptions and the like and because people inevitably compete. It exists whenever someone believes or feels that another person or group might obstruct its efforts on the other hand, Kupparum (2010) describes that, conflict is the process in which one party perceives that its interests are being opposed or negatively affected by another party.

Schermerhorn (2011) identify that conflict occurs in work place when parties disagree over substantive issues or when emotional antagonisms create friction between them. In line with this, Get chew (2000) points out that conflicts are inherent in any organization, as they are the natural consequence of interaction among people with differing personalities. It is not necessary to eliminate all conflicts as they are not always harmful. Conflicts have both positive and negative effects on an organization depending on the management and its final outcome. To Zikmann (1992) “effectively managed conflicts can help identify previously undetected problems and attitudes. They can also help clarify uncertainties and improve overall cooperation”.

## 2.2. ETHIOPIA'S PERSPECTIVES OF INDIGENOUS CONFLICT RESOLUTION

Ethiopia is believed to be the “museum of peoples” with more than 80 ethnic groups constituting and forming one nation state. It is a country of diversity harboring varieties of languages, different religions and faiths as well as quite many nations and nationalities with their own philosophical perspectives and unique cultural practices. History also tells us that Ethiopia is as ancient as 3000 years back. It is, therefore, definitely true that it had experienced strong and cohesive systems of administration with its world top leading civilization, namely Axumite civilization. Indeed, every Ethiopian ethnic groups as their African counterparts have traditionally age-old and time-tested administrative and conflict resolution institutions at the grass root levels. In fact, exhaustive and thorough studies about these institutions are not bulky enough and so are limited literatures in this area. Be this as it may, however, there are some literatures on only few cases elaborating the importance and strength of these multipurpose institutions. For instance, Bahru Zewde (2002) has written about the traditional political and judicial institutions in Gurage. He pointed out the Yajoka Qicha and Gordanna sera practiced in the society. He has stated these institutions as: The Yajoka and Gordanna assemblies seem to combine legislative and judiciary functions. Representatives of the Constituent units of the Sebat Bet and Kestane, respectively, were assembled to agree on the fundamental rules governing their community.

To add one more traditional institution of Ethiopia, there is also another such similar multipurpose institution of *Tiyaten-purin* of Bench society in South nations, nationalities and people's region state is still know more benefiting the society. In Bench society that institution of *Tiyaten-purin* has a greatest place and roles by its conflict resolution mechanism. Because, people thinks that institution is related to the dignity and respect ion of culture.

In similarly, Gada is also the most known political, social and judicial traditional institution widely practiced among the Oromo people. Much is said and written in different sources about the democratic nature of the Gada system. Hamdesa (2000) and Assefa (2005) also have written that it is an effective institutional system to manage any source of conflicts among the Oromo so that harmony, peaceful co-existence and smooth relations would be maintained in the society. As to Hamdesa (2000), there are thirteen steps on the way to the whole process of conflict resolution through the use of the Gada system to finally arrive at reconciliation.

Traditional conflict resolution mechanisms of *Tiyaten-purin* are one of parts of social system which play an important role in the reconciliation, maintenance and improvement of social relationships among Bench society. They are deeply rooted in the customs and traditions of the Bench society. According to that Ethiopia has been using different traditional mechanisms of conflict resolution for centuries. Among those institutions of Gadaa among the Oromo, Joburas of Agnuak and the Shimagelle by the Amhara are among others (Gowok, 2008). Every society has its own traditional way of conflict resolution besides legal settlement of conflict through judicial adjudication.

### **2.3. THE SOURCES /CAUSES OF CONFLICT**

Throughout the history of the study of conflict, whether the aggressive behavior is an inborn human quality or a reaction to social, political and economic factors is where lay the controversy among the scholars (Nader, 1968, Collier, 1975, Tadesse, 1988, 1994). Some scholars have agreed that the causes of conflict are deep rooted in our biology. (Schellernberg, 1996) describes such an approach as individual characteristic theory that focuses on the individual and his acts, rather than the context of the act. This view of conflict has its root in the work of Freud, who believed that violence is rooted in our basic nature as animals. Human conflict is inevitable not because it is part of social life, but for it is a biological fact lying within us all.

Tadesse (1988) further illustrated that a given society or individual persons could be peaceful and/or violent across time and circumstances. It is unable to link material cause with cultural elements, and it leaves no room for consideration of human decision-making. Roberchek (1990) says that the understanding of dispute "requires putting the brute material facts into cultural and social contexts attempting first of all to comprehend how the situation was conceptualized and defined by the people involved". Mayer (2000, 8), for instance, argues that if the causes of conflict are known and understood, a conflict map can be developed, which could guide conflict resolution processes. Understanding the different forces that inform conflict behavior consequently empowers the facilitator or manager with the opportunity to develop a more selectively focused and nuanced approach for dealing with the specific occurrence of conflict.

### **2.4. NATURE OF CONFLICT**

Conflict by its nature is related to individuals and group interactions and is integral part of human life. When people work together to perform their duties, conflicts may arise intentionally or



unintentionally. This is because people differ from one another in their goals, value and attitudes the existence of conflict with in individuals, between individuals and group became unavoidable in any organization (koontz and wehrich, 1988). Conflict in societies has been a common phenomenon for a long period of time. It received different degree of emphasis from social scientists during various periods of history. Thus, the phenomena related to conflict have been deeply studied by philosophers, sociologists, economists, political scientists, anthropologists, and psychologists. Management scholars were interested in studying conflict in organizations in recent times (Rahim, 1986:11). Conflict can occur within and between persons or social units. It can also occur between two or more people or social units. The literature tries to confine itself to conflicts in organizational life -organizational conflict. In most cases, conflicts involve interpersonal conflict and intergroup conflict (Owens, 1998: 230).

## **2.5. TYPES OF CONFLICT**

Conflict occurs when two or more people disagree over different issues/cases of personal, group organizational substance and or experience some emotional antagonism with one another (Wood *et-al*, 2003:597). There are four types of conflict, namely, intrapersonal conflict, interpersonal conflict, intra-group conflict and intergroup conflict (Wood *et- al*, 2003: 59).

### **2.5.1. INTRAPERSONAL CONFLICT**

Intrapersonal conflict is an experience that takes place within the individual; in other words, “me against myself.” As stated by Rahim (1986), intrapersonal conflict occurs when an individual has to choose between alternatives that are opposing and compelling. Intrapersonal conflict arises when individuals are asked to act against their personal ethical standards and moral values. In the midst of intrapersonal conflicts, there are conflicting emotions in viewing an issue or, perhaps, an individual or a group. Therefore, individuals experience feelings of “mixed emotions.

According to Rue and Byars (2009), intra personal conflict is internal to the individual. It is probably the most difficult form of conflict to analyze. It can result when barriers exist between the drive and the goal or when a motive is blocked before the goal is reached, frustration and anxiety can occur. According to Hanson (1996), Intrapersonal conflict is caused by poor person-environment fit, poor time management underestimation or overestimation of skills, and assigned tasks that do not bring much goals, interests, values or abilities, lack of confidence, feeling of powerlessness and the likes (Hanson,1996). The primary sources of intrapersonal conflict as

suggested by Kinard (1988) are; conflicting needs, role ambiguity, incompatibility of organizational and personal values. At the individual level, behavioral scientists have asserted personality as " The dynamic organization within the individual of those needs dispositions that govern his/her unique reactions to the environment " Getzels (cited in Campbell *et al.*, 1983). In other words, individuals with the same formal responsibility in a school organization may perceive these differently because of differences in their personalities.

There are *three basic* types of intrapersonal conflicts as indicated by (Kundu & Tutoo, 1989). These are: *approach-approach* conflict refers to the conflict between positive valences that are equal in strength, *approach-avoidance conflict*, occurs when a person has to deal with a situation which possesses both positive and negative aspects, *avoidance- avoidance conflict*, occurs when each of the competing alternatives possesses negative consequences, intrapersonal conflict exists within an individual him/herself. It arises from conflicting goals and interests, lack of required ability for a particular job, lack of facilities, rules and regulations and when his/ her path is blocked by other people. Such conflicts can cause a person frustration, tension and anxiety (Rashid & Archer, 1983).

In general, the sources of intra-personal conflict are mainly structural; they are situational imposed, and these are mainly characterized in the form of five identified antecedents (sources) of intrapersonal conflicts. Rahim (1986) survey report identifies the major causes of such conflict as: miss assignment and goal inconsistent, inappropriate demand on capacity, organizational structure Supervisory styles, and Position (that is losing of concern and respect). Therefore, there is a close relationship between the different levels of conflict because an individual's own internal (intrapersonal) conflict influences the conflict found among groups.

### **2.5.2. INTERPERSONAL CONFLICT**

Interpersonal conflicts resulting from personality variables such as dislikes, distrust, or prejudice usually hinder group performance (Nzuve, 2007). When interpersonal conflict occurs, people are more concerned with gaining advantage over others than with task performance. Since the value of conflict can be determined by how it is managed, managers should know its sources and consequences so that they can find ways of managing it.

Interpersonal conflict occurs when two or more individuals perceive their attitudes, behavior or preferred goals as being in opposition. Interpersonal conflict is based on some type of role conflict in which a person perceives incompatible messages and pressures from the role senders such as

boss or supervisors (Wood *et al*, 2003: 596). He describe interpersonal conflicts are natural and can actually spur creativity and performance of the participating individuals.

Kinard (1988) identified three primary sources of interpersonal conflict. These are personality difference, power struggles, and Competition. Hence, Interpersonal conflict involves conflict between two or more individuals and is probably the most common and most recognized conflict. It leads to separation and tensions in the relationships between the individuals or persons involved. Interpersonal conflict may eventually spread to other members of the group if it is unresolved. Some of the group members may be drawn into the conflict out of a sense of loyalty to one or the other individuals in the original conflict.

### **2.5.3. INTRA-GROUP CONFLICT**

Intra-group conflict occurs among group members and it involves some clashes among some or all of the group members which often affect the group's processes and effectiveness. Intra-group conflict is also very common in societies and institutions. When people are in one group, which has norms and values, and one finds them incompatible to one's expectations and values a conflict emerges within the group. The performance of the group and teamwork in general may significantly be affected (Wood *et al*. 2003: 567). Members of the same group (department, or two or more subgroups within a group) develop conflict either substantive or affective one, based on intellectual disagreement, or on emotional responses to a situation (Gordon, 1987:475-476).

There are multiple factors which affect intra-group conflict. Among the major factors, leadership style is to be the primary source of this conflict. Group composition and size, Group cohesiveness and group think and external threats and their outcomes are also the sources of intra-group conflict.

### **2.5.4. INTERGROUP CONFLICT**

Intergroup conflict refers to differences and clashes between groups, departments, or divisions within an organization (Hellriegel and Slocum 1982: 662). According to these writers, the causes of intergroup conflicts are: task interdependency, task dependencies, inconsistent performance criteria and reward, intergroup differences, and problems in sharing scarce common resources.

Inter-group conflict may arise in situations where conflicting goals, task dependency, dissimilar work orientations, competition for limited resources, and competitive reward systems exist (Adler, 2008). Once conflict has surfaced, it goes through certain stages, covering a wide range of

behaviors such as accommodating or avoiding it. This brings about change which can occur within and between groups. Some changes have positive effects and others have negative effects.

## **2.6. CONCEPT OF TRADITIONAL CONFLICT RESOLUTION MECHANISMS**

Traditional conflict resolution mechanisms are parts of social system which play an important role in the reconciliation, maintenance and improvement of social relationships (Osei-Hwedie and Rankopo). They are deeply rooted in the customs and traditions of the society referred. Traditional conflict resolution mechanisms are easily accessible. Unlike court system, which may not be easily accessible due to geographical distance, transportation problem and other related factors, traditional conflict resolution mechanisms are nearest to the people. Hence, local communities can easily access them and submit their cases to the concerned local actors of traditional conflict resolution mechanisms. They avoid the unnecessary costs which could be taken in the court proceeding, such as court fee, lawyers fee, costs of transportation, costs for preparation of pleading, payments in relation to witness as allowance, etc. (ibid). Another importance in connection with this fact is that conflicting parties can get solved their dispute without taking longer time which would have otherwise been taken in the court proceeding.

Traditional conflict resolution mechanisms have a vital role for social stability as solutions are given based on the social norms. These mechanisms take into account not only facts but also values involved in the dispute. Hence, when the dispute is resolved conflicting parties will reconcile not only with each other but also with the social value they have deviated. As far as the shortcomings of traditional conflict resolution is concerned, Ebissa (2014) noted that traditional ways of conflict resolution are oral practices and has no documentation, thereby leading to some problems. Besides, they lack enforcement mechanism.

### **2.6.1. GLOBAL OUTLOOKS ON INDIGENOUS CONFLICT RESOLUTION**

Indigenous approaches to conflict resolution vary considerably from society to society, from region to region, from community to community. There are as 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 (Sinha, 2011).

