

# Ethiopia:

## *Bertussa*, the Indigenous Governance and Conflict Resolution Mechanism of the Sheko Community

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**Abstract:** Conflict is an inevitable phenomenon in human relationships. Cognizant of the inevitability of conflict in human interaction, the most important issue needed to be emphasized is the way how conflict can be resolved before it becomes violent and destructive. The objective of this study is to explore “*bertussa*” the indigenous governance and conflict resolution mechanism of the Sheko community of Ethiopia. According to the objective, the study followed a qualitative research approach and used a case study research design. Data were collected through key informant interviews and FGD. A deductive thematic analysis technique was used to analyze data. The study found that the *bertussa* institution is the well-respected institution of conflict resolution playing an irreplaceable role in maintaining peace and social cohesion. *Bertussa* is hierarchical in its structure and it includes the *Koynab* (the King) at the top, *Komtu*. (Clan leaders), and, at the bottom, socially respected individuals called *Yab babu* (local elders). In the tradition of the Sheko community, conflicts that are believed to be less violent are settled at the *yab babu* (local elders) level. Whereas, reconciliation of homicide issues and conflicts which are serious and complex are mostly addressed by the *komtu* (clan leaders)

with the help of a person known as *burjab* who is believed to have spiritual power. In the Sheko community, the reconciliation process ends with the performance of symbolic ceremonial practices which imply the healing of the discontent among the disputants. Though this institution has strong acceptance from the community, it lacks due focus from the local government and it is not formally recognized.

**Keywords:** *Koynab, burjab*, reconciliation, sheko, conflict resolution, indigenous.

## **Introduction**

Conflict is an inevitable phenomenon in human relationships. Thakore (2013) and Gupta *et al.* (2020), expressed that conflict is a phenomenon that cannot be avoided and it is inevitable. Conflict exists as far as interaction exists between individuals and groups. According to Fisher (1990), Bukari (2013, cited in Masenya, 2021), and Nicholson (1992), conflict is a phenomenon that may occur as a result of competing interests and incompatible goals between two or more individuals and groups. It is as old as human history. Conflicts and disputes within society and individuals over different issues are part of human history (Burtone, 1996).

Cognizant of the inevitability of conflict in human interaction, the most important issue we need to focus on is the way how conflict can be resolved before it becomes violent and destructive. Concretizing this, Alula & Getachew (2008) boldly pointed to a resolution of conflict as a crucial element for the day-to-day coexistence of humanity. Thus, conflict resolution is a process that aims at identifying the main causes of conflict to put an end to the conflict thereby ensuring sustainable peace. In this context, we may come up with the modern and traditional institutions of conflict resolution. According to Gupta *et al.* (2020) and Alula & Getachew (2008), conflict resolution mechanisms can be generally classified as formal conflict resolution mechanisms (state court system) and indigenous conflict resolution mechanisms.

Formal conflict resolution mechanism is derived from the western nations and it works under the umbrella of state institutions. Gupta *et al.* (2020) pointed out that the formal conflict resolution mechanism relies on the decisions of judges and justice administrators. The system involves judges, juries, police officers, administrative dispute resolvers, and another state legal system. In modern governance, the legitimacy of the court system is derived from the constitution which leads to the creation of the system. The traditional conflict resolution mechanism, the prime subject of this study, is a long persistent social practice deep-rooted in the customs and cultural settings of the society (Endalcachew *et al.*, 2015; Gupta *et al.*, 2020; Sandu, 2018). It originates from the tradition of the respective community, practiced over a long period, accepted by the community as a

governing principle, and hence binds the society. Thus, a breach of the accepted social norms entails social reaction and even punishment (Dagne & Bapu, 2016).

Africa has a long history of using the indigenous institutions of governance for resolving conflicts that arise between individuals, groups, and clans. The institutions have helped the societies of Africa to maintain and ensure social cohesion and harmony. Dealing with traditional conflict resolution, most indigenous communities in Africa have their traditional conflict resolution processes that enable them to manage and resolve conflict (Masenya, 2021; Ghebretেকে & Macdonald, 2018; Kpae, 2018). The *Sassywood* and *Slah* indigenous conflict resolution mechanisms are prominent among the indigenous communities of Liberia practiced for generations in peacemaking and maintaining sustainable stability (Chereji & King, 2013). *Ubuntu*, the traditional institution for the resolution of conflict, is applicable among the indigenous communities of Southern Africa (Olowu, 2018). Another traditional institution in Africa to add is *Gacaca*. *Gacaca* is a traditional Rwandan conflict resolution method that is applicable for conflicts such as a dispute over land, property damage, material issues, or inheritance rights is one among many traditional practices of conflict resolution in Africa (Tongeren *et al.*, 2005 cited in Mengesha *et al.*, 2015).

