

Traditional authority and modern hegemony: Peacemaking in the Afar region of Ethiopia

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Introduction

The Afar Regional State in Ethiopia is currently undergoing a slow, but nonetheless radical transformation. Although it remains a somewhat peripheral region of the Ethiopian state, the Afar and their leadership are being incorporated into the Ethiopian state. This incorporation has brought about changes not only for the Afar but also in the Ethiopian state structures as they brush up against Afar institutions. As power structures are remoulded and reinterpreted to fit within the political geography of the Afar Regional State, a 'creolisation' of power has occurred. That is, state power has been localised and altered to fit the local power paradigm.

Under the Ethiopian Constitution of 1991 and the Constitution of the Afar National Regional State (ANRS), the role, functions and legal status of traditional institutions are vague to say the least. The Ethiopian Constitution recognises traditional law but only under Article 34, Sub Article 5 where it allows citizens to resort to religious or customary laws in cases of personal and marital disputes. The constitution of the ANRS in Article 33, Sub Article 5, using almost identical language, allows individuals to resort to religious or customary law. Under Article 63, the ANRS constitution also allows for the establishment of

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councils of elders to be associated with each tier of the regional administration. Additionally, the ANRS constitution under Article 65 formally recognises religious and customary courts which were in existence and functioning prior to the formal issuance of the constitution. While the vague legal standing of these institutions might give rise to the impression that their existence and legal basis is precarious, this is not actually borne out by the realities at the local level. Thus, traditional conflict resolution mechanisms in Ethiopia enjoy a vitality and relevance that makes them indispensable in some regions.

Post-conflict Ethiopia: A background

Ethiopia as a unitary state has had a long and at times tumultuous history. The state has oscillated between periods of firm central control from the capital Addis Ababa to periods of extremely weak central authority and a high degree of internal autonomy. In 1974, Ethiopia's students and military rose up and overthrew Haile Selassie, the last in a long line of Emperors. The lack of political parties and independent institutions (and/or of political elites) meant that the anti-monarchy revolution was usurped by the only functioning institution in the Empire, namely the military. The military junta known as the *Derg*² which overthrew the Emperor was an exclusionary regime that allowed almost no competition politically. Thus, the old patronage networks were destroyed and in a weak state with little administrative capacity. This meant that the military's only option was to control the state by repression. Repression alone, however, was not enough to stop all opposition. As a result large-scale military action was taken against regionally based insurgents in Eritrea, Tigray, Ogaden, Sidamo, Bale and Wello provinces, who were seeking either autonomy or independence. As it became more apparent that the military was unable to fulfil many of its promises, the masses became less and less tolerant of its repressive rule.

In 1991, the Ethiopian People's Revolutionary Democratic Front (EPRDF), a coalition of various ethnically-based rebel groups headed by the Tigray Peoples Liberation Front (TPLF), entered Addis Ababa. Like many quasi-Marxist

2 Amharic for 'Council'.

movements of the time, the TPLF sought to remould the nation it had inherited. A key part of this transformation was dealing with the so-called ethnic question (Ottaway, 1999:66). More specifically, the issue was how to construct a multi-ethnic state that ensured the rights of all ethno-linguistic groups and reduced the influence of the Amhara – the traditionally dominant group.