Throughout history, societies across the world have used different forms of indigenous conflict resolution mechanisms specific to their cultural contexts. For instance, at least all disputes in Afghanistan are resolved through indigenous dispute resolution mechanisms, principally by community councils called shuras or jirgas (Dahal and Bhatta. 2008). In their study found that indigenous communities in Cambodia overwhelmingly trust, use and support their customary laws and conflict resolution processes within their communities. The indigenous system is more fair, pro-poor and easier for local people to access than the formal system. There is a lack of interface between the formal and the indigenous legal systems (Sinhala, 2011). Also established that many customary laws are still practiced in all parts of Nepal and influence the habits, norms, social values; rules and institutions build up across time. The process of indigenous conflict resolution is led by locally trusted elderly people who have socially eminent status and authority granted by customs. The authors also found that since courts are overloaded with cases, inaccessible and affordable for the poor and marginalized people, indigenous conflict resolution mechanisms are preferred than courts.

### **2.6.2. AFRICAN PERSPECTIVES ON INDIGENOUS CONFLICT RESOLUTION**

According to, socio-cultural norms and values embedded in indigenous institutions have remained an integral part of every organized society in Africa. Apart from being the powerful human tool for survival, as described by Thomas Hobbes, they bring order which in turn makes the society devoid of any state of lawlessness. In Africa, family ties and community networking are constantly respected, maintained and strengthened (Brock-Utne, 2001).

In their study has confirmed the importance of cultural processes, institutions, and values in conflict resolution and peace building among the Akans of Ghana and the Tswana of Botswana. It is evident that most individuals, families and communities still prefer indigenous conflict resolution processes in the two countries because they are based on cultural concepts, values, and procedures that are understood and accepted. In the same way, other authors such as; also studied indigenous conflict resolution mechanisms of various communities in Africa and noted their roles in conflict resolution. Another study established that the continuing role and influence of

traditional leadership in modern African is hard to miss. Nonetheless, there is no clear-cut formula regarding the interactions between the state and traditional institutions (Ladan, 2013).

### **2.6.3. OVERVIEW OF SELECTED AFRICAN INDIGENOUS CONFLICT RESOLUTION**

The various peoples and ethnic communities the continent Africa exhibit innumerable indigenous conflict resolution approaches. That being the case the following subsections were explore some of these approaches so as to make nuanced discussion on chapter four to this study (Murithi2006).

#### **2.6.3.1. UBUNTU INDIGENOUS CONFLICT RESOLUTION**

According to Zartman (2000), that Africa is a heterogeneous society with diverse African culture, but there remain certain features of African culture such as traditional conflict resolution mechanism that survived the onslaught of colonialism. According to N.dumbe, (2001) traditional system of Africa conflict resolution promotes unity, community mobilization and creates a merry making; exchanging of gifts in the form of peace making. As defined by scholars, *Ubuntu* is an African philosophy of humanity and community (Skelton, 2002); an African cultural world-view (Murithi, 2006); a philosophy of becoming more humane (Swanson, 2008). As Murithi (2006) notes that, *Ubuntu* is the traditional process of ascertaining wrong doing and finding a suitable resolution between family members in relation to the victims and perpetrators, including women and the young persons. The principle of *Ubuntu* implies that we can create a healthy relationships based on the recognition that within the web of humanity, everyone is linked to everyone else. *Ubuntu* principle suggests that a society with sharp divisions and fractured relationships could commit itself to reconciliation towards a harmonious and all-encompassing community (Marcos 2014).

The *Ubuntu* principle process was not forced on the parties; it was a voluntary process, which enabled the parties to discuss their issues and areas of conflict freely. Under the *Ubuntu* principle, the parties were encouraged to be in full charge of their decisions and agreements without any coercive interference by the other parties or the peace facilitators (Hartman, 2000). A person with *Ubuntu* is the one who is open and live peacefully with one another, and does not feel threatened when others achieve success because he or she recognizes that they belong to a greater (whole Tutu 1999).

### **2.6.3.2. GACACAA INDIGENOUS CONFLICT RESOLUTION**

Home-grown traditions derived from the Rwandan socio-cultural fabric need to replace imported, divisive practices. Gacaca is one of them. These institutions are seen as part of what is called „the building of a democratic culture“ that is in essence conceived as being „closer to the consensus-based type of democracy“ (Rwanda 2006). The *Gacaca* courts are Rwanda’s main transitional justice instrument. The word “gacaca” means „justice on the grasses. In fact, the name Gacaca is derived from the word “*umugaca*”, the Kinyarwanda word referring to a plant that is so soft to sit on that people preferred to gather on it. These gatherings were meant to restore order and harmony (Johan, 2002). Gacaca court system as it currently functions in Rwanda are often referred to in terminology and descriptions as if it were identical, or at least similar, to the „traditional“ conflict resolution mechanism known as the *Gacaca*. However, the relation between the „old“ and the „new“ *Gacaca* is not one of identity, and not even one of gradual continuity. There is a difference in kind. An essential change marks the installation of the *Gacaca* courts after the genocide in Rwanda (Antwerp, 2007). During the colonial period, a Western-style legal system was introduced in Rwanda but the Gacaca tradition kept its function as a customary conflict resolution mechanism at the local level. After independence, Gacaca gradually evolved into an institution associated with state power as local authorities were supervising (or taking on the role of) *inyangamugayo* (local judges). The possibility of using the Gacaca emerged in the immediate wake of the genocide, as a United Nations High Commissioner for Human Rights (UNHCHR) report reveals; (UNHCHR 1996). The policy of creating a true post-colonial Rwanda and restoring. Home-grown need post-colonial Rwanda and restoring unity (Johan, 2002).

### **2.6.3.3. MATO OPUT INDIGENOUS CONFLICT RESOLUTION**

The nature and practice of *matooput* as an instrument for conflict resolution and reconciliation among the traditional *Acholi* are based on the *Acholis*’ understanding of conflict as a life-threatening phenomenon (Joseph, W. 2009). Life is to be valued is meaningless. Therefore, *Mato oput* is part of the Acholi culture of repentance, forgiveness, reconciliation and healing after a killing.

(Dennis Pain 1997) identified the process and ceremony Ker Kwaro Acholi 2005). Of *mato oput* as an important component to fostering justice and peace in Acholi land. According to (UNHCR 2019), *Mato oput* is both a process and ritual ceremony to restore relationships between clans in

the case of intentional or accidental killing. While the process is similar across the different clans in *Acholi*, the ceremony itself varies from clan to clan.

*Mato Oput*” literally means, “Drinking *pout*”. *Oput* is a tree common in Acholi, its roots is grinded and used to prepare a bitter drink that is shared at the peak of the ceremony. *Mato oput* aims at re-establishing relationship suspended between two clans as a response to a killing, deliberate or accidental (Chorles villa-vicencio 2004).The *Mato Opu* tritual the communal drinking of a concoction of a bitter local brew by former antagonists provides a ritualized form of reconciliation. This traditional justice ritual reflects a cultural understanding of justice that sees social pardon as better addressing the requirement of reconciliation than punishment meted out within legal structures (Baney Afako, 2002).According to (Latigo,O. J. 2008).Traditionally, *Mato Oput* can only take place where a person (a) from clan (A) went on to kill a person (b) from clan (B) with direct means; such a killing warrants the performance of *Mato Oput* which may reconcile and restore the previously broken relation caused by evil (killing). The traditional justice mechanism of *mato oput* cannot adequately deals with issues of accountability for all the crimes committed in northern Uganda. For example, the process is designed and intended to deal with the crime of murder and manslaughter only and not conceptualized as a method of dealing with systematic crimes of forced marriages, and other sexual offences, abductions, use of child soldiers, mutilation, pillage, looting, destruction of property and massacres among others (Lomo 2005).

#### **2.6.3.4. SUMMARY ON AFRICAN OF SELECTED INDIGENOUS CONFLICT RESOLUTION**

Indigenous conflict resolution mechanisms in Africa are generally closely bound with sociopolitical and economic realities of the lifestyles of the communities. These mechanisms are rooted in the culture and history of the African people, and are in one way or another unique to each community. The customary courts rely on goodwill of the society to adhere to its ruling (Rabar and Karimi, 2004).The *Africa Peace and Conflict Journal* assess the merits of this claim in this thematic issue dedicated to indigenous systems of peace in Africa. The contributors to this special issue explore the potentially innovative role that indigenous institutions of peacemaking and governance are playing currently in the promotion of more stable societies in Africa Africa peace and conflict (Tumani M 2009).

The Gacaca courts in Rwanda, the Magamba spirits in central Mozambique, the *Mato Oput* rituals among the Acholi in northern Uganda, the Ngele Gbaariteamong the Kpaa Mende in Sierra Leone,



and the Obushingatahe institution in Burundi are among traditional reconciliation mechanisms which have been advocated, and to some degree, embraced by affected communities in the aftermath of violent conflict (Huysse & Salter, 2008). Given the intricacies which have almost always characterized civil wars in most African societies, these types of transitional justice mechanisms have thus emerged as ways-out to best serve the interests of a post-conflict scenario .

## **2.7. INDIGENOUS CONFLICT RESOLUTION INSTITUTIONS IN ETHIOPIA**

Ethiopia is believed to be the “museum of peoples” with more than 80 ethnic groups constituting and forming one nation state. It is a country of diversity harboring varieties of languages, different religions and faiths as well as quite many nations and nationalities with their own philosophical perspectives and unique cultural practices. History also tells us that Ethiopia is as ancient as 3000 years back. It is, therefore, definitely true that it had experienced strong and cohesive systems of administration with its world top leading civilization, namely Axumite civilization. Indeed, every Ethiopian ethnic groups as their African counterparts have traditionally age-old and time-tested administrative and conflict resolution institutions at the grass root levels. In fact, exhaustive and thorough studies about these institutions are not bulky enough and so are limited literatures in this area. Be this as it may, however, there are some literatures on only few cases elaborating the importance and strength of these multipurpose institutions. For instance, Bahru Zewde (2002) has written about the traditional political and judicial institutions in Garage.

### **2.7.1. GADAA INDIGENOUS CONFLICT RESOLUTION**

The *Gadaas* system is explained and potential interface between this institution and the statutory method of conflict resolution is discussed. There are divergent views among scholars on the functions of *Gadaa* institutions (Abdurrahman and Dejene 2002). As Legesse (2000) stated, the *Gadaa* assumes military, economic, political and ritual responsibilities in the leadership of the Oromo society. According to (2003 Tache and Irwin), that *Gadaa* is more in line with the first assessment, although recent weakening of the institution, particularly post 1974, means that change in the influence of the *Gadaa* may increasingly be leading to its “playing a more ritualistic function. Oromo public life was administered through the *Gadaa* system.

To deal with *Gadaa* as a system is to see it as an arrangement of interacting parts. Understanding any one part requires relating it to the whole, i.e., knowing how the overall system is fitted together (Warner, M. 2000). *Gadaa parties (gogessa); Gogessa* can be likened to different political parties of a society and the society is divided into five *gogessas*; namely; Birmaji, Horata, *Bichile and Duuloo*. *Gadaa* history came to organize Oromo social life around a series of generation grades which assign obligations as well as rights to all the males in the society. The grades were also periods of initiation and training as well as periods of work and performance (*Gumii Bilisummaa Oromiyaa*, 2000).

The roles and rules attached to the age-grade system is the most important element that regulates the *Gadaa* system. Every Oromo of specific age-grade is expected to perform a certain function according to specified rules and regulations. The number of age-grades is cited differently in different literatures. For example, *Gumii Bilisummaa Oromiyaa* (2000) reports five *gogessas* in the whole cycle of *Gadaa* system whereas in Constantine's Workneh (2001) six *gogessas* are recognized, regardless of the stages following *Luba*. All male members of the society who are of age and of *Gadaa* grade are allowed to elect and to be elected. The *Gadaa* leaders are elected on the basis of wisdom, bravery, health and physical fitness (Workneh, 2001). There was a check and balance mechanism built into the *Gadaa* system by which *siiqqee* institutionalized and women formed parallel organizations of their own identical with men Megerssa (1993).

### **2.7.2. SHIMAGELE INDIGENOUS CONFLICT RESOLUTION**

The word *Shimagele* is Amharic which means is elders/old men or mediators and Shimgelena is also an institution for which all the communities or groups gave recognition. Therefore, the institution is organized as a means to find solutions for conflict and conflict related issues. In this regard, the institution deals with all kinds of conflicts that happened in any ceremony, conflict over the violations of agreement, murder and revenge, adultery, abduction, alcoholism, and Family related conflicts (Anetse Gebreyohannes2019). Shimgelena would often meet to conduct conflict resolution processes under a tree yard or an open place around a church where people meet to deal with their differences through peaceful means. Thus, as a place of gathering each Shimgelena institution has its own place and it is believed that the place is a place where truth is spoken and differences are settled among the people Dereje Feyissa (2003).

According to (Anetse Gebreyohannes2019), Shimgelena is an indigenous conflict resolution system, that it has its own features. Its characteristic feature is that the hierarchies of power are different from one institution to other. This system of conflict resolution has structured in to three hierarchical powers. These are the Shimgelena at neighbor's level (at the bottom), the Shimgelena at family level (in the middle) and Shimgelena at community or kebele level (the highest).

