

# Ethiopia: *Tomo*—Indigenous Conflict Resolution Mechanism of the Benč Community

Tagel WONDIMU

**Abstract:** *Tomo* indigenous conflict resolution approach is practiced by the Benč ethnic group and their neighboring communities within the southwestern fringe of Ethiopia. As an indigenous apparatus, the *Tomo* approach exhibits spirituality through blessing and cursing which are directed against the accused based on complying or contravening the very indigenous dispute management rules and regulations. The objective of this study was exploring the custom through which the studied community deals with conflict by using the indigenous *Tomo* approach. In pursuit of this objective, the researcher utilized a qualitative approach, particularly phenomenology. In terms of data collection tools, the researcher used key-informant interview with selected Benč ritual leaders, non-participant observation on *Tomo* adjudication sessions and critical document analysis. Built up on such data sources, the findings of the study discovered five inferences. First, regardless of the fact that *Tomo* is an indigenous approach owed by Benč communities, none of the Benč neighboring communities make use of it. Secondly, the majority of cases seen by *Tomo* institution are issues that defy credible eyewitness and are cumbersome for verification and/or falsification within the mainstream court system. Thirdly, unlike the habitual *Tomo* practice within the Benč community, contemporary *Tomo* exhibits two conflicting formality and informality characteristics. Due to its semi-formal nature, contemporary *Tomo* ritual leaders notify charges against the presumed wrongdoer by sending an invitation letter for the accused to attend the charges against him/her, comparable with formal courts. Contrary to this formality, contemporary *Tomo* is also characterized

by informality due to the fact that verdicts given against the perpetrator are passed through ritual cursing just like the habitual *Tomo*. Furthermore, identical with the habitual *Tomo* practice, cursing within contemporary *Tomo* goes the presumed wrongdoer including his/her family up to some future generations along with those who feast and bury the presumed wrongdoer. Overall, contemporary *Tomo* has terrifying delinquency deterring outcome along with the accustomed indigenous conflict resolution mechanism features.

Tagel WONDIMU

Department of Civics and Ethical Studies  
Mizan Tepi University, Ethiopia  
Email: tagelgc@gmail.com

---

Conflict Studies Quarterly  
Issue 36, July 2021, pp. 83–94

DOI: 10.24193/cs.36.6  
Published First Online: 05 July /2021

**Keywords:** conflict, conflict resolution, indigenous conflict resolution, *Tomo*.

## Introduction

Conflict is a striking and significant aspect of human experience. It has existed among nations, between various groups and within individual(s) (Wynn *et al.*, 2010). Thus, it is a normal, integral and inevitable part of human relations (Gupta *et al.*, 2020). Such ontological impetus enforced mankind to look into effective approaches for conflict resolution (Chereji & Sandu, 2021). These constant searches for effective and workable conflict resolution approaches facilitated the discovery of “several stages and generated many methods and techniques for conflict management” (Chereji & Sandu, 2021, p. 3) which, in turn, forced scholars to dichotomized conflict resolution approaches as “modern court system (formal litigation) vis-à-vis ‘traditional mechanism’ (Gupta *et al.*, 2020, p. 10).

Built upon this view, formal approaches are correlated with state institutions, while the informal /indigenous approaches are associated with cultural mechanisms (Mulugeta & Getachew, 2013). Elucidating terminologies, Murithi (2008) and Mutisi (2009) contended that, the term indigenous and endogenous approaches are interchangeable within the realm of conflict resolution. Thus, such approaches are defined as conflict resolution practices which are “embodied [with] in the cultures and traditions of communities” (Mutisi, 2009, p. 18). In terms of application, “‘traditional’ [indigenous conflict resolution] practices and institution have been revived across the globe” (Chereji & Sandu, 2021, p. 4). With this respect, we could conjure the historic South Africa *Ubuntu* approach which advanced the reconciliation process on South African apartheid injustice. Likewise, we can point to the Rwandan indigenous *Gacaca* approach, which latter on transformed into *Gacaca* court so as to adjudicate the Rwandan genocide and so on (Murithi, 2008).