Ethiopia is the home for various ethnic groups and these ethnic groups have widely practiced and deep-rooted traditions of conflict resolution based on shared norms and held values. Different studies witnessed that, in Ethiopia, almost all ethnic groups have their distinct indigenous mechanisms of conflict resolution which are used and practiced for many centuries (Daniel, 2016; Endalcachew *et al.*, 2015; Gowok, 2008; Enyew, 2014). Among these, Gowok (2008) listed *Gada* system of the Oromo, *Joburas* of the Agnuak, and *Shimagelle* of the Amhara as notable traditional conflict resolution mechanisms practiced by respective communities. To add a few, *Yejoka* of Gurage (Zelalem & Endalcachew, 2015) and *Seera* of the Kambata (Mengesha *et al.*, 2015) are some among many indigenous conflict resolution mechanisms practiced in Ethiopia.

The indigenous conflict resolution mechanisms are deeply rooted in the culture and customs of respective communities and gain their legitimacy from the values of the community instead of the state (Alemie & Mandefro, 2018). In this regard, every society has its traditional way of conflict resolution and the ethnic groups that are located in Southwest Ethiopia people regional state are not exceptions. Among thirteen indigenous communities who live in the Southwest Ethiopia people regional state, the Sheko community is one. In the Sheko community, conflicts may arise due to different factors, and these conflicts are effectively resolved using *Bertussa*, the indigenous institution of governance and conflict resolution. This indigenous practice of the Sheko community is not studied and documented to ensure its continuity for the forthcoming generation. Yitayew *et al.* (2020) argued that in Ethiopia, indigenous knowledge including indigenous conflict resolution is largely oral, undocumented, and not organized. This

hampered the sustainable use and integration of the institutions into the formal court system. Thus, this study is a useful addition in filling this gap and encouraging the practical documentation of the *Bertussa* institution.

## **Objectives**

1. To explore the structure and procedures in the institution of *Bertussa*.
2. To identify major types of conflicts that mostly arise in the *Sheko* community.
3. To exhibit the reconciliation and ceremonial practices in resolving each type of conflict under the *Bertussa* institution.
4. To see the relationship between the traditional conflict resolution system and the formal court system.

## **Methods**

### ***Research approach and design***

The study employed a qualitative research approach. Qualitative research explores attitudes, behavior, and experiences and attempts to get an in-depth opinion from participants through methods such as interviews, focus group discussions, and observation (Dawson, 2002). Based on the nature of the study, a case study research design was used. Creswell (2007) noted that a case study research is a qualitative approach in which the investigator explores a tradition or system through detailed and in-depth data collection involving multiple sources of information.

### ***Sampling***

The study area and research participants are selected purposively. The three districts such as Guraferda and Sheko districts from Bench-Sheko Zone and Yeki from Sheka Zone where the Sheko communities predominantly live were purposively selected. These are areas where abundant information regarding the *Bertussa* institution is found.

By using the none-probability sampling technique elders, clan leaders, traditional belief leaders, officials from the culture and truism office, and justice administration office of each district were selected. Snowball sampling technique was mostly employed for the selection of elders, clan leaders, and traditional belief leaders.

### ***Data collection***

Data was collected through interviews and focus group discussions (FGD). An interview was held with elders, clan leaders, and traditional belief leaders. In addition, officials from the culture and tourism office, and the justice administration officials were also interviewed. Regarding the FGD, it was held with elders, clan leaders, and traditional belief leaders who were selected based on their lived experience in the *Bertussa* and their recognition in the community.

### ***Analysis technique***

Creswell (2007) noted that data analysis in qualitative research consists of preparing and organizing the data for analysis (transcribing), reducing the data into themes through a process of coding and condensing the codes. Cognizant of this, the researchers employed a deductive thematic analysis technique.

### ***Theoretical foundation***

Our theoretical underpinning for this research is a social capital theory. There are various definitions given to social capital following its foundation in the 1980s. For this research, we defined social capital as a set of shared values, norms, and customs that bind the society together, thereby settling disputes, building social cohesion, and strengthening the relationship among the member of the community. In the same fashion, Phillips and Pittman (2009) described social capital as a set of resources intrinsic to social relations and include trust, norms, community responsibility, reciprocal obligations, civic sense, and networks that can improve the efficiency of society by facilitating collective action for achieving mutually beneficial ends. Fred-Mensah (2005) referred to social capital as the capability of social norms and customs to hold members of a group together by effectively setting and facilitating the terms of their relationships.