Shimagele usually take in to consideration issues of relying on the truth. Based on the values of the community, they then make judgment which will have the power to bring peace, happiness and unity among all the conflicting parties. The criterion to select a person for Shimgelena is the ability, ethical conduct, acceptance within society and knowledge that a person has regarding the Shimgelena as a conflict resolution mechanism. The Shimgelena conflict resolution mechanism primarily focuses on providing conflict resolution services to local communities based on long term and sustainable outcomes (Assefa Abebe 2005).

### **2.7.3. YEJOKA INDIGENOUS CONFLICT RESOLUTION**

The term *jokais* constituted of two words *j*, means hand *Oka* means buried. It refers to the judicial court and the sacred area. Half fallen giant tree resembles the person bending arm upright touching the ground by the elbow. It serves as the venue of assembly (Daniel Mekonen 2016).

According to (Worku, 2005) *joke*'s a place where knowledgeable Gurage elders meet and pass decision, amend customary law/ *k''it''a*. Sometimes the traditional law is known as *Sera* which organize social life establish and maintain peace and order. Hence the system that governed Sebat bet Gurage is called *jokak''it''a* and it is well accepted by them irrespective of social or economic status (Wondwosen Tilahun, (2015).

In the Gurage custom conflict resolution, each session begins with utterance of blessing and good wishes. The opponents and elders attending the *Yejoka* gobegin with blessing before they present their issue to the council (Shack, 1966).Village elders adjudicate the conflicting cases and the Tribal, social and economic cases are brought to bet Gurage *shengo*. In this case tribal and clan leaders and religious leaders are involved to settle the conflicting case. *Jokango* is the biggest council of elders to settle more serious and complex cases. Intertribal cases are also solved in this high court of Sebat Bet Gurage. It also serves as appeal court for the lower level customary courts Yewondwossen Awlachev (2005).

#### **2.7.4. SUMMARY ON ETHIOPIAN INDIGENOUS CONFLICT RESOLUTION MECHANISMS**

Ethiopia is believed to be the “museum of peoples” with more than 80 ethnic groups constituting and forming one nation state Bahru Zewde (2002). It is a country of diversity harboring varieties of languages, different religions and faiths as well as quite many nations and nationalities with their own philosophical perspectives and unique cultural practices. History also tells us that Ethiopia is as ancient as 3000 years back. It is, therefore, definitely true that it had experienced strong and cohesive systems of administration with its world top leading civilization, namely Axumite civilization. Indeed, every Ethiopian ethnic groups as their African counterparts have traditionally age-old and time-tested administrative and conflict resolution institutions at the grass root levels. In fact, exhaustive and thorough studies about these institutions are not bulky enough and so are limited literatures in this area. Be this as it may, however, there are some literatures on only few cases elaborating the importance and strength of these multipurpose institutions (Bahru Zewde 2002).

### **2.8. THEORETICAL FRAMEWORK OF CONFLICTS**

In my study I have tried to use different theories which related to my research title of indigenous conflict resolution mechanisms. According to the theorists that different methods they used has help me to compare and contrast my study and it is related with different human needs, relatives, structures and methods that they used to resolve disagreements which may happened among societies due to social, political and social views. Concerning this views, so many scholar/authors are participated in their own different research studies. Therefore I have used their ideas, methods and concepts as support or reference.

#### **2.8.1. THE HUMAN NEED THEORY**

The concept of "Needs" will be used in this section to refer to important requirements for survival and satisfaction. Maslow (1970) argues that there exists in people a wide range of needs which determine behavior and motivation. In his Hierarchy of Needs Theory, he postulates that people have physical needs such as a need for shelter and food People, he also states, have needs for security, for love, for recognition, for esteem and fulfillment. The theory of needs as driving forces for human action has been advanced by other scholars, such as Adair (1985), Jones and Jones (1985) and Burton (1987 and 1990). Jones and Jones (1985:66), for example, maintain that failure

to satisfy the needs mentioned above, results in frustration, withdrawal, and a persistence to fulfill them even in socially unacceptable ways. They postulate that when children feel that their sense of belonging is threatened, they are likely to withdraw and seek attention through unproductive means. Jones and Jones, further, argue that a need like self-esteem is met out of the satisfaction of other needs, such as recognition, security, love and competence. When these needs are not realized, either in the family or in the school, children strive to acquire significance, competence and power by methods which adults disapprove of. The view that human needs play a vital role in influencing behavior has been emphasized by Druikers (1972: 34-41). Druikers argues that there are subconscious goals that motivate misbehavior. Such misbehavior as attention seeking, power and revenge is seen by Druikers as an indication of needs for belonging, security or warmth which an individual finds problems in satisfying in ethically approved ways.

The human needs theory thus emphasizes that conflict is a product of unsatisfied human needs. Burton sums up this theory succinctly, as follows: Conflict is not over objective differences of interest that involve scarcity. It is over fundamental values of security and identity (Burton, 1987:136, 139) Burton (1987:139) goes on to say that there are universal ontological needs that must be satisfied in the sense that individuals will be disruptive if they are frustrated in their pursuit. It seems clear that needs for belonging, identity, esteem and fulfillment characterize human beings. It is also obvious that failure to meet these can generate many problems and frustrations. What seems lacking in this theory is the point that the awareness, frustration and tolerance thresholds of individuals is a factor in determining the eruption or otherwise of conflict. This theory is related with human needs so, that needs of conflict is the same in many study areas of Bench society.

Although there are conflicts over subsistence, most conflicts have to do with other unmet human needs, such as protection, identity, recognition, participation and understanding. Only by giving more importance to these latter needs, truly recognizing them as human needs essential to the wellbeing of all human being, will we be able to address current and intractable conflicts. Our confused view of human needs as subsistence needs only is also in part due to the alienation of “needs” we have created in our society. Needs are often associated with weakness, and someone who needs is considered weak and fragile. This also further impedes the inclusion of needs approaches in conflict transformation and peace processes. (*Gert, 2005*).

### **2.8.2. RELATIVE- DEPRIVATION THEORIES**

Relative deprivation theory refers to the idea that feelings of deprivation and discontent are related to a desired point of reference (i.e. reference groups). Feelings of relative deprivation arise when desires become legitimate expectations and those desires are blocked by society. Social satisfaction is the opposite of relative deprivation. Relative deprivation is generally considered to be the central variable in the explanation of social movements and is used to explain the quest for social change that inspires social movements; social movements emerge from collective feelings of relative deprivation (Morrison, 1971).

Relative deprivation theory is applied to socio-political, economic, and organizational problems. For example; relative deprivation theory is used to analyze the organizational issues of pay satisfaction and sex-based pay inequities. Relative deprivation theory focuses on feelings and actions. For example, the theory encourages the exploration of an individual's feelings of deprivation that may result from comparing his or her situation with that of a referent person or group as well as the behavioral effects of deprivation feelings. Relative deprivation theory distinguishes between egoistic deprivation and fraternal deprivation. (Singer, 1992).

Relative deprivation theory has influenced the development of numerous fields in the social sciences including psychology, economics, and sociology. For example, the theory of relative deprivation has influenced psychological theory. In particular, relative deprivation theory is the foundation of multiple theories of social psychology including frustration aggression theory, equity theory, social comparison theory, and reference group theory. The concept of relative deprivation and its measurement is used in the field of economics (Walter B & D' Ambrosio, 2007). According to this theory, the greater "the average degree" of perceived discrepancy between value expectation and value capabilities the relative deprivation the greater the intensity and scope of relative deprivation. The greater the intensity and scope of relative deprivation among members of some collectivity, the greater the potential for collective violence. Consequently, the source of conflict is understood as the intolerable gap between anticipated reality and the manifest reality of life conditions which serves as precondition for widespread unrest (Jewong 2000).

### **2.8.3. FRUSTRATION-AGGRESSION THEORY**

There are many areas where aggression manifests in our society today, such as domestic violence, abuse, school bullying, road-rage, and war. Many social scientists look to theories to explain this

phenomenon. Amongst the many different explanations, some say frustration, which is defined as the blocking of ongoing goal-directed behavior, often leads to aggression (1994). Two main paradigms, Dollard's Frustration-Aggression Theory and Berkowitz's Cognitive Neo association Model, both illustrate how one may become aggressive through frustration. Both models have been changed and challenged; however, evidence suggests there are four mediating factors which influences frustration, nonetheless can often be the antecedent to aggression (Baron, & Richardson, 1994). The four mediating factors are, Magnitude of Frustration, Aggressive Cues, Arbitrariness of Frustration, and Cognitive and Emotional Processes. I will be focusing on specific literature that illustrates the four social mediating factors of frustration, how they may lead to aggressive behaviors, and then applying them to real world situations.

#### **2.8.4. THE INTERACTION - FRUSTRATION THEORY**

The Interaction Theory of conflict argues that the seeds of conflict lie in the process of interaction between parties. Opposing values, perceptions, attitudes and behavioral dispositions of parties are some of the factors that can cause people to come into conflict. To clarify the interaction Theory of conflict further, reference is made to the views of Gordon (1974), Cronk (1987) and Pollard (1986) on this subject. Zimhardo (1969:251) aptly captures possible problem arising out of this dilemma. According to him, when individuals are confronted with alienating factors which do not foster personal identity, they can undergo a process of de-individuation. This behavior is emotional and impulsive and renders a person susceptible to conflict.

#### **2.8.5. THE STRUCTURAL THEORY OF CONFLICT**

The structural theory of conflict accepts the contention that conflict can be part of social interaction. Social interaction can either display co-operation, or competition and tension. In connection with the element of tension which may be present in social interaction, Mastenbroek (1987: 12-18) points out that in a network of relationships in organizations, there is a tension balance between interdependency of members and a desire for autonomy. He observes that there is a conflict between consensus of ideas of a group and preferences for one's own autonomy and viewpoints, between co-operation and competition for instance. In brief, the very existence of relationships and organizational structures holds a potential for conflict.

Members are expected to integrate their efforts into a cohesive whole, directed towards organizational goals. The problem arises because of the difficulty in absolutely reconciling

individual and organizational goals and philosophies. Callahan and Fleenor (1988:201-202) suggest that a high level of bureaucracy, certain types of personalities, status and desire for personal gains contribute to conflict in an organizational structure. They state that a high level of bureaucracy may lead to frustration and a search for informal ways of completing tasks. The resultant role breaking may lead to conflict with those who enforce the chain of command. Rousseau (1991) argues that talking about a problem helps children check their interpretation of the instructions or problems. It demonstrates how one instruction has many interpretations; hence talking about the instruction and the problems improves understanding.

Transactional analysis argues that people interact with each other from one of three ego states. These ego states are called *parent*, *adult* and *child*. According to Davis and Newstrom (1989:260), the parent ego state is protective, controlling, nurturing, critical and instructive. The adult ego state tends to be rational, factual and unemotional, while the child ego state is dependent, creative, spontaneous and rebellious. According to Davis and Newstrom (1989:267) and Dressier (1985:237-329), transactions may be parallel, crossed or complimentary. Complementary transactions occur when the ego state of one party, for example the sender of the message, complements that of the other. On the other hand, statements made by one party may not connect or link with the appropriate ego state of the other party. This would result in a crossed transaction. When this happens, communication is blocked and conflict often follows. One the other perspective on explaining structural conflict, from the communication point of view, is offered by Makin, Cooper and Cox (1989:29). Their view is a development of transactional analysis and concentrates on the existential positions from which people operate.

According to Makin et al (1989), the structural theory of conflict focuses on bureaucracy, divergent personalities and communication, as contributing to conflict, many other structural variables may precipitate conflict.

#### **2.8.6. THE MEDICAL AND FRICTION THEORY OF CONFLICT**

The medical model of conflict views conflict as a cancerous growth within an otherwise healthy society (Swindle, 1976). While the presence of conflict may be symptomatic of problems to be attended to in an organization or society, it does not necessarily mean that the organization or society is sick. The medical view pre-supposes one way of solving conflict, namely removing it. It does not accept it as part of an organization. The friction model postulates that conflict is inevitable in social interaction (Milton, 1981; Swindle, 1976). The friction model further argues



that conflict is part of a healthy, changing and growing society. This view maintains that communities are dynamic and act of their own volition. The dynamism of a society is, in other words, seen to hold potential for conflict.

### **2.8.7. THE CONSPIRACY THEORY OF CONFLICT**

This theory asserts that conflict is caused by outsiders (conspirators). Hartley (1988: 81), in discussing perceived causes of conflict in Kwazulu and Natal, states that one of the explanations "According to James D. Fearon and David D. Laitin ethnic identities are socially constructed" might mean, we develop two ways to construe the claim that processes of constructing identities help to explain ethnic violence. If individuals are viewed as the agents who construct ethnic identities, then constructivist explanations for ethnic violence tend to merge with rationalist, strategic analyses, particularly those that emphasize elite manipulation of mass publics but also those that see violence stemming from ethnic interactions "on the ground." Violence has the effect, intended by the elites, of constructing group identities in more antagonistic and rigid ways. These newly constructed (or reconstructed) ethnic identities serve to increase support for the elites who provoked the violence while favoring the continuation or escalation of violence. Ethnic violence arises out of the policing efforts of those who are unhappy with assimilation or by marginal members of a group who want to gain status with those whose membership is not in doubt. Constructivist approach has been successful in discrediting primordialist explanations. Its present mission, we suggest, ought to be more rigorous testing of the three constructivist approaches shown as plausible in the books under review—those based on discursive logics, those based on the strategic actions of elites, and those based on the strategic actions of the masses of thinking, talking, and acting. In this approach, some or all discourses of ethnicity create a disposition to violence.