Moreover, Batley (2005), who prefers the name restorative justice rather than indigenous conflict approaches, noted that restorative justice programs, policies and legislative reforms being implemented in many parts of the world. Equally, Braithwaite (2010), noted that the 1990s as an epoch which revealed the New Zealand variety of family group conferencing; which latter on expanded into, too many countries such as Australia, Singapore, United Kingdom, Ireland, United States of America and Canada. Hitherto, restorative justice movements triggered the so called Africanization vis-à-vis Westernization dichotomization of restorative justice (Mangena, 2015), yet this debate is beyond the scope of this article.

By and large, this article will be more focused on *Tomo* indigenous conflict resolution approach practiced by ethnic Benč communities from the extreme southwestern fringe of Ethiopia. Before continuing discussion on indigenous approach in general and the *Tomo* approach in particular, we need to have a common understanding on two dichotomized concepts so as to have common understanding throughout the article. The first dichotomized concept we need to have common understanding of, is the

term, 'traditional' vis-à-vis 'modern' conflict resolution categorization. As it is widely discussed within literatures, the use of these terms are subjected to academic disputes. With this respect, Magoti (2019) notes, scholars debating on these terms suggest two-fold construction created by the West, to justify their dominion over societies within developing countries. Being aware of negative connotation, Magoti (2019), further goes to use these terms in a manner that informs readers:

The term traditional approach refers to peace building and conflict resolution approaches which rely on non-formal or non-state based customary institutions such as council of elders, council of chiefs...on the other hand [the term] modern is used to refer to formal or state-centered approach to peace keeping and conflict resolution (Magoti, 2019, p. 176).

Gupta *et al.* (2020) further expanded this dichotomization by stressing formal institutions as involving judges, juries, administrative dispute resolvers and the apparent relation between them and that of the legal system. Contrary to this, informal / 'traditional' approaches are elucidated as mechanisms which stemmed from extended societal practices. Likewise, they are also seen as rooted in cultural milieu of a given society. This in turn leads us to the concept of indigenous conflict resolution. Academically speaking, these approaches infer dispute resolutions and conflict management techniques that are based on long established practices and local custom (Ginty, 2008). Thus, throughout this article I will use the term indigenous conflict resolution approach instead of the terms such as informal or 'traditional' approach.

The second dichotomized concept on which we should have a common understanding is the separation between restorative *vis-à-vis* retributive justices. Conceptually, restorative justice is typology of conflict resolution, concerned with superior moral values (Allais, 2012; Zehr, 2014). It is more focused on addressing hearts and needs victims and offenders along with the very local communities (Gromet & Darley, 2009). Contrary to this, retributive justice is more focused on reestablishment of justice through punishing the delinquent (Wenzel *et al.*, 2008). In comparative sense, restorative justice is a category of justice based on principle of non-dominance, mutual empowerment, reciprocated listening of each other with stakeholders getting equal opportunity to express their stories (Braithwaite, 2010). Thus, restorative justice resembles/fits the indigenous conflict resolution approaches while retributive justice bears closeness to formal court systems. Therefore for the purpose of this article, informal, 'traditional', indigenous, endogenous as well as restorative justice approaches are meant to infer conflict resolution approaches, which are intrinsic, innate and instinctive to a given society.

Generally, this article is not about an extended discussion on *formal vis-à-vis informal* approach categorizations. Equally, it is not about far-reaching conceptual clarification on the ostensible synergy between indigenous, endogenous and restorative justice semantics and semantic elucidation. The modest objective of the article is focused on

contemporary practice of indigenous conflict resolution approach by taking the *Tomo* approach from the extreme southwestern fringe of Ethiopia. As it is well known, Ethiopia is multi-cultural, multi-ethnic and multi-lingual country. This being the case, the country is inferred as “museum of peoples with more than 80 [different] ethnic groups” (Abebe *et al.*, p. 230). Along with these multiplicities of culture, identities and language, the country hosts numerous indigenous knowledge and knowledge systems. And these aboriginal Ethiopian indigenous knowledge and knowledge systems encompasses almost every aspects of the community which include medicine, agriculture, politics and conflict resolutions and so on (see Workneh, 2011; Yeshambel, 2013; Daniel, 2016).