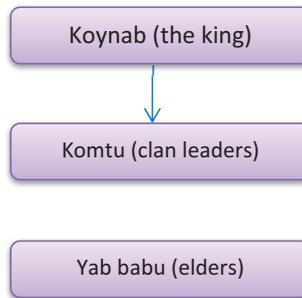
To Field (2016), social capital is a term that is used in describing the intangible resources of the community, shared values, customs, and trust to which we rely on our daily life. Social capital has won international credit and been widely taken up within politics and sociology as an explanation for the decline in social cohesion and community values in western societies. Thus, the theory helped us to understand and describe *Bertussa* the indigenous practice of resolving conflict and keeping social cohesion.

## **Results and Discussion**

### ***1. Bertussa: structure and procedures***

As discussed earlier in the introduction part, different studies witnessed that, in Ethiopia, almost all ethnic groups have their distinct indigenous mechanisms of conflict resolution which are used and practiced for many centuries (Daniel, 2016; Endalcachew *et al.*, 2015; Gowok, 2008; Enyew, 2014). Cognizant of this, the Sheko community has its own indigenous conflict resolution mechanism which is deeply rooted in the culture and customs of the community. This traditional conflict resolution system of the Sheko community is called ***Bertussa***. According to the interview and focus group discussion result, the term *Bertussa* refers to the process of conflict resolution (adjudication) system. This institution of conflict resolution has been practiced for a long period among the Sheko community. The traditional adjudication system is hierarchical in its structure and it includes the *Koynab* (the King) at the top who is the most responsible person and

crowned the kingship based on blood descent (see Figure 1). **Koynab** (the King) is the highest respected position in the socio-political structure of the Sheko community and he is responsible for administering the socio-cultural, economic, and political affairs of the Sheko community. Following the *Koynab* (the King), we find the clan leaders who are locally known as *Komtu*. Clan leaders play a greater role in conflict resolution systems and traditional governance. Each clan leader has its *burjab*. *Burjab* is an individual who is believed to have spiritual power in the community and plays a greater role in facilitating the reconciliation process (*bertusa*). In the *bertusa* institution, the *Burjab* is the most responsible and highly mandated to facilitate and settle a dispute in the community of the Sheko. Hierarchically at the bottom, there are socially respected individuals called *Yab babu* meaning (local elders). In the tradition of the Sheko community conflicts which are believed to be less violent are settled at *yab babu* (local elders) level. Whereas, reconciliation of homicide issues and conflicts which are serious and complex are mostly addressed by the *komtu* (clan leaders).



**Figure 1:** Structural Hierarchy of administrative and conflict resolution system of the Sheko community

**Source:** Researchers Compilation, 2022

## **2. Overview of major types of conflicts that mostly arise in the Sheko community**

As we understood from previous studies, conflict, by its nature, is an inevitable phenomenon of any society (Wolde, 2018; Gupta *et al.*, 2020; Thakore, 2013). Thus, conflict may arise due to different reasons and its magnitude can be labeled based on its consequences. In this regard, Sheko community is no exception, as in any other society, different types of conflicts are also observed in the Sheko community. Underneath, we figured out and briefly described the type and nature of conflicts that commonly occur among the Sheko community. In the subsequent part, the reconciliation and ceremonial practices in resolving each type of conflict under the *Burtusa* institution are described briefly.

### 2.1 *Marriage-related conflicts*

The marriage-related conflict is the most common and frequently occurring conflict type in the Sheko community. According to the key informant interview result, there are three major sources for marriage-related conflict among the Sheko community such as; (1) if a girl whom a marriage dowry was given (fiancé of a particular man), married for another person. If it is so, conflict occurs between the person who gave a dowry and the girl's parents who received the dowry. In addition, seeking his dowry to be given back, the person may also get in to quarrel with the man who married his fiancé; (2) due to marital conflict, if the woman went to her parent's home and lived without being divorced and married to another person, a conflict also occurs between the first husband and the parents of a woman and the newly engaged husband, and (3) adultery in marriage, this causes a serious conflict among others. In the Sheko community, marriage is highly respected and by no means cheating is tolerable. Thus, if a married woman had a sexual relationship with another man, a serious conflict may occur between the husband and the wife. Moreover, the husband will engage in violent conflict with the man with whom the woman had a sexual relationship. If this conflict is not managed early, it will lead to the crime of homicide.