Social identity theory postulates that individuals seek positive social identity and positive self-concepts based on their group memberships. It states that groups try to achieve positive distinctiveness for themselves in order to protect and maintain their self-esteem as group members (Stephenson, 1981:20). According to this explanation, inter-group conflict does not require a clash of values or interests; it may be motivated by a concern for identity. The social identity theory, therefore, argues that in-group versus out-group identification can cause competitive inter-group differentiation, even in the absence of conflict. Such differentiation can graduate into conflict. It

would seem that while identity fosters security, it may also cause an apparently insatiable need for domination. This seems problematic, particularly where identity, affiliation or even nationalism is based on unquestioned solidarity. It would seem that the underlying reason for conflict from the perspective of this theory centers on the need to ensure security. Group identity appears to offer such security, while the other group poses as a threat.

This theory asserts that group membership creates self-categorization and enhancement in ways that favor the in-group at the expense of out-group. Turner and Tajfel (1986) showed that the mere act of individuals categorizing themselves as group members was sufficient to lead them to display in-group favoritism. After being categorized of a group membership, individuals seek to achieve positive self-esteem by positively differentiating their in-group from a comparison out-group on some valued dimension. Social identity theory has a considerable impact on social psychology. It is tested in a wide range of fields and settings and includes prejudice and stereotyping. Constructivist work is that people often believe, mistakenly, that certain social categories are natural, inevitable, and unchanging facts about the social world. They believe that particular social categories are fixed by human nature rather than by social convention and practice.

In the researcher's view the implication of this theory is that the society in question is free from conflict or variables which, at one stage or another, can trigger conflict. One issue which this theory does not address is how it happens that 'outsiders or conspirators' are successful in triggering conflict in one society and not in others. Why do they choose a particular society? Finally, this theory does not only assume that the particular society is not prone to conflict, it also assumes that it is highly susceptible to influence. While this theory also attempts to explain how conflict occurs, it denies the possibility that a particular society may even, with or without outside influence, be vulnerable to conflicts. Further, it implies that the particular society would be susceptible to outside influence when it has no reason to engage in conflicts. Finally it undermines the maturity and judgment of people who, it claims,-would be influenced in the way suggested.

#### **2.8.8. IDENTITY THEORY AS A BASIS OF CONFLICT**

Social identity theory was developed by Tajfel and Turner in (1979). The theory was originally developed to understand the psychological basis of intergroup discrimination. Tajfel et al (1986) attempted to identify the minimal condition that would members of one group to discriminate in favor of the in group to which they belong and against another out group. In social identity Theory person has not one personal self, but rather several selves that correspond to widening circles of

group membership. Different social contexts may trigger an individual to think feel and act on basis of his personal, family or national level of self (Turner et al, 1982). A part from the level of self an individual has a number of multiple social identities. Social identity is the individual self-concept derived from perceived membership of social groups (Hogg and Vaughan, 2002). This can be distinguished from the level of personal identity which refers to self-knowledge that derives from individual unique attribute.

According to James D. Fearon and David D, (1996) Laitin ethnic identities are socially constructed’’ might mean, we develop two ways to construe the claim that processes of constructing identities help to explain ethnic violence. If individuals are viewed as the agents who construct ethnic identities, then constructivist explanations for ethnic violence tend to merge with rationalist, strategic analyses, particularly those that emphasize elite manipulation of mass publics but also those that see violence stemming from ethnic interactions “‘on the ground.” Violence has the effect, intended by the elites, of constructing group identities in more antagonistic and rigid ways. These newly constructed (or reconstructed) ethnic identities serve to increase support for the elites who provoked the violence while favoring the continuation or escalation of violence. Ethnic violence arises out of the policing efforts of those who are unhappy with assimilation or by marginal members of a group who want to gain status with those whose membership is not in doubt. Constructivist approach has been successful in discrediting primordialist explanations. Its present mission, we suggest, ought to be more rigorous testing of the three constructivist approaches shown as plausible in the books under review—those based on discursive logics, those based on the strategic actions of elites, and those based on the strategic actions of the masses of thinking, talking, and acting. In this approach, some or all discourses of ethnicity create a disposition to violence.

Social identity theory postulates that individuals seek positive social identity and positive self-concepts based on their group memberships. It states that groups try to achieve positive distinctiveness for themselves in order to protect and maintain their self-esteem as group members (Stephenson, 1981:20). According to this explanation, inter-group conflict does not require a clash of values or interests; it may be motivated by a concern for identity. The social identity theory, therefore, argues that in-group versus out-group identification can cause competitive inter-group differentiation, even in the absence of conflict. Such differentiation can graduate into conflict. It would seem that while identity fosters security, it may also cause an apparently insatiable need for

domination. This seems problematic, particularly where identity, affiliation or even nationalism is based on unquestioned solidarity. It would seem that the underlying reason for conflict from the perspective of this theory centers on the need to ensure security. Group identity appears to offer such security, while the other group poses as a threat.

This theory asserts that group membership creates self-categorization and enhancement in ways that favor the in-group at the expense of out-group. Turner and Tajfel (1986) showed that the mere act of individuals categorizing themselves as group members was sufficient to lead them to display in-group favoritism. After being categorized of a group membership, individuals seek to achieve positive self-esteem by positively differentiating their in-group from a comparison out-group on some valued dimension. Social identity theory has a considerable impact on social psychology. It is tested in a wide range of fields and settings and includes prejudice and stereotyping. Constructivist work is that people often believe, mistakenly, that certain social categories are natural, inevitable, and unchanging facts about the social world. They believe that particular social categories are fixed by human nature rather than by social convention and practice.

## **2.9. THE OVERVIEW OF TECHNIQUES OF THE CONFLICT RESOLUTION**

Methods and Techniques of Conflict Resolution The aim of conflict resolution is not the elimination of conflicts, which is both impossible and undesirable, rather the aim and primary objective of conflict resolution is to transform actual or potentially violent situation into peaceful process. For social transformation and political change there are various methods, but it is not easy task to mention all of them, rather certain distinguished methods are going to be discussed by (Hilal,2011 ) as follow :

### **2.9.1. NEGOTIATION**

Negotiation is a discussion of two or more people with the goal of reaching an agreement. The first strategy that people can use during conflict is negotiation. Negotiation is an integral part of every human activity. More important for limitation of conflict is process of negotiation. The term negotiation could be taken to mean all the interactions, strategies and face to face efforts to argue with and modify the position of an adversary.

### **2.9.2. MEDIATION**

Mediation is a voluntary and confidential is another method for handling conflict and is becoming an increasing popular term in the discussion of conflict resolution. Fulberg and Taylor define term Mediation, as the process by which participants come together then with the assistance of a neutral person or persons, systematically isolate disputed issues in order to develop options, consider alternatives and reach consensual settlement that will accommodate their needs.

### **2.9.3. ARBITRATION**

Arbitration is another method often mentioned process in handling conflict. Goldberg describes arbitration as often voluntary, final and binding. Arbitration in other words means settlement of dispute by the award of a tribunal which gives effect to existing laws and which binds the parties.

### **2.9.4. ADJUDICATION**

Adjudication is the process with which most people are familiar; many litigants use the courts in an effort to resolve disputes and conflicts between conflicted parties.

### **2.9.5. BARGAINING**

Bargaining is also a method of conflict resolution. Bargaining is a kind of dialogue which allows each party to put forward its demands. Demands can be ascertained by arguments over the merits and demerits of each party. Each side seeks to explore and exploit the values of the other side. Similarly, bargaining gives one the chance to get the opponents view point. It is an occasion to see the other side of conflict. If there is a reason (or merit) in the opponents claim, bargaining will reveal it. It helps to arrive at just and mutually satisfactory ends i.e. collective security

## **2.10. CONFLICT MANAGEMENT MODES**

In this section, various conflict management modes identified by Consulting Psychologists Press such as competing, avoiding, accommodating, compromising, and collaborating were discussed. All people can benefit, both personally and professionally, from learning conflict management skills. Typically, according to Consulting Psychologists Press (CPP) Thomas-Kilmann Conflict Mode Instrument (TKI) is a widely used assessment for determining conflict modes. These are: competing, avoiding, accommodating, compromising, and collaborating. Each of these modes can be characterized by two scales: assertiveness and cooperation.

### **2.10.1. COMPETING**

The competing conflict managing mode is high assertive and low cooperation. Times when the competing mode is appropriate are when quick actions need to be taken, when unpopular decisions need to be made, when vital issues must be handled, or when one is protecting self-interest. The followings are some of the competing skills:-Arguing or debating, using rank or influence, standing your ground, stating your position clearly, asserting your opinion and feeling.

### **2.10.2. AVOIDING**

The avoiding mode of conflict management is low assertive and low cooperation. Many times people will avoid conflict out of fear of engaging in a conflict or because they do not have confidence in their conflict management skill. Times when the avoiding mode of conflict management is appropriate are when you have issues of low importance, to reduce tension, when you are in a position of lower power. The followings are some of the avoiding skills:-Ability to withdraw, ability to side step issues, ability to leave things unresolved and sense of timing.

### **2.10.3. ACCOMMODATING**

The accommodating mode of conflict management is low assertiveness and high cooperation. Time when the accommodating mode is appropriate is to show reasonableness, develop performance, create good will or keep peace. Some people use the accommodating mode when the issue or outcome is of low importance to them. The accommodating mode can be problematic when one uses the mode to “keep a tally “or to be martyr. The followings are some of the accommodating skills: - forgetting desires, selflessness, ability to yield and obeying order.

### **2.10.4. COMPROMISING**

The compromising mode of conflict managing conflict is moderate assertiveness and moderate cooperation. Some people define compromise as “giving up more than you want”, while others see compromise as both parties winning. Times when the compromising mode is appropriate are when you are dealing with issues of moderate importance, when you have equal power statues, or when you have a strong commitment for resolution. Compromising mode can also be used as a temporary solution when there are time constraints. The followings are some of the compromising skills:-Negotiating, finding a middle ground, assessing value, making concessions.

### **2.10.5. COLLABORATING**

The collaborating mode is high assertiveness and high cooperation. Collaboration has been described as “putting an idea on top of in order to achieve the best solution to conflict. The best solution can be defined as a creative solution to the conflict that would not have been generated by single individual. With such a positive outcome for collaboration, some people will profess that the collaboration mode is always the best mode to use. However, collaborating mode takes a great deal of time and energy. Therefore, the collaborating mode should be used when the conflict warrants the time and energy. Times when the collaborating mode is appropriate are when the conflict is important to the people who are constructing an integrative solution, when the issue are too important to compromise, when merging perspectives, when gaining commitment, when improving relationships, or when learning. The followings are some of the collaborating skills: active listening, nonthreatening confrontation, identifying concerns and analyzing inputs.

### **2.11. IDENTIFIED GAPS**

There is very limited knowledge among scholars and there is not adequate literature or research about the role of indigenous conflict resolution in the south west Ethiopia in general and the Bench people of the southwest in particular. In addition to this it is needs some modification or rejects backward habit is necessary for new generation to follow or used this Tyitenpuren indigenous conflict resolving mechanism.

## CHAPTER THREE

### 3. RESEARCH METHODOLOGY

#### 3.1. DESCRIPTION OF THE STUDY AREA

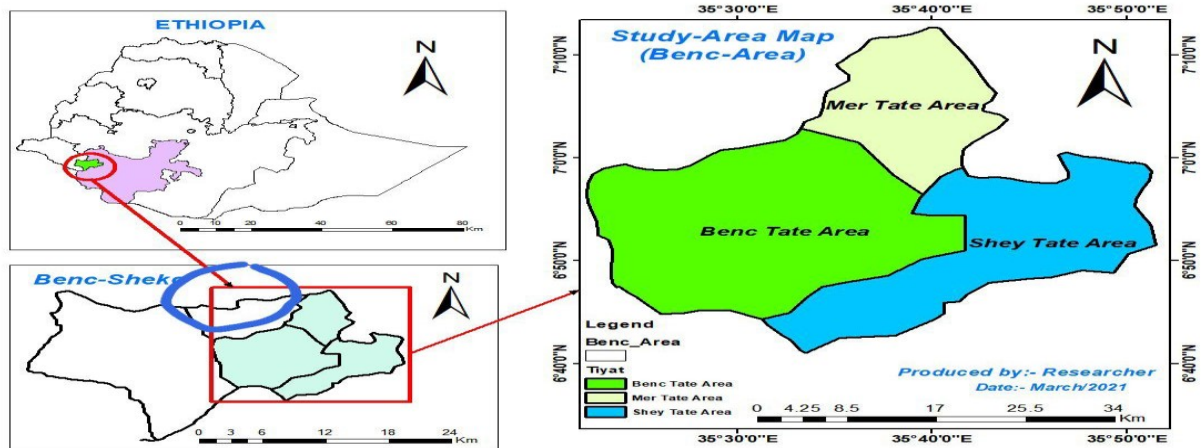
The Scope of this study is the Bench -Sheko Zone, which is one among the form Southern Nations, Nationalities and People Regions States (SNNPRS) currently known as South-West people Regional States (SWPRS). Bench -Sheko Zone has a total population of 651,531 with an area of 19,252 square kilometers (CSA, 2007). With regard to administrative decentralization the Bench-Sheko Zone has six Woredas with different ethnic groups namely Bench (45.11%), Me'ent (21.36%), Amhara (8.23%), Kaffa (6.55%), Dizi (5.17%), Sheko (4.21%), Surima (3.38%) and others.