This article is focused on indigenous knowledge and institutions meant for conflict resolution. According to MacFarlane (2007), many rural communities of Ethiopia choose indigenous institutions, rather than state courts. Empirical researchers also signify that, the various Ethiopian nation’s nationalities and peoples exhibiting and using their own indigenous political and conflict resolution adjudication institutions. To mention just a few, the *Gada* system and conflict adjudication is accustomed among ethnic Oromo. *Gada*, is a system of classes of age groups changeable every eight years in assuming culturally enshrined responsibilities (Zelalem & Endalcachew, 2015). Similarly Wubeyed (2010) who studied indigenous conflict resolution mechanisms of ‘Enner Gurage’ identified five indigenous institutions serving ‘Enner Gurage’ community. These are ‘*Ye Sera dana*’, ‘*Ye muragengne dana*’, ‘*Ye tib dana*’, ‘*Shengo*’ and ‘*Yejoka*’, (Daniel, 2016). Ethnic Kambata communities, are well known for their effective tradition of ‘*kokata*’, ‘*Reda*’, ‘*Gotcho*’, ‘*Gogata*’ and ‘*Ilammo*’ indigenous institution in dealing with conflicts (Abebe *et al.*, 2015).

When we look into the extreme southwestern fringe of Ethiopia, to the best knowledge of the researcher there are three very important studies were conducted. Bisrat (2018) could be mentioned as erstwhile for his enquiry focused on indigenous conflict resolution within Kaffa communities. He identified *Geno*, *Eqqo* and *Tomo* approaches and he enlightened that within ethnic Kaffa communities; ‘*Eqqo*’ is a ‘traditional’ spirit, accepted by a significant segment of the local communities. Moreover, within ethnic Kaffa communities individuals with *Eqqo* spirit are believed to possess supernatural gift of prophecy/ divination operational in conflict adjudication. With respect to *Tomo*, Bisrat argued that leaders of the *Tomo* clan allegedly possess mystic power of knowing hidden actions; and based on this mystic power, they adjudicate conflicts within ethnic Kaffa community. The other scholarly work worth mentioned in this article is the one by Adinew (2017). Through exploratory research, Adinew recognized ‘*Dofie*’ indigenous conflict approach among ethnic Dizi communities. Based on Adinew’s finding, *Dofie* conflict adjudication works through ritual slaughtering of sheep/goat with subsequent examination/reading of its intestine by ritually skilled clans named *Geima*. And the third academic work worth mentioning with this regard is the research conducted

by Teklemariam and Kassaye (2018). Their work touched upon the *Tomo* approach focused on ethnic *Benč* communities. Based on this review we can see the existence of two published works focused on *Tomo* approach, yet both works display limitations which in turn will be discussed within forthcoming sub-section.

### **Indigenous conflict resolution among Benč communities**

As indicated earlier, Ethiopia is multi-ethnic, multi-cultural and multi-lingual country. *Benč* communities are one among these cultural groups with in the extreme southwestern fringe on the country. Comparatively speaking, according to the Central Statistics Authority (2007) report, the *Benč* ethnic group is the second largest, seen from the perspective of the sub-region. In terms of designation, the name 'Benč' was originated from *Benush*, which name of a person believed to be the founding father of the studied community (Muluneh & Dereje, 2013, p. 20). With respect to language, the study community use *Benčnón*, literary it infers *Bénc* mouth or *Bénc* language. According to Rafold (2006), *Benčnón* is a dialect of *Osmotic* language and speakers of *Benčnón* commonly recognize mutually intelligible three vernaculars, which are *Béncnón*, *Sheynón* and *Mernón*,