### 2.2 *Clan conflict*

Clan conflict is another type of conflict that may occur as a result of different factors. The FGD discussion and key informant interviews revealed that boundary trespassing and cattle looting are major sources of inter-clan conflict. If the members of a particular clan trespass the landholding of the other clan for agricultural purposes, use of grazing land, and or territorial encroachment a serious conflict may occur between the two clan members. If the issue is not managed early by the clan leaders of the conflicting clans or the other third neutral clan leader, the conflict may become a bloody conflict. Another source of clan conflict among the Sheko community is cattle looting. If members of the particular clan loot the cattle that belong to the other clan, the clan members whose cattle were looted directly revenge by doing the same. Finally, such inter-clan cattle looting lead to a stiff clan conflict.

### 2.3 *Conflict Due to Abduction (Gishwa)*

Although there are different practices in marriage all over the country, marriage through abduction, which is known as *gishwa* in the Sheko community, is a common practice in Ethiopia (Getahun, 2001). An abduction is an act of taking a woman forcefully for marriage against her consent and the traditions of the community. According to Getahun (2001), abduction is the act of kidnapping a woman with an intention of marriage against her will. In the Sheko community, abduction is locally known as *Gishwa*, and this act can cause a violent conflict between the family of the abducted girl and the abductor. In the community, in addition to forceful abduction, there is also consent-based

abduction. Forceful abduction is a principal source of violent conflict if it is not managed timely. This is because the family of the abductee feels disgraced so the family attempts to bring the girl back home by any means. Cognizant of this, the process of reconciliation between the family of the abductor and abductee depends on the nature of abduction. If the abduction is voluntary, the reconciliation is less stringent and the family of the abductee doesn't exacerbate the issue, instead, they feel ashamed by the deed of their daughter. However, if the abduction is made forcefully with no consent from the girl, this will be a strong offense for the family of the abductee and the reconciliation process is stringent and tedious to conclude. In the Sheko community, the family of the abductee considers forceful abduction as the action that humiliates the prestige of the family and this is why the practices cause a bloody conflict and the process of reconciliation becomes tedious.

#### *2.4 Interpersonal conflict*

Interpersonal conflict is a conflict type that occurs between two individuals. This type of conflict among the Sheko community may occur as a result of betrayal, adultery, insulting, and being over drunk in times of cultural festivity or other occasions. Thus, a serious interpersonal conflict lasts with homicide further causing a widespread conflict if not managed well in time and intervenes by clan leaders.

### **3. *Reconciliation and ceremonial practices in resolving each type of conflict under the Bertussa institution***

According to the FGD and key informant interviews, various conflicts, such as marriage-related conflicts, clan conflicts, and interpersonal conflicts among the Sheko community, are resolved by using the indigenous conflict resolution mechanism. In the indigenous conflict resolution mechanism of the Sheko community, the reconciliation procedures and processes are determined by the magnitude of the conflict that is occurred. If the conflict is serious and strong, it will be directly referred to the clan leaders and resolved with the involvement of the *burjab* and local elders. If the conflict is less violent, it will be managed at the local elder's level, thereby ensuring the healing of the discontent among the disputants. In the upcoming part, the reconciliation process and ceremonial practices in resolving each type of conflict are discussed.

#### *3.1 Reconciliation process and ceremonial practices in resolving marriage related conflict*

As discussed earlier, marriage-related conflict is the most occurring conflict in the Sheko community. According to the FGD and key informant interviews, marriage-related conflicts may fall under three categories depending on the nature and cause of the conflict.

### 3.1.1 Fiancé of a particular man married to the other man

This is a marriage-related conflict type that may occur if a girl, whom a marriage dowry was given, married another person. According to the key informant interview result, a fiancé of a particular man may marry another man on one of two occasions, either voluntarily or by abduction. For these two cases, the response of the girl's family and her fiancé is different. If the girl, whom a marriage dowry was given, voluntarily marries another person, to calm the emotion of her fiancé, her parents promise to give him her little sister as a replacement. If the man agrees, he can marry her sister and if he is not in agreement he can claim the dowry to be reimbursed. If it is so as per the culture of the community, the parents are obliged to pay back the sum of all cattle given to them as a dowry.