Bench -Sheko zone is bordered by South Sudan on southwest west, by Gambella on the northwest, by Sheka on the north, by Keffa on the north east and by Debub Omo on east. The capital town of Bench-Sheko is Mizan – Aman and it located 565km from Addis Ababa. The Bench people predominantly dwell within *Debub Bench*, *Semen Bench*, *Shey Bench*, and Gidi Bench and around the Mizan-Aman town administration.

The total population of Bench is about 565,137. Bench people is one among the more than eighty NNP and people of Ethiopia. Bench language is classified under omotic language families and known as *Bench-non/Gah*. The Bench territory consists of highland and lowland areas and their socio-economic activities are depends on agriculture (coffee, maize, sorghum, cassava, teff), rear cattle (cow, goat, sheep, horse, etc.).

In addition to that, most Bench people was worship with traditional religion/*kah* and today most of them are protestant. Currently their administrative structure in rural area is mostly indigenous system based and reversely of urban areas are dominated by modern structure.





**Figure 1: Map of Bench -Sheko zone**

### **3.2. RESEARCH DESIGN AND APPROACH**

The research design has been employed a cross-sectional descriptive survey design to exhibit the current status of traditional conflict management practice and its resolution strategies between Bench societies. This design has been used, because it is believed to describe the facts and views related to conflict management practices and its resolution strategies among Bench people in the study area.

In general, in any research there are two types of research approaches: qualitative and quantitative. However, in this study, researcher has use totally *qualitative research approach*. Why Qualitative Method for this study? According to (Straus and Corbin 1998), qualitative methodology is a typical research approach which enables to come up with data that cannot easily produced by statistical procedures or other means of quantification. It is also the means for exploring and understanding the meanings of individuals or groups ascribe to social or human problems (Creswell 2009).

Moreover, qualitative research is preferred to collect data about human life realities, experiences, behavior, emotion and feeling, organizational function, social movement, cultural phenomena and their interaction with nature (Straus and Corbin 1998). But, quantitative approach focuses on generating statistical and measurable facts. The issues, researcher focused by this research i.e. to assess the role of *Tyitenpuren* indigenou institutions in handling/ settling conflicts in the study area. To do so, as shown explicitly above, it is the qualitative approach that helped most. Because, the reason that researcher like to choose qualitative method is to find real or tangible information and to present good and quality research based on the study title.

### **3.3. TYPES AND SOURCES OF DATA**

The researcher utilized both primary and secondary sources. As to the primary data, information has been collected Sample from Bench higher tribe, Local elders, religious leaders and disputes. While secondary data were collected from Bench-Sheko-zone court officials (judges), youth, local authorities (local administrators), Bench-Sheko Zone cultural and truism office. In order to generate adequate data has supported by (Key Informant Interview /KII and Focus Group Discussion /FGD). As to the Secondary data, information has been gathered from published and unpublished materials such as books, magazines, Bench-Sheko zone FM Radio station, in North-Bench and South Bench cultural and tourism office journals and unpublished reports from selected study sites, government and nongovernmental organizations and crosscheck information. The secondary source of data for this study has records of conflict management practices and resolution strategies from selected woreda of Bench-Sheko Zone.

### **3.4. SAMPLE SIZE & SAMPLING TECHNIQUES**

There are different types of sampling techniques, This study my selected sampling techniques are depend on cluster sampling, purposive sampling and random sampling techniques. The researcher chose these sampling techniques for this study because those technics are good for me to find the information in the study area and it relevant to the topic of the study.

### **3.5. TARGET POPULATION**

The study populations for this research were selected from three woreda namely Semen Bench, Debub Bench, and Shei Bench woreda. The total population of the study area includes in Semen Bench woreda male 67, 892, female 70664, total 138,556; in Debub Bench woreda male 53,149 female 55,150 total 108,299 and in Shei Bench woreda male 56,541, female 61,741 total 118,282. From these three selected woreda, the target population was taken from selected two Kebeles out of six (6) Kebeles from the three woreda of Bench-Sheko Zone. In terms of respondents 30 of 12(40%) of Bench higher tribe leaders, 15 of 6(40%) of *Tiyaten leaders* were selected purposively for key informant interview due to their deep knowledge on indigenous conflicts resolutions mechanisms within the Bench communities. Additionally some of these cluster selected key informants used to serve 60 of 24(40%) are still serving as village conflict adjudicators (dod-erg) and other 30 of 12(40%) key informants serve in zone cultural and tourism office were conduct

FGD because they have knowledgeable in Bench culture, Norm and values and especially zone cultural and tourism office were worked on culture and Norms of Bench people, which have given relevant information about the conflicts resolutions mechanisms of Bench people. 18 of 8 (44%) court officials (judges) were selected by random sampling techniques from the total of population 18 and conducted interview questions with other 8 interviewers because they have expertly knowledge on legal framework.

**Table 1: Target population, Sampling size and Sampling techniques**

No	Categories of respondent	Target population			Sample size				Sampling Techniques
		M	F	T	M	F	T	%	
1	Bench higher clan leaders	30	-	30	12	-	12	40%	purposive
2	Local elder (dod erg)	45	15	60	18	6	24	40%	cluster
3	Tomo leader	10	5	15	4	2	6	40%	purposive
4	Zone court office	12	6	18	5	3	8	44%	Random sampling
5	Zone Tourism office	18	12	30	7	5	12	40%	Random sampling
Total		<b>115</b>	<b>38</b>	<b>153</b>	<b>46</b>	<b>16</b>	<b>62</b>	<b>40.5%</b>	

*Source: survey data (2015)*

### 3.6. DATA COLLECTION TOOLS

To get the required data for successful completion of this study the following methods of data collection has been used.

#### 3.6.1.1. INTERVIEW

Data was collected mainly through semi structured interviews. The interviews were conducted taking into consideration criteria such as age, sex, occupation and residence.

#### 3.6.1.2. OBSERVATION

To get authentic data, observation was another major method of data gathering valuable information. Because what peoples say and do may sometimes contradict with each other. Thus, direct observation was the best solution. Through this, the researchers have observed the role, the processes and procedures of conflict settling among the target society.

### **3.6.1.3. KEY INFORMANT INTERVIEW**

In order to get data on past events and scenarios and even on the current reality, it was better to conduct key informant interview with few knowledgeable individuals. Hence, this study employed this method to supplement the findings obtained through other means.

### **3.6.1.4. FOCUS GROUP DISCUSSION (FGD)**

On some specific issues different people may have different concerns. Thus, to look at concerns of different individuals and even to assess their level of understanding on some issue the researchers used FGD as one method of collecting data. The purpose of this study is to gather diverse information on the merits, demerits, feature and procedure of traditional conflict mechanism.

### **3.6.1.5. ANALYSIS**

In this method, researcher has been used different documents such include: public document, archive records, personal document and formal studies reports which relevant to the issues and problems under investigation.

## **3.7. DATA COLLECTION PROCEDURES**

Selection of appropriate data has depended on the sampling procedures followed. The following tools will be developed and used: Interview, In-depth-Interview with Key Informants, Focus Group Discussion (FGD), Questionnaires, Non participant Observations, Document analysis & Case summary schedules for disputant. Interviews enable the interviewer to follow up and probe responses, motives and feelings and their potential added value is that the recording of nonverbal communications, facial expressions and gestures, for example, can enrich the qualitative aspects of the data (Jupp, 2006).

This study also has need secondary resources that published and unpublished documents such as books, magazines, journals, thesis, dissertation and article deemed important for the study prior to the actual data gathering (fieldwork), the checklists/schedules will undergo intensive review and pre-testing on small sample subjects from all categories of respondents. This will be done primarily to check whether the potential respondents can understand each question properly and estimate the required to fill-out a schedule. Upon receiving feedback from the present, some amendments will be prior to ultimate duplications.

### **3.8. METHODS OF DATA ANALYSIS**

Creswell (2003) stated that “transcribing and reading through the data is the first major important procedures of data analysis in qualitative inquiry (p. 20).” Then themes are generated that appear as major findings which should be supported by diverse quotations and specific confirmation. Thematic analysis technique was used to analyze qualitative data. Firstly, the data collected in *Benchnon* (Bench language) and *Amharic* will transcribe and translated into English. All notes and taped recordings of the interviews were transcribed verbatim. After reading the transcription of interviews, data summarizing and sorting out the contents into themes began. Categorizing the translated information was prepared case by case for analysis. Then, themes running through the data were identified for the purpose of discussion and analysis. Then after, the themes were developed in to categories, according to the research objectives. After categorizing these themes in line with research objectives, the results from the qualitative data has presented and analyzed. Finally, based on the findings and discussions of the study, conclusions and implications of the study have drawn.

### **3.9. ETHICAL CONSIDERATIONS**

It is true that ethical consideration is as crucial as other aspects in the process of conducting a research for it significantly affects the success of the study. In this regard, a researcher needs to consider ethical values of the host community on which the research has been conducted. The researcher shall be considered and respected the right of interviewees. All participants do not have involved without the awareness about the study and they are informed that they can accept or refuse their views, ideas and comments be used in the study. Furthermore, the right of privacy of those interviewed are not only guaranteed but also respected and all the collected data are kept with great confidentiality until the research findings are presented and approved.

## CHAPTER FOUR

### 4. RESULTS AND DISCUSSION

#### 4.1. INTRODUCTION TO TIYATEN PURN ADJUDICATION SYSTEM

This chapter presents the findings and discussion on the role of Tomo indigenous conflict resolution mechanisms in the Bench community. Findings from key informant interviews were analyzed and discussed to get a complete understanding of the role of *Tyitenpuren* /indigenous conflict resolution mechanisms. Traditional approaches to conflict management and resolution existed among the Bench people from time immemorial. They have been transferred orally from generation to generation.

The topic proceeds by contextualizing the socio cultural setting of Bench communities followed by in-depth description of institutions, rituals, practice meant for conflict management and resolution. To begin with the *Tyitenpuren* conflict resolution mechanisms almost all kinds of conflicts ranging from petty offences, civil cases (such as financial and contractual disputes) to high major cases like homicide and blood feuds. Bench communities have been resolving their multifaceted conflicts through three different means of conflict resolution mechanisms. Among these *Tyitenpuren*, *Village council/leaders* and *Dodo Eirg* (male elders) are used as a means of conflict resolution. The process of the conflict resolution is led by clan leaders of the community.

Within ethnic Bench communities, *Tiyat* has a higher power by ordering the clan leaders and *Dod-erg* (elders) to serve as facilitators or negotiators during conflict resolution process. In addition there are many actors such as conflicting parties, their family members and community members also participate in the conflict resolution process. As one key informant explained, “elders hold vital position in the conflict resolution process. To resolve any conflict in *Tyitenpuren*, *dod erg* /elders are selected by *tiyat* /king based on their status and by reception within the community. The criteria to select *dod erg* /elders are based on their well experienced, ability potential and have good relationship with other people.

#### 4.1.1. SOCIO-DEMOGRAPHIC CHARACTERISTICS

**Table 2: Religion of the respondents (N=62)**

Religion	Frequency	Percentage (%)
Orthodox Christian	16	26%
Muslim	5	8%
Protestant Christian	25	40%
Others	16	26%
<b>Total</b>	<b>62</b>	<b>100%</b>

*Source: Survey Data (2015)*

The above table shows the worship of the residence who are living in the study area. Concerning the religion, the majority of the respondent 26% were orthodox, .8% of Muslim, 40% of protestant and 26% of other. Thus, it is possible to sum up that protestant and orthodox Christianity were the major religion and the rest others are worshipping the traditional beliefs.

**Table 3: Age with gender of the respondents (N=62)**

Age Group	Male	Percentage	Female	Percentage	Total	Percentage
19 - 30	10	16%	2	3%	12	19%
31 - 40	12	19%	2	3%	14	23%
41 - 50	14	23%	4	6%	18	29%
51 and Above	16	26%	2	3%	18	29%
<b>Total</b>	<b>52</b>	<b>84%</b>	<b>10</b>	<b>16%</b>	<b>62</b>	<b>100%</b>

*Source: Survey Data (2015)*

From the above table 84% of the respondents were male and 16% of them are female .As far as the age category is concerned, the majority 19% of samples lay between age 19- 30 and the remain 22% of participations have age of 31- 40, and remain 29% participation have age between 41- 50 And 29%of them have above 51 years old. At the protection of male house hold is higher than female.