Along with linguistic segmentation, there are three major clan categorizations within the studied community. These are 'Bénc Tate', 'Mer Tate' and 'Shey [je] Tate' clans with further hierarchical splitting into sub-clans. For example, *BéncTate*' clan is preceded by the *Baykes*, 'Mer Tate' with *Zangnd* and 'Shey Tate' clan is preceded by *Koyinkes* (Muluneh & Dereje, 2013). Along with these linguistic and clan dissection the study community utilize indigenous administrative and conflict adjudication. There many indigenous conflict adjudication within the study community; however this article is focused on *Tomo* institution, which located within 'Shey Tate' clan dominion of *Benč* ethnic group preceded by *Tomtate* sub-clan.

### ***Tomo* indigenous conflict resolution: academic gloominess**

As indicated above, there are two published articles focused on *Tomo* approach. Regardless of sharing similar nomenclature 'Tomo', the articles suggest conflicting interpretation. For example Bisrat (2018) recounts *Tomo* adjudication mechanism of *Kaffa* communities, while Teklemariam and Kassaye (2018) contend *Tomo* indigenous apparatus for *Benč* communities. To understand the difference, it is vital to clutch the following quotes from the two articles:

*Tomo* is one of the clans of *Kaffa* society. It also refers to the leader of such a clan who has a gift of knowing what people have done to other people even if he has not seen it in person and /or heard of that act from other people... The *Tomo* conflict resolution mechanism is used by all clans of *Kaffa* society, beyond that of just the *Tomo* clan (Bisrat, 2018, p. 139).

Contrary to this, the article by Teklemariam and Kassaye (2018) contends that:

The institution of *Tomois* found in Shey-Benč District; *Tikimlshet* Kebele Ethiopia. It is one of the traditional dispute settlement institutions in *Benč* Community. It is named from the clan of “*Tomo*” in *Benč* Tribe [ethnic group]. It has a spiritual basis. It is believed that its foundation is relayed with traditional god called “*shinabossind*” which is worshiped by *Tomo* community (p. 5).

In line with this comprehension, a critical scrutiny entails the following tentative conclusions. First the two articles might have been discussing two different indigenous approaches entitled: ‘*Tomo*’. Or, one of the two articles/scholars’ might have been misinformed in comprehending *Tomo* institution. These being said, this article attempts to deliver nuanced discussion on the indigenous *Tomo* approach practiced by ethnic *Benč* communities. Thus, this article will answer where, when and how *Benč* ethnic groups apply *Tomo* approach. With these objectives and enlightening the academia on *Tomo* institution, the researcher employed a qualitative approach, particularly phenomenology. In terms of data collection tools, the researcher employed key-informant interview with selected *Benč* ritual leaders, non-participant observation on *Tomo* adjudication sessions and literature review.

### **1. Benč ethnic groups and their approaches for conflict resolution**

Among ethnic *Benč* communities, the *Tomo* indigenous conflict resolution approach rests on voluntary concession, demonstration of regret, admission of guilt and appeal for forgiveness by the wrongdoer. Key informants, emphasize that ‘traditional’ or old-style *Tomo* accent morality as the basis for adjudication. Moreover, *Tomo* courts are administered by members of ethnic *Benč* communities from ‘*Tomo*’ clan (Teklemariam & Kassaye, 2018). Within the ethnic *Benč* communities, there are dozens of beliefs and belief oriented sacred sprits/goods. These include ‘*Garamando*’, ‘*Diwosndo*’, ‘*Ashilosndo*’, ‘*Giztetindo*’, ‘*Shinobosindo*’ and so on. Each of these sacred gods has their own unique presumed power. For example ‘*Garamando*’ is the great god, while others are goddess under *Garamando*. Some are gods of rain and productivity while others are gods of sun and punishment. One among these gods is *Shinobosindo*, which punishes through abdominal swelling and *Tomo*’ indigenous adjudication process is associated with *Shinobosindo*. Key informants contend that, *Tomo* approach works *Shinobosindo* spirit/good.