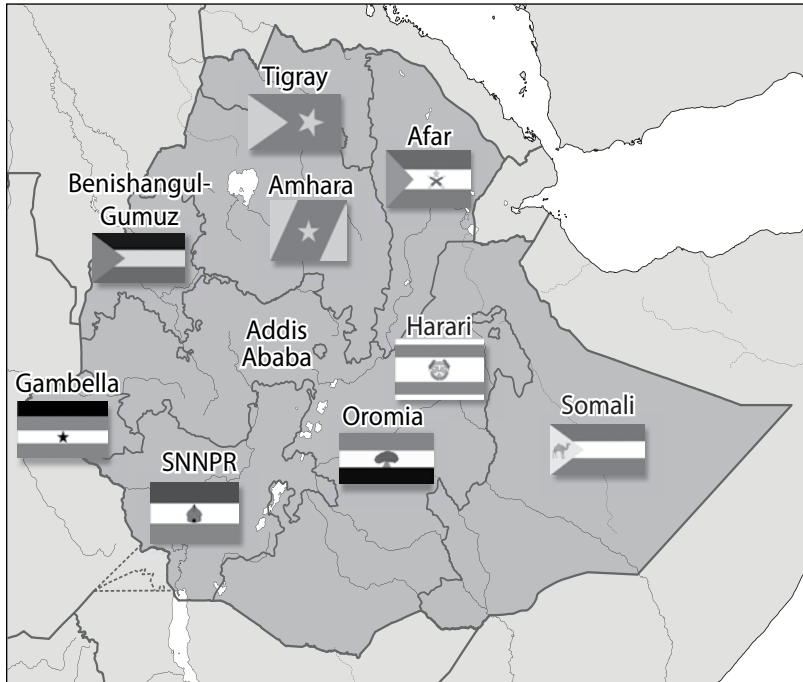
In keeping with its socialist slant, the TPLF's solution to the ethnic question borrowed heavily from Lenin's approach to 'the problem of the nationalities' (Krenidler, 1977). Thus, like the Soviet Union, each Ethiopian nationality was allowed to reaffirm its right of self-determination to the point of secession. Soon after taking power a conference was held which resulted in the division of the country into nine ethnic regions and two autonomous cities with substantial administrative and fiscal powers. Four of these new regions were multi-ethnic and five had only one main ethnicity, while Addis Ababa and Dire Dawa both formed multi-ethnic chartered cities.³

Today the Federal Democratic state of Ethiopia operates under a four tiered system of government: at the top is the federal government, under which lies the regional government, the zonal administration and lastly the *woreda* administrations. Thus the state is divided into some nine regions, and now has three chartered cities (with the addition of Awassa in 2002), 66 zones, and 550 *woredas*.⁴

3 The Amhara, Afar, Oromiya, Somali and Tigray regions are home to not only the titular groups but also to small regionally concentrated minorities like the Agau in Amhara, the Saho and Kunama in Tigray, and the Argobba in Afar. The regions of Beni Shangul-Gumuz, SNNPR, Gambella, Harar are multi-ethnic states with no dominant group.

4 Interview with TNRS Government Official Mekkele: 5 August 2002.

Administrative boundaries of Ethiopia



Source: ACCORD, adapted from <http://abagond.files.wordpress.com/2009/05/regional_map_fdre.gif?w=500&h=386> [Accessed 1 October 2011].

All tiers of the post-1991 government have essentially the same structure, namely a legislative body, a court and an executive. The federal legislative branch consists of two bodies: the House of the Federation and the House of Peoples' Representatives. Members of the latter are directly elected while the members of the former are either nominated by the governing bodies of the various regions or directly elected by the inhabitants of the different regional states. The federal executive consists of a ceremonial President and a Prime Minister who is the head of the Council of Ministers. It is this council that carries out the main functions of the central government such as defence, fiscal policy, and foreign relations. Along with the above tasks it is the Council of Ministers that formulates national policy to be implemented by lower levels of government. The Federal Supreme

Court has the highest judicial power on all federal matters and acts as a final appeal court for regional cases.

Each regional state has a Regional Council which is elected through universal suffrage. This council creates region-specific legislation and approves the regional budget and development strategy. Members of the Regional Council appoint the Executive Committee which oversees the day-to-day administration of the region. The Regional Council also appoints a President to fulfil the executive functions, as well as appointing the bureau heads, the regional equivalents of ministers. Although the number and the responsibilities of bureaus may vary from region to region, all regions generally have bureaus of agriculture, education, finance and planning, health and roads. All regions also have their own civil service organs but these are aligned with the federal civil service. This is essentially the structure of the Ethiopian state, of which the Afar National Regional State is a constituent part. However, in the Afar region as in other peripheral areas of the state, central government structures compete with, co-opt and are co-opted by older less formal structures.

The Afar

Chifra

The ANRS region is one of the ethnic units of the Federal Democratic Republic of Ethiopia. The ANRS is located in the north eastern corner of Ethiopia, sharing international boundaries with Djibouti and Eritrea and regional boundaries with Tigray, Amhara, Oromiya and the Somali regional states. The ANRS comprises five zones and thirty *woredas* and a number of *kebeles*. According to the 2007 census, the population of the region is estimated to be 1 390 273 in total (FDRE CSA, 2010:7). The *woreda* of Chifra is found in Zone 1, the most populous zone of the ANRS. Chifra itself has a population of 91 080 which makes it the most populous of the ANRS (FDRE CSA, 2010:7). Chifra is divided into 18 rural *kebeles* and one urban *kebele*.