**Table 4: Occupation and Educational level of respondents by gender**

Respondents Category		Male	Female	Total	Percentage
Occupation	Merchant	8	3	11	18%
	Farmer	16	3	19	31%
	Civil servant	18	1	19	31%
	Privet Work	10	3	13	21%
	<b>Total</b>	<b>52</b>	<b>10</b>	<b>62</b>	<b>100%</b>
Educational Level	Illiterate	21	4	25	40%
	Grade 1 - 8	10	4	14	23%
	Diploma	8	2	10	16%
	First Degree	13		13	21%
	<b>Total</b>	<b>52</b>	<b>10</b>	<b>62</b>	<b>100%</b>

*Source: Survey Data (2015)*

According to the age category of the above table 84% of the respondents were male and 16% were female. And according to their occupation levels, 18% of the respondents were merchants, 31% of respondents were farmers, 21% of respondents were private workers and 31% of the respondent were civil servant.

In the same to that respondents are classified according to their education levels. as it is stated in the above table 4, 23% of respondent were grade 1-8 ,16%of the respondent were diploma,21% of the respondent were first degree and 40% of the respondent were illiteracy.

## **4.2. CAUSES OF CONFLICT AMONG THE BENCH COMMUNITIES**

**Abduction:** Abduction is also one of the causes of conflict in the study area. The act of abduction causes conflict particularly when the girls' family attempts to restrain the abducted girl from the kidnapers. At this time, the parties will fight to liberate the girl on one hand and kidnap on the other which later resulting in a serious consequence of conflict on both sides.

**Adultery:** Adultery is also the other causes of conflict in the study area. As one participant elder explained, "according to the values and norms of the Bench community, having sexual intercourse with any another girls/married woman in the presence of his legal wife is considered as a sin/shameful act". A person who committed adultery with the wife of other individual or with someone else who is unmarried one will be an enemy of the victim husband or family and revenge is inevitable. Adultery and raping cases are sources of conflict within the Bench society.

**Denying Agreement:** in the study area, as court office source explained, in Bench society most lend money or property to one another and pay back at the time agreed upon by the parties. However, the one who borrowed the money may fail to return on time or deny his/her having borrowed the stated money. Hence, the lender and the borrower will come in to conflict; Property lending and borrowing are widely practiced among the Bench community. As to the informants, people can lend or borrow property for the sake of helping one another in times of difficulties. If the borrowers not keep his/her promise and denied the agreement, it causes conflict between individuals and groups.

**Insult:** It is the other source of conflict which is found in the study area. Based on the data obtained from local elders, tribe leaders and other informants, *insult (Paz)* will result in a serious conflict if the insult is bad and directed against clan or the social status of an individual or lineage



descent. In the study area, as explained from informants, according to Bench culture insulting one another using offensive words such as *band* (lower race/potter), *zuka* (thief), and *kora/eacha* (evil eye) is viewed as bad insult that may result in serious of conflict between individuals and groups. As the informants explained, In order to avoid these bad names, clan members would fight to guarantee their cleanliness from the name that they have given wrongly.

**Intoxicate:** among the study area, intoxication is the other types and causes of conflict. As FGD and most interviewee stated, in Bench community area, most of crime that happened by youths are due to the cases of using more alcohol drinking. Mostly an intoxicated person is insulted individuals or groups in bad /offensive words that can lead them to conflict. During market days people often comes from different areas for their own purpose in addition to exchanging in the market and start local drink such as *gez (borde)*, *araqe*, *tej* and modern drink *beer*.

**Theft:** in the study area, as informants explained, In the Bench community, theft (*zuk*) is a condemned and is considered as an immoral act. The community believes also that the thief will be cursed by the *Kah* (sprit of religion) and face bad evil spirit. A person whose property has been stolen can enter into conflict. If he knows a person or persons who stole his property, he will ask them to return it. If one is not willing to return the property or deniable, conflict will more likely arise between the thief and owner of the property. Such conflict may even end up in bloodshed and homicide.

**Family Related Conflicts:** According to the informants and FGD, conflict within a family mainly caused by conflict over division of labor, property management, resource distributions like land and cattle. Such conflicts can be between parents and children, brothers and sisters, husbands and wives. Within Bench nations, incompatible inheritance claims and use of resources can also be another major cause of conflict between family members. Like this type of conflicts are resolved through Tiyatenpuren indigenous conflict resolution mechanism .On the other hand conflict between brothers and sisters may arise due to inheritance of property up on the death of their father. According to the informants, the boy in the family has the right of inheritance to their father's property or money. As all informant explained, in Bench culture when the father dies, his boy/elder son has the right to own /inherits all the property of his father. This type of process is locally known as *Barz* (inheritance).On the other hand, women have not the right to inherit their father's property

and excluded from property inheritance among the Bench culture in the past. But currently, however, women also have the right to inheritance their father's property and money.

#### **4.3. TIYAT/ TIYATEND (KING) OR CLAN LEADER'S ROLE**

*Tiyat* is the traditional/ aboriginal "king" of Bench people. *Tiyat* has significant role in dispute resolution and they have greatest esteem and place among ethnic Bench communities. One key informant explained, "The same *Tiyat* (king) has supreme administrative and judicial powers were exercised by the *tribe leaders* in their districts and villages. Ancient time the first king of Bench society was known as *zhyazhtate*. The place where first Bench's community king dwelled is known as *zhyazhtate*. *Zhyazh* is located around the Sheiy Bench area, this area is boarder with Me'enit- *Goldiya* woreda. According to two informants / clan leaders, that *Tiyat/king Zhyazhtate* had three children namely; *Bench-tate*, *Shei-tate* and *Mere-tate*. These three sons of *Zhyazhtate* are basis for the present Bench communities. According to myth of Bench community, these three origin king name of the Bench communities /clans such *Bench-tate clan*; *Shei-tate* clan and *Mertate* clans were named after the name of these three sons. The coronation ritual of *Tiyat/king* is passed from generation to generation to members of the clan and their dynasty is not transferable outside the *tribe/clan*. Each *Tiyat* (kings) had his own rules tribe groups.

#### **4.4. DIVISION LEVELS AMONG THE BENCH COMMUNITIES**

As informant interviewee explained,

*"Ancient time, the race/clan under each Bench tribe are divided in to three groups; such as the upper tribe (komt), the middle tribe (Qam) and the lower tribe (Band/man)/potery). Currently this clan division is left, but during the reign of the former king Haile Selassie, the marriages of the great tribes merged with the greatest tribes, the middle tribes merged with the middle tribes, and the lower tribes merged with the lower tribes. Like any other group, the Bench people group respects each other according to its internal divisions. Each group /clan has a system in place to resolve conflicts through their tribal leaders, and if serious crimes are committed, they brought before the main Tiyatenpuren (in front king) house and released by prominent religious leaders."*

According to document source from cultural and tourism, "during the emperor regime, especially the lower clan/race (*Band/man*) has no the right to eating together, drinking together, and get in to

house with others clans such *Komt* (with upper tribe) and middle tribe (*Qam*). That *Band/man* (lower clan/race) was ignored by upper and middle clans due to the case of harmful traditional culture. But at present time, there is no isolation of lower clans except in some parts of *Shei Bench* district. Because most o societies understand the bad side of traditional culture which makes division or isolation among them and the new generations are changed through modern education.

**Table 5: The Three Group Division Levels of Bench Clan**

<u>Benchtate clans levels</u>	<u>Mertate clans levels</u>	<u>Sheitate clans levels</u>
➤ Komt (upper clan)	➤ Komt (upper clan)	➤ Komt (upper clan)
➤ Qam (middle clan)	➤ Qam (middle clan)	➤ Qam (middle clan)
➤ Band (lower clan)	➤ Band (lower clan)	➤ Band (lower clan)

#### **4.5. THE ROLE OF DOD ERG (ELDERS)**

One interviewee defined, “*Dod -erg* (Elders) in Bench peoples are respectful for their tremendous functions, balanced, fair and critical decisions during the *Tiyatenpuren* indigenous conflict resolution. They are of such a prestigious status that their deeds and decisions are not easily and simply refutable. Elders’ plays an important role in society by properly administers and harmonizes the people. In the Tomo indigenous conflict resolution system, every matters of the society are managed or resolved by the selected elders known as *Dod-Erg* (mediators/elders)”.

According to the information obtained through interview, the role of the elders in the Tomo conflict resolution mechanisms is very high; because in Bench community the elders has given significant role, respect ions and place during the traditional practice of *Erg/Shune* (conciliation). Because the mediator/ elders (*Dod-Erg*) deeply seen as the issues and they listening of the two conflicting parties ideas carefully. During the time of conflict resolution mechanism, both reselect their representative from two conflicting parties and then mediator/ elders (*Dod-Erg*) to give the prerequisite to the conflicting parties and begin the discussion of the issues of disagreement between the two parties. In *Tiyatenpuren* indigenous conflict resolution, elders usually pay attention to examine the case by posing cross examination. Concerning this, one of my: „we always tend to allow and give chance to both parties to tell the reason of conflicts and then we can predict to know who is right or wrong.

The *tiyatenpuren* customary dispute resolution mechanism in Bench community is often led by *Dod-Erg* (elders) who are typically well known and respected in the community. The parties choose the *Erg* (elders) who will mediate their issue and usually the criteria to select them is based on their reputation, understanding of community values and experience. During the *tiyatenpuren* conflict resolution mechanism of Bench community, the mediators (*Dod-Erg*) come and sit as arranged by activists and the two parties come and sit far apart each other. Then the mediators (*Dod-Erg*) order the two parties to come to the front level of them and stand silent as the blessing ceremony has to come to the end. Next to this, one of the mediators (*Dod-Erg*) start mediating the ceremony by blessing, development of individuals, families, communities, prosperities of the whole country and cursing the evil sprite that cause conflict among them. After that all, the mediators give the two opponents a chance to narrate the cases that motivate them to be clashed. And after both parties presented their opinions or cases with tangible evidence, the selected mediators are comparing the cases or differing the offender and defender, then they make their own decisions with compensation.

#### **4.6. COMMUNITY PERCEPTION AND ACCEPTANCE OF TIYATENPUREN CONFLICT RESOLUTION**

The study found out that the principles of social harmony, peaceful coexistence, transparency, respect, tolerance and humility are central elements emphasized in *Tiyatenpuren* indigenous conflict resolution mechanisms among the Bench people. *Tiyatenpuren* indigenous conflict resolution is very crucial not only for individuals' wellbeing but also for the wellbeing of the general community. One participant pinpointed that: Conflict breaks the normal relationship of conflicting parties as well as families and surrounding communities. In spite, *tomo* institution helps individuals to come together, discusses their issues and resolves the conflict. In *Tiyatenpuren* conflict resolution mechanism, the offender will compensate for any kind of harm he/she made up on the victim. Finally, peace and order happens through reconciliation of the two parties.

By obtained information from interview in Bench society, the role of *Tiyatenpuren* indigenous conflict resolution is known and respectful by reducing the causes of the conflict. By solving the cases of conflicting parties honestly and making peaceful coexistence, everyone is satisfied in *Tiyatenpuren* conflict resolution institution. Additionally, the most important advantage of *Tiyatenpuren*'s indigenous conflict resolution is to develop transparency and search for the true

cause of the conflict. Sometimes the cause may be hidden for formal courts and police officers because of lack of evidence. But in Tiyatenpuren institution no one can hide any cases because tomo uses oaths of traditional beliefs system for any case investigations. The oath is conducted in the name of *kah-mash* (religion/spirit); where the parties are expected to disclose/tell the facts or otherwise face the bad consequence for their denial.

Moreover as one interviewee explained,

*“That tiyatenpuren institution is better than formal legal institutions due to its effectiveness, cost and immediate action. And also when there is no evidence to prove the existence of fact before regular courts, they go and apply to tiyatenpuren institution. The reason is that regular courts has lack of mechanisms and knowledge to investigate and identify criminals who committed crime without evidences. Unlike regular court there is no challenge of corruption before tiyatenpuren institution and it adjudicate cases without any ground of discrimination”.*

According to one clan leader stated,

*“Tiyatenpuren focus on balance; compromise and restoration of peace within the community not focus on punishing the offender. The ultimate aim of tiyatenpuren traditional conflict resolution is, to restoration of peace, social solidarity and reconciliation within the community”.*

#### **4.6.1. HOMICIDE DISPUTE RESOLUTION MECHANISM OF TIYATENPUREN**

There are different factors that lead person to commit homicide in the bench community. Some of them are related to abduction, unsettled marriage related issues, insult, theft, border transgression, and conflict over grazing lands. Mostly, homicide is committed by the youth and adult section of the bench people. Homicide is considered as a very violent conflict in Bench people and named as *kats-woti* which means homicide or killing life. When homicide is committed within Bench people, the deceased family to be patient until the case is entertained by the *Tiyat/king*. It also requires cautions form the deceased family , the cautions ordains refrainment from market places, grazing areas, water points and other socio-cultural contact points where the killer family had already left the area. Until, *shun* (conciliation) is conducted, the two families do not meet anytime.