#### **The *Tomo* adjudication process**

In contemporary *Benč* ethnic groups and their neighboring communities, the *Tomo* approach for conflict resolution encompasses five exceptional steps. The steps are listed as follows:

- The first step for *Tomo* adjudication is litigants’ sue commencement into *Tomo* court;

- Following the aforementioned first step, the ritual *Tomo* jury, who heard the litigant situation, will send invitation epistle for the presumed wrongdoer / offender so as to avail him/her/their selves before *Tomo* verdict was made through cursing;
- Thirdly, the litigant, who visited *Tomo* court and who collected invitation letter from *Tomo* jury will contact the presumed wrongdoer /offender and give him/her *Tomo* jury invitation epistle along with the date for court session;
- The fourth step is litigant revisit of *Tomo* court for final verdict regardless of the accursed person decision to hear the verdict by attending *Tomo* court; and
- And the last step is the *Tomo* ritual verdict.

For the purpose of clearer understanding, the following two paragraphs will unpack how the *Tomo* process functions in serving justice using these five steps. As indicated above, *Tomo* adjudication process is initiated with the litigant's first visit of *Tomo* court. According to key-informants, in foremost circumstances, litigation cases seen and adjudicated by *Tomo* courts are those which dearth evidence. Correspondingly, unlike state courts and that of monolithic religious adjudication methods within the study area, for cases which are adjudicated within *Tomo* courts perpetrators tend to distress *Tomo* courts. Hence, they incline to confess their guilt without a need for any sort of proof, including eye witness. Secondly, unlike in other approaches, in contemporary *Tomo* rituals an invitation letter is sent to the presumed wrongdoer /offender to hear the case against him/her before the ritual verdict. In addition to these, the contemporary *Tomo* jury sends an invitation letter with two unique physiognomies. These are, first, the formal state institution *Tomo* court sends a written invitation letter to the presumed wrongdoer. Secondly, unlike any other indigenous apparatus, the *Tomo* jury sends a written invitation letter with its own stamp, which in turn turns it into a quasi formal institution. That being the case, the *Tomo* institution in general and the written invitation in particular have deterring effect on perpetrator(s)/or presumed perpetrator(s). With this regard, most presumed wrongdoer / offender exhibit two characteristics while receiving *Tomo* invitation letter, according to informants. Some get distressed, while others reject it. Those who get distressed discharge their duty before the *Tomo* deadline in some cases and in some other circumstance negotiate with the litigant before their court day. While those who reject the invitation end up being cursed by *Tomo* ritual, which will be discussed latter within this article.

The fourth and fifth steps within *Tomo* adjudication process are litigants succeeding to visit the *Tomo* court, followed by the last step. With present-day *Tomo* adjudication process, litigants succeeding to visit the *Tomo* court, I mean passing everything through the aforementioned three steps, then the fourth step will be initiated. And on the fourth step, the litigant will meet the main *Tomo* judge himself, assisted by facilitators. The manner through which the litigant meets *Tomo* ritual judge face to face, functions on a principle called first come first served, and the meeting is orderly arranged by chair within the *Tomo* court. There are two circumstances for the litigant to meet with the *Tomo* judge.

The first circumstance occurs when the accused accepts the invitation to attend *Tomo* adjudication session and both parties make conversation with *Tomo*. Following that, the *Tomo* ritual judge interrogates both parties for the final judgment. Within this circumstance, if the accused accepts the charge against him/her, then the *Tomo* ritual judge orders the accused to discharge his/her duty by paying compensation both for *Tomo* court and the litigant. This circumstance is explicit voluntary and accompanied by *Tomo* blessing. The other circumstance occurs when the accused rejects *Tomo* invitation and shun away by a *Tomo* court. In this circumstance, the *Tomo* will only interrogate the litigant and order him to spin a needle on a ritual tree within *Tomo* court compound, symbolizing ritual cursing against the accused including his family members up to some generation and those who feast with him/her. If the litigant doesn't have needle with him/her, then the *Tomo* judge will order the him/her to clean tree within *Tomo* court, which denotes similar cursing with pinning a needle on *Tomo* ritual tree.