However, the issue will be very serious if the girl was abducted forcefully. Especially this is more aggravated if there is a clan difference between the girl's parent and the man who abducted her. In this case, the father of the abducted girl directly goes to the house of the clan leader and reports the case. One of the key informants narrated the appeal as follows; *"my daughter whom I received a marriage dowry is abducted by a person from another clan and I don't accept the marriage. Thus, I request you to bring my daughter back, unless I will not accept your leadership and I don't want you to seat in your father's position"*. Then, as soon as the clan leader hears the appeal of the abducted girl's father, directly he goes to the house of the grandfather or father of the man who married the girl by abduction, and urges them to withdraw the girl and let her go back to her fiancé's or parent's house. Since the communities of Sheko people strongly adhere to the saying and order of the clan leaders, the parents of the man who abducted the girl immediately accept the order and let the girl go back to her parent's home. In the Sheko community, the newly married woman covers her whole body with ointment locally known as (*Siaru/ diku*) for a month, sometimes up to 40 days, of her stays in honeymoon. Thus, upon her return back to her parents, she goes with her ointment even without being washing it away. At this time, there is a ceremony to be conducted. The girl, before reunited with her parents, a ceremony of purification will be held by washing her with a yearling bull and yearling cow. If this is done in the Sheko community, it is believed that all deeds are washed away and from now on she is deemed as pure. In this way, the conflict can be successfully resolved and peace is maintained.

### 3.1.2 Marriage of un-divorced woman to another person

This type of marriage-related conflict occurs if a married woman went to her parent's home due to marital conflict and lived without being divorced and married to another person. The marriage of an un-divorced woman to another person may occur either voluntarily or by abduction. In this case, the first husband along with his clan members engages in stiff conflict with his wife's parents and the newly engaged husband. All clan members of the first husband collectively call the woman 'my wife' and claim

the return of the woman to the legitimate husband unless a bloody conflict will follow. In this time, as soon as he knows the case the clan leader intervenes in the issue and begins the reconciliation process. Then, if the first husband claims his wife to return the ceremony of purification will be held and she will come back to her home. On the contrary, if the husband refuses to re-take his wife, he can claim the dowry to be reimbursed by her parents.

### 3.1.3 Adultery in marriage

This is one of the major sources of marriage-related conflict. Cheating in the Sheko community is a more highly condemned action if it is committed by the woman. However, according to the interview result in the Sheko community, if a married woman had sex with her husband's brother and if it is not publicly known it can be ignored aside. This practice, though it is not officially allowed, is common and normal to the community. The issue may become conflictual if the husband knows that his brother is dating his wife. If this is the case the father punishes his son who dated his brother's wife.

Adultery becomes a serious offense if the woman had a sexual relationship with a man who belongs to another clan. In this case, if she is caught, the ceremony of purification will be held and she will be reunited with her husband.

## 3.2 *Clan Conflict*

As discussed earlier, clan conflict is another type of conflict that may occur as a result of different factors such as boundary trespassing for agricultural purposes, use of grazing land, and or territorial encroachment. In addition, an inter-clan cattle looting is also another source of inter-clan conflict. Thus, whatever the sources of the conflict, unless the conflict is intervened by clan leaders and local elders, the conflict may escalate to its destructive stage. However, the Sheko community has developed an age-old practice of conflict resolution mechanism to deter the destructive nature of conflicts. The actors involved in the reconciliation process are well acquainted with the indigenous knowledge of conflict resolution so that they successfully manage conflicts and maintain peace and order in the community.

In the Sheko community, if a clan conflict occurs, it will be directly intervened by clan leaders of both sides as soon as the news of the conflict is heard. If the case is failed to be held by the clan leaders of the conflicting clans a third neutral clan leader intervenes and reconciles the conflicting parties. The clan leaders, though they reside far from one another, they are interconnected with marital relationships and thus they know each other. This helps them to reconcile conflicts that occur between the members of their clan successfully.

In the institution of *Bertussa*, if the conflict, be it clan or interpersonal, led to murder, the reconciliation process is tedious, the actors who involve in reconciliation are different

from the actors who are involved in the reconciliation process of conflicts which are believed to be less violent, and the ceremonial practice is unique.

### **Reconciliation process of homicide**

According to the cultural value of the Sheko community, murder is a highly denounced crime and if it is committed immediately, the local elders report the case to the clan leader of the area. On some occasions, the family of the killer may also report the case to the clan leader and appeal for reconciliation. The reason why the families of the murderer themselves report the incident for the clan leader is to avoid potential escalation of the conflict as a result of revenge. As soon as the report is addressed the clan leader orders the killer to come to his house and put him under his control. This is to make the murderer hide from the victim's family thereby, deterring further revenge and escalation of the conflict. Then, the clan leader directly goes to the house of the victim and expresses his deep condolence, and shares the victim's family grief. The *Bertussa* (reconciliation) process is somehow different for the cases where the killer and the victim are under the same clan leader, and they are from different clan leaders. If the killer and the victim are from the same clan, the clan leader under his administrative jurisdiction has full responsibility for leading the reconciliation. In the first place as the clan leader hears the report of the committed homicide most often from *yab babu* (local elders), or on some occasions from the killer family the clan leader goes to the house of the victim and express his condolence to the family in so doing culturally advise them not to go to revenge.