As informant stated that, according to the tradition ethnic Bench communities, till the *shun* (*conciliation*) is conducted, the family of the deceased and the killer do not fetch water on the same water point, do not visit the same market, do not graze in the same field, their children do not play on the same ground and do not also meet during marriage and mourning ceremonies. It is an accepted practice within ethnic Bench communities, that anyone who committed homicide should leave the area where he lived in order to prevent revenge by the family of the deceased and to reduce escalation of the conflict. If the family of the killer and the deceased are close neighbors, the family of the killer should leave the area and they must hide themselves especially in continuing days and weeks after the assault has taken place. Unless this happens, the family of the deceased may take revenge and the conflict may also escalate further.

According to interviewer, the reconciliation teams are organized by the tiyat or clan leaders/elders and sent to the house of the close relatives of the deceased in the early morning. On the arrival, the team stops at the door of the close relative by calling “*waso*” (*betoch* in Amharic). When someone is opened the door and allowed them to come in, they enter in to the house and sit. Then after some silence, they express their condolences and highlight the wrong doer was under evil spirit to commit such crime and now he and his families are suffering a lot. They stress also the possibility that such thing could happen in any community and the need to resolve such issue is what is important next is. Finally, the team will express the purpose of their coming to their house and meeting with the close relatives of the deceased is intended to initiate reconciliation.

According to the explanation of informant, as expected from the tradition of the Bench community, it is not common in Bench culture to express their willingness to reconciliation upon their first encounter with the reconciliation team. Even though the reconciliation team and the elders stress the need for reconciliation and push them to accept the reconciliation proposal, they will not be immediately willing to enter reconciliation with the killer family. Thus, the elders and their teams will return without any success in their first endeavor and it can take three to fourteen consecutive days without success or up to two weeks depending on the victim’s family and ethnicity/clan.

And then close relatives of the deceased has given consent. The members of the family of the deceased to be ready for reconciliation and after a long silence, they express their willingness to proceed with the reconciliation.

#### **4.6.2. RECONCILIATION PROCEDURE OF HOMICIDE CASE THROUGH TIYATENPUREN**

Homicide crimes are more complex and need long period of time to be resolved by the *Tiyatenpuren* indigenous method of Bench community. According to the culture the elder teams send message to killer relatives to select their representative elders, those who would be member of the reconciliation team on their side. A day or places of *shun* (reconciliation) will be set/decided by clan leaders. In Bench culture the reconciliation firstly starts or takes place on a large plain and under large tree or in front of the house of the king. On the next day the selected elders coming on both sides and all two clans come together at decided place for negotiation. According to the Bench people, *Tiyaten-purin* is being utilized different traditional mechanisms to solve a different conflict which occurs in Bench nationality. Spatially, series conflicts or crimes like killing life and high fighting that could be happen between two clans or groups are solved by *Tiyaten-purin* through different processes such as compensate, slaughtering cattle(ox/cow or sheep/goat near to the big river. And in both side, each parties/hostility family groups are make the street line and touching the long intestine of cattle's which not cut. The Tiyat/king/clan leaders warns them, if they favor one family against the other, they will be cursed with an occurrence of a continuous homicide in their family; their children will not grow; the seeds they saw will not be harvested; and all sins will surround them. These all are directed to make the reconciliation activity based on truth or just one. Finally, the kings pray together to all for the successful accomplishment of the reconciliation process.

#### **4.6.3. COMPENSATION PROCEDURES OF TIYATENPUREN INSTITUTION FOR HOMICIDE**

According to the *tiyatenpuren* customary dispute resolution of the Bench people, anyone who committed any homicide is required compensate to the family of the victim .In Bench community compensation for murder is determined by Tiyat/king and giving *worniyae* (a girl) and more than seven up to fourteen cattle. It is believed that the girl or a boy given to the deceased family will give birth to child that will help the family of the victim to overcome their mourning. As one informant stated that, if the killer has no daughter or a boy of his own and his family members to be given as compensation, he has to inform the reconcilers beforehand. Then the reconcilers start

their investigation to make sure that he has indeed no daughter or a son to be offered as compensation. And they order them, latter to present animals for compensation. According to the tradition of Bench society; seven up to fourteen animals will be made ready for compensation. Thus, the *shun*/reconciliation activities have to be taken around the bank of big rivers. One another informant interviewee explained as follows: The reason that bank of a big river selected to conduct reconciliation of homicide case is, they belief that the river will wash away the devil spirit so that peace prevails between conflicting parties and homicide happens never again in the area., which causes the homicide act to be happened and the washing away and the transportation of the devil spirit from the area may serve as a condition to develop peaceful relations between the conflicting parties and to start a harmonious life as it was before the homicide act was occurred .

Since, the continuously flowing of the water of the river is considered as an agent that completely washes away the evil spirit from the area in the process of the reconciliation activities the animosity between the conflicting parties will get an end and peace would prevail. Upon the arrival of the named river bank, the conflicting parties are not going to mix or sit together, but they staying on the opposite bank of the river until the *shun*/reconciliation has to be done. After making sure everything is ready, the *tiyat*/king starts the actual process of the reconciliation by blessing to the family of the deceased. The reconciliation process starts with a symbolical act of cutting the throat of an ox, sheep or goat at the bank of the river. According to people, this act has two symbolic meanings as narrated by a participant of the study. The first symbolic meaning is that the *shup* (cutting) of the ox, sheep or goat throat at the bank of the river results in the washing away of the blood from the sheep through floods and the *Shetan-mash* (devil spirit) that causes the conflict and the evil spirit of sense of *Gag* (revenge), cruelty, and disharmony between the conflicting families will also washed away with the blood.

The second symbolic meaning is related to the usefulness of the *Sheal* (intestine of the sheep) seen as deep reconciliation from their internal heart. They were remaining holding the intestines while walking between the intestines of the sheep near /crossing the river bank; the act symbolizes the swearing of the conflicting parties no more to see each other as *Gagnas* (enemies) and to strengthen their brotherhood.

After that variety of traditional food and (beverages) local drinking will be served on the day in preparation for *shun* (reconciliation) ceremony. Traditional food for reconciliation is prepared



from; *Enset (dash)*, *Kachi (boy)* *Kanbud (Kijo)*, *Zhong (cassava)* and the traditional beverages are also prepared from *Mah-eas/ boke(Tej)*, *Giyez (borde)*, *Arake* and *Giyae (coffee)*. Next the *Woyizez* or *Ziyam /Amach* in Amharic (son in law) first taste the roasted meat and give it to the audience in order of age. Also both conflicting parties are shows greeting that they are all in agreement by eating together sharing a drink with each other.

## **4.7. THE STRONG SIDES AND WEAK SIDES OF TIYATENPUREN INSTITUTION IN BENCH COMMUNITY**

### **4.7.1. STRONG SIDE OF TIYATENPUREN’S INDIGENOUS INSTITUTION**

Among ethnic Bench communities *Tiyatenpuren* adjudication mechanisms have its own strengths. The identified strengths of *tiyatenpuren* institutions include having wisdom of effectively resolving conflicts, accessibility and their advantage in providing real public service to the concerned community and which is passed from generation to generation. According to the tomo system, decisions are enforced through social sanction mechanisms, which are reinforced by cultural beliefs, norms and superstitions that have a binding effect and relates adherence to the decision with limited cost. All these, features of the *tiyatenpuren* conflict resolution mechanisms of the bench people contribute for the easy accessibility of justice for the community. The *tiyatenpuren* traditional conflict resolution mechanisms are free from corruption and graft related low incidences. *Tiyatenpuren* Indigenous conflict resolution system, cultivates the relationship of conflicting parties towards the future.

### **4.7.2. WEAK SIDES OF TIYATENPUREN INDIGENOUS INSTITUTION**

In the Bench community, women have relatively more roles in reconciliation of conflicts related to abduction. In the case of abduction, women work on pacification of the family of the abductees and abductor by facilitating and organization of the household of the two pairs after the reconciliation so that they become a husband and wife. But their role is mainly limited to preparing food and drinks.

The interviewee indicates that; mostly women’s are victims of indigenous conflict resolution processes because the process of conflict resolution under this method is dominated by males. Women are restricted to domestic work and are excluded from public activities, including conflict resolution. This is one of the common weak sides of *tiyatenpuren* indigenous conflict resolution

among Bench people. Exchanging of women between conflict parties or gift of girls as payment or compensation agreed by local leaders to solve the conflict was common in Bench society. Such activities are one of abusing women's right.

Other factors that contributing to the weakening of *tiyatenpuren* traditional conflict resolution is the lack of common training for the next generation and the expansion of protestant religion in the community which opposes the traditional believes and cultures. The other most important weakness is related to the absence of a policy direction and comprehensive laws that deal with the institutionalization and harmonization of indigenous conflict resolution mechanisms within the country's legal system.

## CHAPTER FIVE

### 5. FINDINGS, CONCLUSIONS AND RECOMMENDATION

#### 5.1. FINDINGS

The study found out that the principles of social harmony, peaceful coexistence, transparency, respect, tolerance and humanity are central elements emphasized in *Tiyatenpuren* indigenous adjudication among the Bench communities. The *Tiyat/king* adjudication system is named after the hereditary right of *zhyazhtate* clans for such adjudication among the Bench communities. *Tiyatenpuren* indigenous adjudication has a spiritual and cultural basis. And its foundation is related to the cultural believes known as *kah (name of the religion)*. The *tiyat /king* cultural/indigenous conflict resolution mechanism is run through open discussion among the parties in disputant and the discussions is based on customary law. The Bench communities are hierarchical societies and classified under three major clans namely *Benchtate*, *Sheytate* and *Mertate*clans.

According to the source culture and norms of the Bench communities, both the defendant and litigant are expected to talk the truth and only truth in front of *Tiyatenpuren* jury. Otherwise the lying will face bad consequence for renunciation of truth. This process is known as *shun* or *ergni* (reconcile). Among the Bench communities, the *Tiyatenpuren* institution has significant role in conflict resolution and has greatest resections and place. Regardless of the fact that the role of *Tiyatenpuren* adjudication *for* conflicts among the Bench and neighboring communities is noteworthy, it is not extensively studied and also requires sort of modification /re- adaptation along with formal state justice systems .That why, the researcher select this title to study the overall role of *Tiyatenpuren* conflict resolution among the Bench communities.

The decisions of *tiyatenpuren* are solved with minimum cost, no long distance and it is time consume. Furthermore, *Tiyatenpuren* adjudication institution reduces caseloads of the formal courts and police institutions. Unlike the court system there is no corruption in *Tiyatenpuren* and its adjudicates are solves without any ground of discrimination. Because of this, *tiyatenpuren* conflict resolution is widely accepted and great place in Bench society. In which the resolution process is based on believes, norms, experience, traditions and culture of the society. *Tiyatenpuren* indigenous conflict resolution is very crucial not only for individuals' wellbeing but also for the

wellbeing of the general community. According to *Tiyatenpuren* conflict resolution mechanism, the offender will compensate for any kind of harm he/she made up on the victim. Finally, peace and order happens through reconciliation of the two parties. Homicide crimes are more complex and need long period of time to be resolved by the *Tiyatenpuren* indigenous institution; and *shun*/reconciliation activities have to be taken around the bank of big rivers.

The reconciliation process starts with a symbolical act of cutting the throat of an Ox, sheep or goat at the bank of the river. They were remain holding the intestines while walking between the intestines of the sheep near the river bank .The reason why the bank of a big river selected is to conduct reconciliation for homicide is that the river could wash the devil spirit that crate hostility between conflicting parties and it is believed homicide may not happens again in the area. During that time, verity of traditional food and beverages (local drinking) were served on the day in preparation during *shun* (reconciliation) ceremony.

Moreover, there are different challenges that affect *Tiyatenpurens* indigenous conflict resolution mechanisms such as the expansions protestant religion in the area, lack of clear legal mandates, limited financial support from different governments and non-governmental organizations. Other weak side of the process of conflict resolution is dominated by males alone, females are no given a chance to participate in conflict resolution rather they are allowed to stay silent at home.

## **5.2. CONCLUSION**

The name *Tiyatenpuren* is derived from the *zxyazhtate* clan of among ethnic Bench communities and it has a traditional spiritual basis called *kay*/religion. Bench communities have been resolving their multifaceted conflicts through three different means of conflict resolution mechanisms; these are Tomo (Tomtate), *Tiyatenpuren* (in front of king), clan leaders and Dod -Eirg (male elders). In bench community *Tiyat* are nominated to serve as judge, leader, spiritual, culture and. They utilize customary laws, norms and spiritual authority to settle conflict cases. In practice *Tiyatenpuren* indigenous conflict resolution mechanism solves disputes that credible evidence and those with denied facts.

According to the indigenous conflict resolution of the Bench people, nothing is hidden from the *Tiyat/king* and hence conflicting parties do not hide something from the *Tiyat* during the *Erg or shun* (the reconciliation) process. Among the Bench people, homicide is considered as a serious offense and it will a cycle of conflicts through revenge and counter revenge. The meat is roasted

on the bank of the river and then thrown to the right and left for the faith they worshiped without being tasted. A variety of traditional food and (beverages) local drinking will be served on the day in preparation for *shun* (reconciliation) ceremony. In Bench culture the reconciliation takes place on a large plain under the shadow of large tree or in front of the house of the tiyat /leader /famous nobleman.