Zones and woredas of the Afar National Regional State



Source: ACCORD, adapted from <<http://idp-uk.org/Resources/Maps/Administrative%20Regions/Afar-Region2.gif>> [Accessed 1 October 2011].

The Afar, who refer to themselves as *Cafara Umata* (the Afar nation), are a Cushitic-speaking people closely related to the Saho/Irob, and more distantly to the Somali and Oromo. The vast majority are pastoralists, keeping herds of sheep, goats and camels. The imposition of colonial borders has left the Afar people fragmented between the states of Ethiopia, Eritrea and Djibouti.

Areas inhabited by the Afar



Source: ACCORD, adapted from <<http://lmap.org/languages/aar.png>> [Accessed 1 September 2011].

Today the Afar have four surviving indigenous polities that compete with post-colonial states for the allegiance of the Afar people. These are:

- The Tajurah Sultanate centred in Djibouti
- The Rahayto Sultanate along the border of Ethiopia and Djibouti

- The Aussa Sultanate centred at Assaita
- The Grifo Sultanate centred at Bilu along the border of Ethiopia and Eritrea

Like the Somali and Oromo, the basic unit of the Afar is the clan. The largest clans in Chifra *woreda* are the *Arapta* and *Doda*. Afar trace the ancestry of clans and sub-clans to individual ancestors. The ancestor of the *Arapta* is held to be Arapta Ibrahim Bini Moday, who is also the ancestor of the *Arapta*, *Kara*, *Harbesa*, *Geharto* clans and sub-clans. The *Doda* are descendants of Hussein Gura, who is also the patriarch of the *Hamed Sera*, *Ilades*, *Harbesa Sera*, *Gesera Sera* clans and sub-clans (Gamaluddin and Hashim, 2007:651-652). The *Arapta* form a plurality in Chifra and as a result dominate the *woreda*, both politically and administratively. Both clans are largely found towards the southern and south eastern region of the ANRS.

The seat of the *woreda* administration and the capital of the *woreda* is Chifra town, with a population of 91 320 people according to the 2007 CSA figures (FDRE, 1994:8). In common with most towns in the ANRS, the majority of Chifra's inhabitants are not Afar, but rather Muslim Amhara.⁵ These urban dwellers mainly come from the neighbouring *woredas* of the Amhara Regional State, namely Habru, Werebabo and Bati.⁶ Additionally, Chifra is also home to a smaller number of Tigrayans. Relations between the Afar and the other groups are cordial and friendly, with the few business enterprises in the town (a few restaurants and rooms for rent) run either by the Amhara and/or Tigrayans. There are several cases of intermarriage between the Afar and the Muslim Amhara inhabitants of the town.

The Afar and Ethiopia

The imperial era

During the imperial era, the lowland Afar region, while enjoying close proximity and intensive socio-economic and political interactions with the neighbouring

5 Most Amhara are however Christians.

6 The former lie across the border in the South Wello Zone of the Amhara Region, while the latter is located in the Oromiya special Zone of the same region.

Ethiopian state and communities, was never an integral component of the Ethiopian entity. Afar Sultanates, clan and sub-clan chiefs at different points in time intermittently engaged in conflict with or acknowledged the suzerainty of the Abyssinian Emperors.⁷ However, the trade routes through the Afar region grew in importance as the centre of gravity of the Ethiopian state shifted south from Axum in Tigray to Addis Ababa in the Shewa region.

Ethiopia's imperial provinces



Source: ACCORD, adapted from <<http://www.geographicguide.net/africa/images/ethiopia-map.gif>> [Accessed 10 September 2011].

7 A useful source on the history of the Afar from an Afar perspective is the Amharic text, 'Ye Afar/Danakil tarik mereja arki minch/almanhal l' authored by Gamaluddin Ibrahim Khalil A-Shami and Hashim Gamaluddin Ibrahim Al-Shami (2007). It also contains the most comprehensive breakdown of the clan and sub-clan lineage system of the Afar in a written text.