### **Strengths and weakness of *Tomo* adjudication**

The *Tomo* approach highlights the fundamental role of indigenous knowledge and knowledge systems in conflict adjudication for charges which dearth evidence. It also highlights the study communities' ability in settling conflicts through indigenous approaches through indigenous institution. Empowering the very local communities by providing them the chance to solve conflicting cases that defy evidences is the principal advantage of the *Tomo* apparatus. Within the realm of *Tomo* adjudication, both the accused and the accuser will also acquire the chance of dialogue on the issue that pushed them into disagreement within ritual *Tomo* court compound, assisted by well reputed elders who serve as jury for complex cases. As a norm, if a litigation case between the accused gets too complex, the *Tomo* ritual leader will direct the case for panel of elders who serve as jury. The panel empowered to cross examine both parties and bring the case back to the ritual *Tomo*, with recommendations for final verdict. In every case, pursuant to *Tomo* ritual rule for being dishonest, the *Tomo* approach has evident supremacy in deterring crime, which includes theft, murder and refutation; which in turn can be seen as additional strength of it. Here it is vital to quote one of my key informants who went to prosecute his business partner for deceitfulness in *Tomo* court and subsequently recalled a poster text on the entrance *Tomo* ritual compound, which says "only the truth can save you from death". He narrates the manner through which both accused and the accusers were deterred against any crime as well as confession. As it is rightly observed by Teklemariam and Kassaye (2018):

The decisions passed by *Tomo* institution are fair, low costly and without delay... *Tomo* solves disputes which are dangerous for the wellbeing of society, but committed without evidence. For instance, theft, [adultery] adultery, homicide and other crimes which are committed in hidden and sophisticated manner are usually entertained by *Tomo* institution (p. 4).

Due to these unique characteristics, dissimilar to formal court adjudication within *Tomo* courts is swift; free from corruption for cases which lack evidence. Based on key informants' experience, *Tomo* is relatively swift when compared with formal courts. Hitherto, when compared with other indigenous conflict resolution approaches within the study area and beyond, *Tomo* adjudication can be seen slow due to the fact that they consume a maximum of one or two days only. Apart from this, as implied above, *Tomo* adjudication functions through defendants' explicit confession of the offense irrespective of evidences for verification or falsification. Here, the psycho-sociological role of the *Tomo* apparatus in facilitating reconciliation and adjudication of cases is also acknowledged by majority of key-informants. With this regard, key-informants assert that in a formal court system when sued, offenders tend to show dishonesty /deceitfulness. One key informant further asserted that, given to the prevailing high level psycho-sociological deterring power of the *Tomo* approach, some litigants frighten their adversaries by proclaiming that he/she will go to *Tomo* so as to acquire a swift result.

When we see the *Tomo* approach in comparative sense especially with monolithic religious approaches (mainly Christianity), accused persons renounce their offense. Hitherto, when sued into *Tomo* court, some accused individuals exhibit authentic confession. Nevertheless, there are also special cases in which the accused totally rejects the power of *Tomo* ritual and tear down the above-mentioned *Tomo* ritual jury invitation later. Additionally, *Tomo* adjudication plays pivotal role in preventing further crimes due to its greater psycho-sociological deterring power. In terms of resemblance, just like *gacaca* courts of Rwanda (Mutisi, 2009), *Tomo* courts reflects hybrid approaches for peace and reconciliation. Equally, notwithstanding the fact that *Tomo* is a 'traditional' institution for communal justice and has retained its' traditional' open-air location, it has been partly formalized /institutionalized. As substantiation for this claim, *Tomo* adjudicators send invitation letters for the accused before passing verdict. The invitation letter, just like in formal institutions, has its own seal /stamp and it is entitled '*Tomo* religious court'.