To manage the escalation of conflicts and to resolve these conflicts, Tiyatenpuren indigenous conflict resolution system has a great role and its reconciliation way that the society never break the settlement, has great value. Bench people has developed a number of rituals, which have to be proceed in resolving criminal acts related to homicide.

### **5.3. RECOMMENDATIONS**

Based on these research findings, the researcher recommended that the responsible bodies or the local government should preserve tomo indigenous conflict resolution mechanisms in the study area and should give enough attention and support for other researchers who want to study on *Tiyatenpuren* indigenous conflict resolution mechanisms of Bench people. The *Tiyatenpuren* indigenous institution works towards bringing justice in the society. It shares the burdens of the formal courts. Therefore, the local government should recognize and strengthen the *Tiyatenpuren* indigenous institution of Bench people. The local government should take full responsibility to preserving this Bench cultural conflict resolution system and passing it on to the next generation.

The local courts should give recognition to the decisions of *Tiyatenpuren* indigenous conflict resolution mechanism. Further research should be conducted on the *Tiyatenpuren* institution to explore its practice in detail and suggest communicating its applicability with the formal courts. The *Tiyatenpuren* indigenous conflict resolution mechanisms are free from corruption and graft related low incidences. The enforcement mechanisms of decisions that passed by *Tiyatenpuren* institutions should legally set by the local government and courts to preserve the norms and culture of Bench society

## REFERENCE

- Awel Ebrahim. 2005. “*Traditional Means of conflict Resolution Jaarsaa among the Oromo, the case of Disho.*” B.A Thesis, Addis Ababa University
- Bahta, G.T. (2014). *Popular dispute resolution mechanisms in Ethiopia: trends, opportunities, challenges and prospects. African Journal on Conflict Resolution, 14(1), 99-123.*
- Bekele Lemma 2013. *The role and challenge of Jaarsummaa Oromo elders courts in conflict resolution in Ambo woreda, west shoa Zone. Unpublished MA Thesis, Hawassa University.*
- Boege, V. (2006). *Traditional approaches to conflict transformation: Potential and limits. Bergh of Research Centre for Constructive Conflict Management. <http://www.berghof-handbook.nd> (Accessed on March 10, 2010).*
- Brock-Utne, B. (2001). *Indigenous conflict resolution in Africa. A draft presented to the week end seminar on indigenous solutions to conflicts, Institute for Educational Research, University of Oslo, Norway*
- Bukari, K.N. (2013). *Exploring indigenous approaches to conflict resolution: the case of the Bawku conflict in Ghana. Journal of Sociological Research, 4(2), 86-104.*
- Choudree, R. B. G. (1999) “*Traditions of Conflict Resolution in South Africa*”. *African Journal on Conflict Resolution. (1). <http://www.accord.org.sa/publications/;/choudree.htm>. Accessed 20th August 2010.*
- Creswell, J. W. (2003). *Research design: quantitative, qualitative and mixed approaches (2<sup>nd</sup>ed.). London: Sage publications.*
- Dial, D.R., & Bhatta, C.D. (2008). *The relevance of local conflict resolution mechanisms for systemic conflict transformation in Nepal. Bergh of foundation for peace support, Berlin, Germany*
- Daniel, M. (2016). *Maaga indigenous conflict resolution institution among Libido-Mareko ethnic group in Gurage zone southern Ethiopia. International Journal of Scientific and Research Publications, 6 (1), 327-330*
- De Janasz, S. C., Dowd, K. O. & Schneider, B. Z. (2006). *Interpersonal skills in organizations (2<sup>nd</sup> Ed.). New York: McGraw-Hill/Irwin Environment and the Economy.*

- Emanuel, M., & Ndimbwa, T. (2013). *Traditional mechanisms of resolving conflicts over land resource: a case of Gorowa community in Northern Tanzania. International Journal of Academic Research in Business and Social Sciences, (3)11, 214-224*
- Endalew, L. (2014). *Ethiopian customary dispute resolution mechanisms: forms of restorative justice? African Journal of Conflict Resolution, 14(1), 125-154*
- Getachew Assefa, "Re-evaluating the Legitimacy of the Codified Laws in Ethiopia" *The Law Student Bulletin* 2 (February 2001) Law Faculty, AAU, pp.18-27
- Gowok, S.M. (2008). Alternative dispute resolution in Ethiopia - a legal framework. *African Research Review, 2(2), 265-285*
- Gulliver, P.H 1979. *Disputes and Negotiations: across cultural perspective .London: Academic press.* Havenga, W 2004. *Conflict management within a local government environment. MA dissertation, Potchefstroom University.*
- Jeong, Ho-Won. (2000). *Peace and conflict studies: An introduction. Institute for conflict Analysis and Resolution: Aldershot: Ashgate. USA Jossey-Bass.*
- Jupp. V. (2006). *The sage dictionary of social research methods. London: Sage publications.*
- Kariuki, F. (2015). *Conflict resolution by elders in Africa: successes, challenges and opportunities. Journal of Alternative Dispute Resolution, 3(2), 30-53*
- Kelemework, T.R. (2011). *Conflict and alternative dispute resolution among the Afar pastoralists of Ethiopia. African Journal of History and Culture, 3(3), 38-47.*
- Khanna D.D. and Kueck Gert W. (eds.) (2003). *Conflict Resolution, Human Rights and Democracy. New Delhi: Shipra Publications, India*
- Ladan, M.T. (2013, November). *Towards complementarity in African conflict management mechanisms. A paper presented at international conference on traditional methods of dispute resolution: Chinese and Nigerian perspectives. The institute for peace and conflict resolution, Abuja, Nigeria.*
- Ladislaus, M. S., & Joe, L. K. (1999). *What is indigenous knowledge? Voices from the Academy. New York: Flamer Press.*
- Mayer BS (2001). *The Dynamics of Confl*iBirgit Brock-Utne, *Indigenous conflict resolution in Africa .University of Oslo, Institute for Educational Research 23 – 24 of February 2001.*

- Mikkelesen, B. (2005). *Methods for Development Work and Research: A new Guide for participation*, 2nd ed, sage publication, New Delhi
- Nader, Laura. 1968. "Conflict: Anthropological Aspect." In *International encyclopedia of the social Science: vol.3, pp.230-241*. New York: Macmillan Company and Free press.  
New York: Oxford University Press
- Nwolise, O. B. C (2005). *Traditional modes of bargaining and conflict resolution in Africa*. In: *Perspectives on peace and conflict studies in Africa*, Olawale, I. A. (Ed.). John Archers Publishers Ltd, Ibadan. Pp: 152–168.
- Olusola, O., & Aisha, A. (2013). *Traditional rulers and conflict resolution: an evaluation of pre and post-colonial Nigeria*. *Research on Humanities and Social Sciences*, 3(21), 120-127.
- Osei-Hwedie, K. & Rankopo, M. J. (2012). *Indigenous conflict resolution in Africa: the case of Ghana and Botswana*. *IPSHU English Research Report Series*, 29, 33-51
- Samuel Daltate Kundisa Parki, (2007 E.C). *Bench people's history and culture* (unpublished book).
- Sinha, S.Q. (2011). *Traditional dispute resolution and Afghanistan's women*. (Peace Brief No. 117). United States Institute of Peace. [www.usip.org](http://www.usip.org).
- Singer, M. (1992). *The application of relative deprivation theory to justice perception of preferential selection*. *Current Psychology*, 11(2), 128-145. Retrieved April 27, 2008, from EBSCO Online Database Academic Search Premier.  
<http://search.ebscohost.com/login.aspx?direct=true&db=aph&AN=9603062262&site=ehost-live>
- Sisay Gebere 2007. *What role should civic society organization play to address ethnic conflicts in Ethiopia*.
- Silverman, D. (2000). *Doing qualitative research: a practical handbook*. CA: Thousand Oaks.
- Sisy Gebre-Egziabher 2007. *The Challenges and opportunities for peace and Development in Ethiopia and Northeast Africa*, paper present in seminar Hall, Haworth College of Business Western Michigan University, kalamazoo, USA, August 2-4, 2007.
- Taddesse Berisso. 1988. "Traditional Warfare among the Guji of Southern Ethiopia." M.A. Thesis, Michigan State University.
- UN DESA. (2001). *Training of trainers' workshop on conflict prevention at Swedru*. United Nation.



*Walter B & D'Ambrosio, C. (2007). Dynamic measures of individual deprivation. Social Choice and Welfare, 28(1), 77-88.*

Wondyrad Asmamaw 2010. *The Practice of Indigenous Conflict Management Systems in a Multiethnic Society: The Case of Shimgelena in Guangua and Dibate Districts of Metekel Area; Ethiopia.* (Unpublished MA Thesis). Addis Ababa: Addis Ababa University

*Zartman, I. William (1989). Traditional Cures for African Conflicts Department of Justice and Constitutional Development (2008) Republic of South Africa. Policy Framework on the Traditional Justice System under the Constitution: Pretoria.*

## **APPENDX A**

### **Questionnaire for interview**

Dear respondent: - the purpose of this interview guide is to gather information about the traditional conflict resolution of tiyatenpuren in the Bench society. The information obtain from the interview were used only for this research purpose and it were keep confidential.

Thus, we kindly request you to be open and honest while responding, so that the research will success and achieve the target goal. Hence, you are kindly request to answer in the giving of relevant response to each interview question that you ask. I can assure for you that the collected data were exclusively use for academic purpose.

#### **I. Personal Information**

1. Sex: A. Male    B. Female
2. Age: A. 19-30    B. 31- 40    C. 41-50    D. above 51
3. Level of education: A. Illiterate    B. Grade 1-8    C. Diploma    D. First degree
4. Occupation status: A Merchant    B. Farmer    C. Civil servant    D. private work
5. Religion: A. Protestant    B. Orthodox    C. Muslim    D. Other

#### **II. Interviewing Guide for zone court office, tiyatenpuren leaders, Bench higher tribe leader,**

1. How the tiyatenpuren indigenous conflict resolution is practiced in the Bench society?
2. How the community perceives the indigenous dispute resolution mechanism of tiyatenpuren?
3. What types of conflicts which commonly happen in the community?
4. What are the main causes of conflicts between bench people?
5. What mechanism is employed to settle conflicts in tiyatenpuren?
6. What challenges have been encountered during conflicts resolutions in tiyatenpuren?
7. What should be done to minimize the occurrences of conflicts?
8. What are the major roles of tiyatenpuren in restoring stability and creating good relations among the people?

9. What are the institutional capacities or enforcement mechanisms of tiyatenpuren indigenous conflict resolution of Bench nationality in making effective and efficient decision?
10. Do you think that indigenous conflict resolution mechanisms of tiyatenpuren support the formal Justice system? If yes, in what ways?

## **APPENDX B**

### **Questionnaire for FGDs**

Dear respondent: - the purpose of this FGD guide is to gather information about the traditional conflict resolution of tiyatenpuren? In the Bench society the information obtain from the FGD were used only for this research purpose and it were keep confidential.

Thus, we kindly request you to be open and honest while responding, so that the research wills Success and achieve the target goal. Hence, you are kindly request to respond to your discussion. Researcher can assure for you that the collected data were exclusively use for academic purpose.

#### **I. Personal Information**

1. Sex: A. Male    B. Female
2. Age: A. 19-30    B. 31- 40    C. 41-50    D. above 51
3. Level of education: A. Illiterate    B. Grade 1-8    C. Diploma    D. First degree
4. Occupation status: A Merchant    B. Farmer    C. Civil servant    D. private work
5. Religion: A. Protestant    B. Orthodox    C. Muslim    D. Other

#### **II. FGDs Guide for zone cultural and tourism office, local leaders,**

1. Generally, have you perceive the role of tiyatenpuren in your community?
2. What types of conflicts which commonly happen in the community?
3. What are the main causes of conflicts between bench people?
4. What mechanism is employed to settle conflicts in tiyatenpuren?
5. What challenges have been encountered during conflicts resolutions in tiyatenpuren?
6. What should be done to minimize the occurrences of conflicts?
7. What are the major roles of tiyatenpuren in restoring stability and creating good relations among the people?
8. What are hierarchical structures and practices of tiyatenpuren indigenous conflict resolving institutions?
9. Do you think that indigenous conflict resolution mechanisms of tiyatenpuren support the formal justice system? If yes, in what ways?

10. What are the institutional capacities or enforcement mechanisms of tiyatenpurens indigenous conflict resolution of Bench nationality in making effective and efficient decision?
  11. What are the strengths and weaknesses of the tiyatenpurens indigenous conflict resolution institution of Bench nations?
  12. What is the mechanism of transferring power of tiyatenpurens institutional Judges from one conflict mediator /judge to another?
  13. Have you encountered any conflicts that were solved by tiyatenpurens indigenous conflict resolution mechanisms in your area? If yes, how were they solved?
  14. What do you perceive the roles of women in tiyatenpurens indigenous conflict resolution of Bench peoples?
-