The Afar region was home to a succession of states that proved to be more than competent competitors with the Ethiopian Empire. These included the Sultanate of Ifat based in Zeila from the late 13th to the early 15th century, Adal (early 15th to mid-16th century) and finally the Sultanate of Aussa founded in the late 16th century after a split in the ruling elite of the Adal Sultanate based in Harar (Trimingham, 1952:260-265). The final decades of the 19th century CE saw the Afar region becoming a key area of competition between the Turko-Egyptian and European colonial powers on the one hand, and a reinvigorated Ethiopian Empire on the other. During this period, the Afar-inhabited Danakil section of the Eritrean coast came under Italian rule, while the Gulf of Tadjoura came under French control. Emperor Yohannes IV of Ethiopia also began enforcing tribute payments and acknowledgement of Ethiopia suzerainty from Afar lineages and sultanates bordering the Ethiopian provinces of Tigray and Wello (Gamaluddin and Hashim, 2007:416-419).

It should be stated that Ethiopian control of the Afar regions was weak at the best of times and nonexistent at others. During much of the imperial era Ethiopian rule consisted mainly of intermittent raids by the Emperor or feudal lords from the highland provinces to exact tribute or more specifically to loot Afar communities. This state of affairs continued until the Italian invasion of Ethiopia in 1935. The aftermath of liberation from Italian occupation in 1941 led to a transformation in the relations between the Afar and the Ethiopian state. Upon his return from exile, the Emperor set about centralising the Ethiopian state. In 1944, there was an armed expedition by the imperial government that brought down the previous Sultan, Muhammad Yago of Aussa, who had proved obdurate in acknowledging the authority of the central government and had openly sided with the Italian regime. Thus Ali-Mirah Hanfere, from another faction of the Aydahiso ruling lineage, was elevated to the position of Sultan (Trimingham, 1952:170-173).

This coup was by far the most profound intervention that the Ethiopian state attempted in the region. By and large, central control and authority over the Afar people remained loose and the imperial regime had to resign itself to governing the area through intermediaries. Thus Ali-Mirah, who was recognised as the overarching imperial appointee over the Afar clans and sub-clans especially in

the south, became subordinate to the Sultan. Another important development was the federation of Ethiopia and Eritrea in 1952. This along with the later Ethiopian-Eritrean union in 1962 meant that the vast majority of Afar were now under Ethiopian rule. They were divided between the provinces of Eritrea, Tigray, Wello, Shewa and Hararghe.

In the 1960s, Somali irredentism coupled with the escalation of the war in Eritrea made control and stability in the Afar region strategically more critical for Addis Ababa. The growing economic importance of cotton plantations in the Afar-inhabited Awash valley, and expanding investment by the Ethiopian government and foreign capital in these plantations, further underlined the importance of the Afar region in economic terms. It was during this period that the imperial regime institutionalised the practice of conferring titles and stipends on clan and sub-clan chiefs in the Afar region.

The Afar region during the civil war period, 1975-1991

The pre-eminence of southern clans, with a long history of contact with the Ethiopian state in the structures of the Sultanate, meant that unlike other peripheral groups like the Somali and the Oromo, the Afar were one of the last groups to openly challenge the Ethiopian state (Gamaledin, 1993:45). Large areas of the Awash Basin were expropriated for cotton plantations by the Ethiopian state, but the Sultan and his family benefited from some of these schemes as pseudo-landlords, thus criticism was muted (Ali, 1998:110).

The 1974 Wello famine and the subsequent army-led coup had an immense impact on the Afar people and region. The 1974 revolution led to the rise to power of the *Derg*. In the aftermath of the revolution, the decree nationalising all rural lands directly affected the economic and commercial interests of the Sultan and led to resistance. The nationalisation of communal lands proved to be decisive and the Afar Liberation Front (ALF) was formed by Sultan Ali-Mirah in 1976. The ALF initiated a low intensity guerrilla war in the region which posed a threat to traffic along the Addis Ababa-Djibouti railway line and road traffic leading to Djibouti, but had a limited political impact beyond this.