When it comes to weakness, as it is apparent for other indigenous conflict approaches within Africa and beyond, the *Tomo* approach has its own. The researcher observed the following weakness. One of the weaknesses associated within *Tomo* approach is that, it is adjudication through truth telling; which in turn does not always result in peace-building or reconciliation. According to Mahmood "truth doesn't necessarily invoke mercy and forgiveness. In some cases, truth may lead to reprisals against those who present it" (Mutisi, 2009, p. 20). In cases where the accused rejects the charge or reject the decision passed by *Tomo*, then the punishment is death through abdominal swelling /bloating with subsequent death, which is another weakness associated within the approach. Furthermore, family members and community members within the study community in some cases contemplate other sort of abdominal swelling /bloating with *Tomo* and

encounter various costs to undo the cursing. Overall, punishment is not proportional with the offense committed.

Furthermore *Tomo* approach characterized by challenge when it comes to contemporary concepts of human rights due the deep embedded *Tomo* cursing potent for killing the accused, which in turn is contrary to human right declaration. The other weakness embedded within the approach is associated with contemporary notion of double jeopardy; which insists prohibition of multiple prosecutions for the same offense (Hessick & Hessick, 2012). Contrary to this notion, homicide accused person within *Tomo* court, if exposed guilty, then he/she will be punished by *Tomo* first and then handed over for state institution along with his confession as evidence. The last but not the list limitation of contemporary *Tomo* approach is associated with losing acceptance. In plain terms, contemporary *Tomo* rituals and *Tomo* decisions are not much feared anymore, hence the approach is losing its social capital.

## **Conclusion**

*Tomo* is indigenous conflict adjudication apparatus among Benč ethnic groups. The approach exhibits plentiful strengths, of which, adjudication without evidence is seen as the vital benefit. In plain terms, within the *Tomo* adjudication process, justice is served for litigants, regardless of proof for the offense. The other excellence is associated with its deterring injustice by the spirit of 'Shinabossind'. As we have seen on discussion part of this article, 'Shinabossind' is potent to punish by abdominal swelling /bloating with subsequent death. Hence, psycho-sociological deterrence of delinquency/ crime/ misbehavior is the other value of the *Tomo* approach. Furthermore, the approach is characterized by its informality, due to the fact that ultimate verdicts within *Tomo* adjudication are given in the form of cursing or blessing.

Apart from these advantages, the *Tomo* approach has limitations. The principal limitation is its incapability to modify victim versus perpetrator narratives. The other limitation is associated with its softness for being unfair. In other words, in conflict situation where the accused end up guilty and reject to recompense penalty laid by *Tomo* jury or if the accused rejects the charge in general, the verdict is cursing. Worsening the already bad issue, *Tomo* ritual curse is believed to cause death not only against the accused but also against those who feast and bury him/her if he/she dies. Additionally, the curse also passes into some future generations. That being the assumption, the system could be questioned for being unfair due to its disproportional punishment and failure. Given that in short to medium term, the limitation needs to be addressed, otherwise good sides of the approach might be lost along with its shortfalls.

