

Conclusion

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Given the increasing search for alternatives and answers to the African *problematique*, a critical review of the status and role of traditional institutions and their significance in conflict resolution in Africa is both timely and responsive. Even as calls for African solutions to African problems are being made at the policy level, especially from within the African Union, there is still a compelling need for corresponding calls and responses by the academic and practitioner community. This is the rationale for compiling this monograph: to examine in detail how traditional and state institutions are working together towards resolving the challenges posed by conflict in the continent. The chapters deal with Darfur, Ethiopia, Rwanda, Sudan and finally Uganda. Together they are a cumulative response to the question of how to operationalise the rhetoric on 'African ownership' of conflict resolution processes.

The various chapters in this monograph clearly demonstrate the relevance of traditional institutions in conflict resolution and peacebuilding in Africa. This collection is motivated by the reality that in the context of the post-conflict African state, conflict is inevitable and permanent. The teething African states face multiple challenges including limited capacities for providing development and security. The result has been the 'withdrawn state'. In these states, the vacuum is often filled by other forms of governance, notably traditional institutions.

The case studies presented in this work demonstrate that communities possess local capacities for promoting peaceful coexistence. The role of traditional institutions in conflict resolution continues to burgeon. This is because in many post-colonial and post-conflict African states, governmental capacities for managing conflicts are still weak. State institutions are not sufficiently capacitated to undertake conflict management at all levels.

In all of the chapters, the authors further emphasise how these traditional institutions are ingrained in the culture and values of their communities. This is important because people are often deeply committed to their cultural values. As a result, in many conflicts in Africa the notion of culture becomes both an objective and a subject for conflict resolution. Traditional structures of conflict resolution are thus also relevant in building a sense of community and facilitating ownership of peace processes by communities.

Although traditional institutions undoubtedly contribute towards conflict resolution and peacebuilding, the case studies presented here also capture certain ambiguities and paradoxes surrounding these institutions. First, there are concerns about actual and perceived clashes between traditional systems of customary law and modern jurisprudence, especially within the realm of human rights. Second, the case studies remind us that the relationship between traditional institutions and the state is a delicate one, and in some cases politicised. For example, in the case of Rwanda, although the *abunzi* fill a huge gap in the justice system by attending to smaller civil and criminal cases at the local level, the author criticises the idea of state-mandated mediation. This is not only for its coercive nature but also for the potential of the *abunzi* mediation being used as an extension of the intrusive Rwandan state.

Another weakness of traditional institutions emerging strongly across all the chapters is the limited space which exists for women to play leadership roles and to effectively benefit from the utilisation of traditional institutions. From the *Ekika* system among the Baganda in Uganda to the *judiyya* in Darfur and Sudan, the inaudible voice of women in traditional conflict resolution processes is a cause for concern. Admittedly in the case of the *abunzi* mediators in Rwanda the state, through the Rwandan Constitution, calls for 30% representation of women in public positions and institutions. However, many institutions of traditional conflict resolution remain male dominated and therefore marginalise women.

Despite these shortcomings, the authors of the case studies demonstrate that traditional institutions of governance and conflict resolution still play an important role, especially given a supportive policy and political environment.

The strengths of both the traditional and the state institutions in conflict management need to be drawn upon to promote an integrated approach to peace, security and development.

From the perspective of the 'nested paradigm' of conflict, peacebuilding efforts must connect micro-level and relational issues with the systemic and structural dimensions of conflict. Using the same argument, the connection between the traditional structures and state institutions will ensure sustainable conflict resolution. Ultimately, an effective integrated state-local approach to conflict resolution will promote the larger agenda of peace and security in Africa. Most importantly, as demonstrated by the case studies in this monograph, traditional institutions of conflict resolution in Africa depart diametrically from modern approaches. The traditional institutions are more restorative and conciliatory than the modern ones, which emphasise the establishment of guilt and execution of retribution. The case studies of the Afar in Ethiopia, *abunzi* in Rwanda, the *judiyya* in Darfur and Sudan, and the *Ekika* among the Baganda highlight the importance of compensation, restitution, reconciliation and reincorporation of the offender into the wider community following the resolution of the dispute.

This collation of case studies thus opens debate on the possibility of integrating both traditional and modern approaches to conflict resolution. Further research needs to be undertaken to examine how the state and traditional institutions can work together in building sustainable peace without undermining each another. Some of the strategies that have been suggested include the establishment of a national security policy based on a synergy of the revised traditional and modern strategies. Other suggestions include the legalisation and constitutional positioning of traditional institutions as approaches to enhance their performance as well as to guide and monitor them.

Although the case studies focus more on countries in the eastern region of Africa, the lessons to be drawn from this geographical constituency resonate with other regions of the continent. Nonetheless, a key area for the further study of this theme would be the expansion of the geographical coverage of the case studies to include central, north, west and southern Africa. Additionally, further research needs to be conducted into how to proactively prepare traditional institutions

to be vehicles of conflict prevention. This is especially relevant in the context of the prevalence of election-related violence on the continent. Apart from the *gacaca* courts in Rwanda, little is known about the potential role of traditional institutions in addressing large-scale violence occurring at the macro-level.

In conclusion, this monograph underscores how African value systems and institutions of conflict transformation remain relevant and viable towards promoting peace and security on the continent. It is hoped that the lessons to be drawn here will inform academic, policy, national and global discussions on the role of traditional institutions in dealing with conflict, justice, development, governance and security. It is anticipated that these case studies will have succeeded in underscoring the message that African people and their institutions are central to the successful resolution of their conflicts. Certainly, traditional institutions will continue to shape the African landscape of conflict transformation. Without manipulating or politicising such entities, the modern post-colonial and post-conflict African state should continue to embrace these institutions. They merit being viewed as a key feature of the African peace and security architecture.

Notes on Contributors

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Dr Andrea Bartoli is the Dean and Drucie French Cumbie Chair of the School for Conflict Analysis and Resolution (S-CAR) at George Mason University, USA. He has been at the School since 2007, working primarily on peacemaking and genocide prevention. The Founding Director of Columbia University's Center for International Conflict Resolution (CICR), a Senior Research Scholar at the School of International and Public Affairs (SIPA), a Teaching Fellow at Georgetown University, and at the University of Siena, Dr Bartoli has taught in the US since 1994. He is a member of the Dynamical Systems and Conflict Team and a Board member of Search for Common Ground. He has been involved in many conflict resolution activities as a member of the Community of Sant'Egidio, and has published books and articles on violence, migrations and conflict resolution. He was co-editor of *Somalia, Rwanda and Beyond: The Role of International Media in Wars and International Crisis*. An anthropologist from Rome, Dr Bartoli completed his Italian dottorato di ricerca (PhD equivalent) at the University of Milan and his laurea (BA-MA equivalent) at the University of Rome.

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