An alternative vehicle for the mobilisation of opposition was established just before the collapse of the imperial regime, when a group of educated leftist Afar studying overseas set up the Afar National Liberation Movement (ANLM). The ANLM had close links to the Eritrean rebels of the Eritrean People's Liberation Front (EPLF), who were fighting for the independence of Eritrea. In spite of these early links, the ANLM later formed an alliance with the *Derg*, based on promises of autonomy to a region that would incorporate all the Afar people. The alliance between the ANLM and the *Derg* led to the formation of an Afar militia termed the *Ugugumo*, which functioned as an important auxiliary of the *Derg* in its war with the EPLF in Eritrea and the TPLF in Tigray. By 1980, these two had emerged as the strongest and most viable opposition to the junta.

It was the escalation of the war into the southern Raya, Azebo and Wajerat areas of southern Tigray that led to the initial contacts between the EPRDF and the Afar (Young, 1997:147-149). The TPLF formed a tactical alliance with the ALF and even mounted joint military operations with the ALF against the armed forces of the *Derg* (Young, 1997:150). The strategic decision by the TPLF not to launch offensive attacks against the *Ugugumo*, even when the militia continued to harass and attack TPLF controlled areas and units, went a long way to forging bonds between the Afar and the TPLF. These measures allowed the TPLF to generate a level of support and tolerance from the Afar in Tigray.

Due to the multiple conflicts it was engaged in throughout the country, the *Derg* was unable to substantially transform the relationship between the central state and the Afar. The first real attempt to alter this relationship took place in 1987 with the formal proclamation of the formation of the PDRE (People's Democratic Republic of Ethiopia) and the promulgation of a new constitution. It led to changes in the structure of power in the country with the *Derg* transforming into the Workers Party of Ethiopia (WPE).

With hindsight, the 1987 constitution was a long overdue response to the nationalities question and promises of self-determination that had been a central demand of the regionalist and ethno-nationalist movements in the aftermath of the 1974 revolution. The PDRE constitution created an administrative structure of 29 regions with five enjoying the status of autonomous regions. Specifically,

the constitution created an Afar autonomous region carved out of Afar areas in Eritrea, Tigray and Wello.

Administrative and autonomous regions of the PDRE



Source: ACCORD, adapted from 1987 PDRE Map

In spite of cartographic changes the regime was reluctant to devolve substantial powers to these regions. More concretely, due to the military situation on the ground at the time, the changes were never truly implemented by the embattled regime and less than three years later, in May 1991, the junta was overthrown by the combined efforts of the EPLF and the TPLF dominated EPRDF.

The Afar region in the post-conflict era

In the aftermath of the overthrow of the *Derg*, the Afar people and region were to undergo a fundamental transformation in terms of their relationship with the Ethiopian state. The fall of the *Derg* ushered in the arrival of the EPLF and the *de facto* independence of Eritrea, which effectively meant the separation of the Afar in Eritrea from their Afar kin in Ethiopia. This process was formalised with the independence of Eritrea in 1993.

The overthrow of the *Derg* also saw the return from exile of Sultan Ali-Mirah and the ALF. Shortly afterwards there was the establishment of a federal system based on ethno-linguistic criteria, which included the emergence of an Afar regional state (Akmel, 2006:76-77). On 8 December 1991, Sultan Ali-Mirah's son, Habib Ali-Mirah, was elected as President of the region by the Regional Council. The 1995 constitution formally established a federal republic based on nine regional states and two federal territories and institutionalised the administrative and political structure of the state. The constitution provided a broad range of executive, legislative and judicial powers to the regional states (FDRE Constitution, Article 52).

However, the relations between the ALF and the ruling party at the centre were far from smooth and tensions led to the emergence of a rift between the ALF and the TPLF-dominated EPRDF. Allegations of corruption and inefficiency on the part of the ALF-dominated regional government, along with the pre-eminent position given to the southern Afar and their region, in terms of regional positions and development spending, only served to heighten tensions. Thus, it was not surprising that soon after the overthrow of the *Derg* the EPRDF set about creating a surrogate Afar movement, the Afar Peoples Democratic

Organisation (APDO). Many Afar at the time saw the APDO as a TPLF creation since the party gained its support from Afar clans which were part of the historic province of Tigray. However, the APDO went on to gain control over the region in the 1995 elections which saw the ALF fragment due to disputes between the Sultan and his sons. The situation was also further complicated by the low level insurgency which was still being waged by the *Ugugumo*. Overtime, however, the central government was successful in stabilising conditions in the ANRS. The low level insurgency waged by the *Ugugumo* dissipated and the party competition between different sections of the Afar elite became a thing of the past with the establishment of the Afar National Democratic Party (ANDP) which has controlled the region since 2000.