Then, the clan leader calls the *burjab* and selects respected elders in the community for the process of *bertussa* (reconciliation). In the meantime, the clan leader discusses and plans the reconciliation process with the *burjab* and the elders then he sends them to the family of the victim. He sends them by praying and blessing for the success of the reconciliation process. In the culture of the Sheko community, the clan leader, the *burjab*, and the elders are the most respected bodies so the reconciliation process becomes successful though the process is exhaustive. The next day, early in the morning, the *burjab* and the selected elders go to the house of the victim to discuss with the family to bring them to the reconciliation process. In their discussion with the family of the victim, the *burjab* and the elders approach them persuasively as much as they can. However, the family of the victim may not accept the request for the process of reconciliation so the attempt may continue for several rounds until the victim's family accepts the request for reconciliation.

Later on, following the confirmation of acceptance of reconciliation by the victim's family, the *burjab* and the elders (the elders are from both sides) arrange a time and place to bring the two families into the reconciliation process. In the tradition of the Sheko community, the reconciliation process for such serious conflicts is held around the river bank. Traditionally, such reconciliations are not held around farming lands used

to grow crops, plants, and fruits for food, and around the residence of both sides. In the cultural value of the Sheko community, it is strongly believed that conducting homicide reconciliation around the aforementioned areas is not a good practice. This is because, if the reconciliation is made in farming lands where crops, plants, and fruits are growing for food, it may make the land to be unproductive. In addition, if the reconciliation process is held around the residing area, the community believes that the bad spirit is not washed-up so that there may be repetitions of the homicide. Thus conducting the reconciliation around the river bank according to the culture of the Sheko community implied that the bad spirit, conflict, ruthlessness, and spirit of revenge are washed-up by the river in so doing peace prevails and social harmony is maintained.

In the previously arranged time and place, the two families arrive at the river bank and stand on the opposite sides of the river. The reason why the *burjab* and the elders let the families stand on the opposite sides of the river is (1) to avoid contact before reconciliation ceremonies are held and (2) to avoid potential revenge incidents as they meet face to face for the first time since the incident has occurred. Before the reconciliation begins, the *burjab* and the elders make sure of the readiness of the compensations (cattle and girl). If the murderer families don't have a girl for the compensation, they must notify the *burjab* and the elders in the earlier stages of the reconciliation process. Then the *burjab* and the elders cross-check the truthfulness of the appeal and then, if they confirm, they let the victim's family know the truth. Accordingly, the family of the murderer needs to prepare 10–12 cattle on the behalf of the girl. Then, the reconciliation begins with the ritual slaughter of a black sheep prepared for this purpose. The *burjab* and the elders let the blood of the sheep washed by the river which implies that the bad spirit and the conflict are washed-up. Then, the *burjab* orders the families of both sides to cross over the blood of the slaughtered sheep. As per the culture of the Sheko community, the *yenu* (intestine) of the slaughtered sheep is cautiously separated from the other part of the slaughtered sheep body. The cautiously separated *yenu* (intestine) is placed on the two up-right standing sticks having a space in between. Then, with the leadership of the *burjab*, four individuals from each family hold hands together and cross between the *yenu* (intestine) through the space. According to the culture of the community, this practice implies that the two families are swearing not to see each other as a foe and not to think of revenge after all. Finally, the *yenu* (intestine) is thrown by the *burjab* into the river to be washed up. In the end, the ceremony of serving food and drinks is held which is the last stage of the reconciliation process.

On the other hand, regarding reconciliation for a homicide that occurred between two different clans (inter-clan homicide); the process of reconciliation is somehow different. In this case, as soon as the news of the murder is reported to the clan leader of the murderer, he sends *burjab* and elders to the clan leader of the victim. After that, the clan leader of the victim hears the message from the sent *burjab* and elders and he, in his turn, calls a *burjab* and selects respected elders, and discusses the issues together.

Upon the discussion made with the blessing and praying, he sends the *burjab* and the elders to the victim's family. Then, the reconciliation begins and the reconciliation process remains the same with the intra-clan homicide reconciliation.