## References

1. Abebe, D., Samson, Y., & Tessema, G. (2015). Indigenous conflict resolution mechanisms among the Kambata society. *American Journal of Education Research*, 3(2), 225–242.
2. Adinew, A. (2017). The power of culture in history: Traditional conflict management mechanism among the Dizi community, Southwest Ethiopia. *The International Journal of Humanities*, 5(3), 101–109.
3. Allais, L. (2012). Restorative justice, retributive justice and the South African truth and reconciliation commission. *Wiley Periodicals, Inc. Philosophy and Public Affairs*, 39(4), 331–362.
4. Batley, M. (2005). Restorative justice in the South African context. In T. Maepa (Ed.), *Beyond Retribution: prospects for restorative Justice in South Africa* (pp. 21–32). ISS Monograph Series No 111. Institute for Security Studies & Restorative Justice Center.
5. Bisrat, W. (2018). Traditional conflict resolution mechanisms in Kaffa society of Ethiopia. *Universitepark Bulten*, 7(2), 128–142.
6. Braithwaite, J. (2010). The fundamentals of Restorative Justice. In S. Dinnen (Ed.), *A kind of mending: Restorative Justice in Pacific Islands* (pp. 35–43). The Australian National University Press.
7. Central Statistics Authority (CSA).(2007).*National Census Report of Ethiopia: Summary and Statistics Report of the 2007 Population and Housing Census*. CSA.
8. Chereji, C. R., & Sandu, C. (2021). Kazakhstan: Adat—the traditional conflict management mechanism in Central Asia. *Conflict Studies Quarterly*, 34, 3–19.
9. Daniel, M. (2016). Major features of indigenous conflict resolution mechanisms in Ethiopia. *International Journal of Arts and Humanities and Social Sciences (IJAHSS)*, 1(1), 8–12.
10. Ginty, R. (2008). Indigenous peace-making versus the liberal peace. *Cooperation and Conflict: Journal of the Nordic International Studies Association*, 43(2), 139–163.
11. Gromet, D., & Darley, J. (2009). Retributive and restorative justice: Importance of crime severity and shared identity in people's justice response. *Australian Journal of Psychology*, 61(1), 50–57.
12. Gupta, K. *et al.* (2020). Significance of the traditional conflict resolution mechanism in present social scenario: A case study of the Ethiopian conflict management system. *RevistaGestãoemAnálise*, 9(2), 7–22.
13. Hessick, C., & Hessick, A. (2012). Double jeopardy as limit on punishment. *Cornell Law Review*, 97(1), 1–44.
14. Macfarlane, J. (2007). Working towards restorative justice in Ethiopia: Integrating traditional conflict resolution system with the formal legal system. *Cardozo Journal of Conflict Resolution*, 8(2), 447–509.
15. Magoti, I. (2019). The interface between traditional and modern approaches of conflict resolution. *Journal of living together*, 6(1), 173–187.
16. Mangena, F. (2015). Restorative justice's deep roots in Africa. *South African Journal of Philosophy*, 34(1), 1–12.

17. Mulugeta, G., & Getachew, Z. (2013). *Towards a common goal: Collaborative ways of managing conflicts in Africa*. Institute for Peace and Security Studies.
18. Murithi, T. (2008). African indigenous and endogenous approaches to peace and conflict resolution peace and conflict in Africa. In D. Francis (Ed.), *Peace and Conflict in Africa* (pp. 16–30). Zed Books.
19. Mutisi, M. (2009). Gacaca courts in Rwanda: An endogenous approach to post-conflict justice and reconciliation. *African Peace and Conflict Journal*, 2(1), 17–26.
20. Rafold, C. (2006). *Towards a grammar of Benchnon*. University of Leiden.
21. Teklemariam, E., & Kassaye, M. (2018). A critical analysis of alternative dispute resolution mechanisms in Bench-People: The case of ‘Tomo’, southwest Ethiopia: A cross sectional study. *Journal of Civil & Legal Sciences*, 7(2), 1–5.
22. Wenzel, M., Okimoto, T., Feather, N., & Platow, M. (2008). Retributive and restorative justice. *Law and Human Behavior*, 32, 375–389.
23. Workneh, A. (2011). Identification and documentation of indigenous knowledge of beekeeping practices in selected districts of Ethiopia. *Journal of Agricultural Extension and Rural development*, 3(5), 82–87.
24. Wynn, R., Wilburn, S., & Olatunji, C. (2010). Conflict resolution and peace education: Transformations across disciplines. In C. Carter (Ed.), *Multiculturalism, Conflict Transformation, and Peace Building: Practitioner and Client Working Together* (pp. 7–32). Palgrave Macmillan.
25. Yeshambel, M. (2013). Indigenous knowledge practices in soil conservation at Konso People. *Southwest Ethiopia Journal of Agriculture and Environmental Science*, 2(2), 1–10.
26. Zehr, H. (2014). *The little book of restorative justice*. Skyhorse Publishing.
27. Zelalem, M., & Endalcachew, B. (2015). Traditional conflict resolution mechanisms among Ambo Woreda Communities. *Journal of Political Sciences and Public Affairs* 3(1), 1–4.