In this context, it is important to point out that the federal system, and the devolution of power that it entailed, created a space which allowed traditional institutions and the traditional system of conflict resolution to be reinvigorated in the ANRS. Over time, both the federal government and the regional administration of the ANRS acknowledged the contributions of the traditional institutions and their role in conflict resolution and management in the region.

Traditional authority in the Afar region

The Mekabon and Isi

Mediators (*Isi*) are Afar elders (*Mekabon*) who play a critical and indispensable role in resolving conflicts between clans and sub-clans. They are often from neutral clans and are called upon to mediate and reconcile antagonistic clans. Clan and sub-clan elders of Zone 2 (elders of the Dahimela, Sekha and other clans) play a key role as mediators.

Har Abba

The literal meaning of the term *Har Abba* is 'father of the tree'. The lowest level in the Afar system of political authority is the *Har Abba*, a position which exists at both clan and sub-clan levels. The *Har Abba* initiates the formal process of

traditional conflict resolution by making the opening or first speech during the actual proceedings.

Dar Abba

Dar Abba literally means ‘father of the *dar*’; *dar* means abode. Although a traditional Afar position, the *Dar Abba* now acts as the administrator of a *woreda*. Throughout the ANRS, scores of *Dar Abba* have been appointed to the position of *woreda* administrators, in what appears to be a blurring of the line between traditional and administrative authority.

Keddo Abba

Perhaps the most important functionary in the Afar traditional system of governance is the position of *Keddo Abba* or ‘father of the clan’ (Savard, 1970:226-239). Afar use the term to refer to the chiefs of clans and sub-clans, since unlike the Somali, the Afar do not distinguish between the two. The *Keddo Abba* is the official representative of a clan/sub-clan in interactions with other clans/sub-clans and also in formal or informal interactions with state structures. Additionally, the *Keddo Abba* also plays a critical role in conflict management, resolution and reconciliation. In terms of the traditional system of conflict resolution, the word of the *Keddo Abba* is final and binding.

In addition to these hierarchical positions the Afar system of governance incorporates other positions at the level of the clan and sub-clan. These offices play a further key role in the process of conflict management, resolution and reconciliation.

Fi’ema Abba

The *Fi’ema Abba* is the head of the *Fi’ema* and the term can be translated as ‘first among equals’. The *Fi’ema*, which roughly translates as ‘equals’, is a quasi-age-set among Afar men. The *Fi’ema Abba* is a key position in the traditional system of governance. The membership of these associations may be confined to a single

clan or cut across clan boundaries. Within a clan or sub-clan the *Fi'ema Abba* is the first point of reference when interpersonal conflicts arise. The *Fi'ema Abba* can decree and/or carry out punishments decreed by the elders of the clan or sub-clan. The post of *Fi'ema Abba* is not a permanent or an inherited one and must be relinquished when the post holder reaches middle age or is replaced due to the inability to fulfil his duties.

Ma'ada

The term *Ma'ada*, or rules, is used by the Afar for their traditional system of customary law. While the corpus of written literature on *Ma'ada* only contains one work (Jamaluddin, 1973) the Afar as a community, and the *Isi* in particular, act as a repository of customary knowledge. The authors were fortunately able to interview several Afar elders and mediators.

The *Ma'ada* identifies five different types of crimes (Jamaluddin, 1973:2-4):

- *Eido* (killings)
- *Aymissiya* (injury)
- *Rado* (theft, destruction of property)
- *Samo* (adultery)
- *Dafu* (insults, affronts)

The notions of collective responsibility and intentionality are perhaps the defining features of the *Ma'ada* and have a direct bearing on the workings of the traditional system of conflict resolution. In the *Ma'ada* system it is the clan that is held responsible for the deeds of its members. Additionally, severity of the crime and also the compensation payments vary depending on whether the crime/affront committed was intentional or accidental. *Diat* and *Nefsimiklah* are the Afar terms for compensation payment for homicide and *Dekha* the term for the compensation payments for all other types of injuries/crimes.