### 3.3 *Conflict due to abduction*

A voluntary abduction in the Sheko community is easily identifiable based on the prior behavior demonstrated by the girl and the abductor. Before the abduction, both of them may frequently be observed publicly doing different activities, having contact on different occasions, and playing together. This activity of the two individuals exposes their secret love to the community. Thus, with this knowledge, the abduction may not surprise the families of both parties as the rumor about their love was already heard by both the girl's family and the abductor's family. However, the action causes conflict between the families of the abductor and the abductee as abduction in the Sheko community is seen as a transgression of the dignity of the abductee's family in the community.

Therefore, as soon as the abduction is occurred, the family of the abductor prepares respected elders to send to the families of the abductee for the process of reconciliation. In the Sheko community, sending elders to the family of the abductee as soon as the abduction is made is one way of showing due respect to the abductee's family to loosen the tension.

Then, the chosen elders having the responsibility of reconciling the conflict directly head to the house of the abductee. Most of the time, in the Sheko community, the reconciliation process takes two rounds of the visit to the house of the abductee, especially for forced abduction. Concerning voluntary abduction, most often the reconciliation process will be concluded with a single trip presenting compensation for the abductee's families. Then, following the conclusion of reconciliation, the elders come back to the house of the abductors with the arranged day for celebration of the marriage.

As introduced earlier, the reconciliation process in the case of forced abduction is tedious and the task is somehow worrisome for the elders. This is because the forced abduction in the culture of the Sheko community is labeled as a serious offense to the families of the abductee. The family of the abductee, by no means, easily accepts the reality that happened, so that they become highly disappointed and feel disgraced. Thus, they cautiously inspect to spot the place where their girl was located to bring her back home. Owing to this, the abductor always hides the abductee in an unidentifiable place to avoid the potential revenge.

Consequently, the family of the abductor begins the arrangement of compensation to be presented to the abductee's family. In the culture of the Sheko community, it is cattle that are principally given as compensation. Next, they choose elders whom they give the responsibility of reconciliation. As discussed in the first part of this section, sending elders to the family of the abductee as soon as the abduction is made is one way of

showing due respect to the abductee's family to loosen the tension. This action helps to ease the reconciliation process thereby ensuring the successful accomplishment of the conflict resolution process. Adhering to this culture, the abductor's family sends elders as immediately as possible to the house of the abductee.

Having discussed the issue and plan of the reconciliation process as detail as possible with the family of the abductor, elders directly make their first journey to the house of the abductee's family. Upon their arrival, they gently approach them and began to address the reason for their coming and they persuasively express that the abductor's family is in search of reconciliation. According to the tradition of the Sheko community, it is hardly possible to elders to persuade the families of the abductee to accept the reconciliation in the first round. The families of the abductee in their first meeting with the elders demonstrate their anger and disappointment at the action of the abductor. Then, with wise reconciliation of the elders, the families of the abductee appoint the elders to come back after a week or longer.

On the day of the second meeting with the elders, the abductee's family prepares food and drinks to be served for the elders. In their second journey, the elders also convey with them the compensation to be presented for the abductee's family. As introduced prior, the compensation for such kind of conflict in the Sheko community is cattle. Thus, they present a yearling bull, a steer/ox, a yearling cow, and a milk cow for the offense made on the abductee's family. Upon their arrival, the elders enter the house leaving back the cattle in the surrounding. In the house, the elders remain standing until they are told to seat. Standing in front of the family of the abductee, they address the reason for their coming and list the compensation brought to be presented as a remedy for the offense. As the elders finished their speech, the families of the abductee invite them to take a seat and the ceremony of eating and drinking started. The completion of the compensation process loosens the tension between the two families and face-to-face contact can be started hereafter.

Then, after arranging a time for the third meeting, the elders get back to the house of the abductor. In the third round, the elders come along with the abductor's close relatives with a dowry to be presented to the family of the abductee. In the meantime, reconciliation is held between the families of both sides followed by a blessing from elders. Finally, a marriage ceremony is held.

#### ***4. The relationship between Burtusa, the traditional conflict resolution system, and the formal court system***

It is believed that conflicts are resolved by using either the modern or the traditional adjudication system. The nature, complexity, and level of conflict may determine the type of conflict resolution system we use. This is because, as argued by Bekele & Akako (2022), there is no single conflict resolution mechanism that is believed to be a perfect

fit for all types of conflict. The type of conflict resolution used differs largely depending on the type, nature, and level of conflict. This argument concludes that in modern governance conflicts can be better resolved either by using the formal court or using an informal (alternative) dispute resolution mechanism. Thus, we should not completely attach to modern conflict resolution mechanisms by denying the contribution of the alternative dispute resolution mechanism.

Whereas, practically in the study area, we didn't see any institutionally supported formal relationship between the modern and traditional institutions to alternatively manage conflicts in the community. Despite widespread conflicts, dishonesty, and betrayal within the community, the indigenous conflict resolution institutions are put aside which have a tremendous contribution and solutions to successfully manage such vice behaviors happening in the community. In this study, FGD discussants and key informant interviewees do believe that most conflicts in the Sheko community can be better addressed by the *bertussa* institution than the modern institution. They also believe that genuine and heartfelt reconciliation can be achieved through the traditional reconciliation process. This is because, in the case of the traditional adjudication system disputants as well as witnesses by no means lie for the *komtu* (clan leaders), the *burjab* (reconciler), and the *yab babu* (local elders); if they do so, it is believed in the community that they may be cursed for a generation. In the case of formal adjudication, the disputants and the witnesses are more likely to lie. Though the indigenous governance system has such kind of strong acceptance from the community, it lacks due focus from the local government and it is not formally recognized. This highly overloaded the formal court with different cases.

## Conclusion

Based upon the study, the following conclusions are given on four themes of the study. In Ethiopia, different ethnic groups, Sheko inclusive, have their age-old indigenous institutions of conflict resolution. In the Sheko community, there is an institution known as *bertussa* which served as a governance and reconciliation institution in the community for a long period. In the traditional governance, *Koynab* (the King) is the highest respected position in the socio-political structure of the Sheko community and he is responsible for administering the socio-cultural, economic, and political affairs of the Sheko community. Under the *Koynab*, there are the *Komtu* (clan leaders). Clan leaders play a greater role in conflict resolution systems and traditional governance. Each clan leader has its *burjab*. *Burjab* is an individual who is believed to have spiritual power in the community and plays a greater role in facilitating the reconciliation process in the *bertusa* institution. Moreover, the *burjab* in the Sheko community is believed to have spiritual power. Hierarchically, at the bottom, there are socially respected individuals called *Yab babu* meaning (local elders). In the tradition of the Sheko community, conflicts that are believed to be less violent are settled at the *yab babu* (local elders) level.

Whereas, reconciliation of homicide issues and conflicts which are complex are mostly addressed by the *komtu* (clan leaders).

As in other societies in Ethiopia, conflicts in the Sheko community occur due to various sources. Thus, adultery, betrayal, abduction, boundary trespassing, and overdrunk are observed as the most common sources of conflict in the community. Conflict types that are most common among the Sheko community are marriage-related conflicts, clan conflicts, conflict due to abduction (*Gishwa*), and interpersonal conflicts. However, these conflicts are successfully resolved by the aforementioned governance and adjudication structures through the *bertussa* institution. In the indigenous conflict resolution mechanism of the Sheko community, the reconciliation procedures and processes are determined by the magnitude of the conflict that is occurred. If the conflict is serious and strong it will be directly referred to the clan leaders and resolved with the involvement of *burjab* and local elders. On the other hand, if the conflict is less violent, it will be managed at the *yab babu* (local elder's) level thereby ensuring the healing of the discontent among the disputants. In this indigenous practice of conflict resolution, there are symbolic ceremonial practices implying the healing of discontent and washing away the evil that causes the conflict.

It is believed that, in modern governance, conflicts can be better resolved either by using the formal court or using an informal (alternative) dispute resolution mechanism. Thus, it is not recommended to completely attach to modern conflict resolution mechanisms by denying the contribution of the alternative dispute resolution mechanism. With this understanding currently, there is a tendency to recognize and resort to indigenous conflict resolution systems in modern governance.

However, in the study area, there is no tendency to recognize the traditional institution of governance and conflict resolution. There is no institutionally supported formal relationship between the modern and traditional institutions to alternatively manage conflicts in the community. Despite widespread conflicts, dishonesty, and betrayal within the community the indigenous conflict resolution institutions are put aside which have a tremendous contribution and solutions to successfully manage such vice behaviors happening in the community. The Sheko community believes that most conflicts can be better addressed by the *bertussa* institution than the modern institution. It is also strongly believed that genuine and heartfelt reconciliation can be achieved through the traditional reconciliation process. Though the indigenous governance system has such kind of strong acceptance from the community, it lacks due focus from the local government and it is not formally recognized. This highly overloaded the formal court with different cases.

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