Mable

The process of dispute resolution between different parties is referred to as *Mable* by the Afar. In cases of intra-clan disputes or conflicts (disputes between members of the same sub-clan) the dispute resolution system functions in a more immediate and relatively less formal manner. Relatives, neighbours and friends of the disputing parties may all try to mediate and reconcile the disputants. These individuals may have prior experience in these matters or may even get involved out of personal interest. Decisions and judgements in these types of disputes are also based on the *Ma'ada*. Intra-clan disputes that involve issues such as homicide and the theft or killing of camels, however, would invariably involve a more formal and elaborate procedure involving sub-clan or clan elders. It may even necessitate the involvement of *Isi*.

Since under the *Ma'ada* the notion of responsibility is not conceptualised at the level of the individual but at the level of the collective unit, the likelihood of the conflicts becoming violent is greater. As a result, dispute resolution is handled with greater care. Disputes that involve deaths, serious bodily injury, kidnapping, rape and the killing or theft of camels are extremely sensitive. Cases of inter-clan disputes invariably involve clan or sub-clan elders and also *Isi*. A panel of elders is formed (*Mekabon*) which will convene a reconciliation meeting known in Afar as *Maro*. Both sides will be given a hearing and after extensive discussion a ruling will be passed.

Dispute resolution in the case of a homicide where the victim and perpetrator come from different clans is far more formal and sombre, necessitating the involvement of the *Isi*. It is also quite common for the administrative tiers of the state to ask elders to initiate a reconciliation process before a conflict situation becomes unmanageable. One of the immediate objectives of the *Isi* involved in a case of inter-clan killing is the containment of the tension and preventing escalation through revenge killings. Therefore, one of the first steps that the elders take is the seclusion of the clan or sub-clan to which the killer belongs. The sub-clan undergoing seclusion will be supplied with guards led by a *Fi'ema Abba* from a neutral clan. This seclusion is termed *Megello*. Only the young men and middle-aged men undergo seclusion as women and children are not

legitimate targets in vendettas. The elders will also require both parties to take oaths (*Burbah*) to refrain from violence or seeking vengeance for a period of forty days (*Morotem*) (Kelemework, 2006:50-51).

A key part of the *Mable* process is the *Kusa'a*, which can be translated as either investigation or research. Both sides in the dispute are asked to present their cases and they are given a hearing. The elders strive to ascertain the causes of the dispute, the chronology of events leading up to the killing and identifying who was at fault. This period may extend from a week to a month or even longer. During this period, the elders are put up at the expense of the culprit's clan/sub-clan.

Eventually the elders arrive at a decision regarding guilt and intentionality. The system of compensation payments is initiated in several stages:

- The first stage of compensation payment is the *Bolkesegehara* which is an admission of guilt on the part of the culprits and also consent to pay. Payment in the form of a number of cattle (from one to twelve) is part of this stage.
- The second stage payment is the *Waydaalkedima* and amounts to twelve cows. Six of these are divided between the elders involved in the case and six to the victim's clan/sub-clan.
- With the initial two payments, the men of the culprit's clan/sub-clan can emerge from *Megello*/seclusion and are no longer at risk of revenge killings. This does not apply to the men of the culprit's immediate family who remain in seclusion.
- The final stage of the reconciliation process is often held in the evening. In some cases a special dwelling (*Bilu Hara*) is constructed for this stage. During this stage the family/sub-clan of the culprit is led in to exchange ritual greetings and request forgiveness from the victim's family/sub-clan that is present. The victim's family/sub-clan takes part in the process and after the ritual greetings and extension of formal forgiveness both sides will eat together and spend the night in the same spot. The details of the final compensation payment are also worked out here. Often the practice is to deduct from the payment, taking into account the expenses that the culprit's clan/sub-clan have incurred so far in terms of putting up the elders and the feasting on the final day.

It is important to point out that in this process, the state apparatus in the form of the *woreda* and *kebele* administrations play a central role. They are often the first to request the involvement of the elders and in a few cases even provide transport to enable the arrival of the elders. The state apparatus using the police force will often try to ensure that fighting/revenge killings do not occur or if they do, try to end or contain it. The police will often be used also to guard the culprit's clan/sub-clan during the seclusion period.

Inter-ethnic disputes and conflicts

The Afar continue to be engaged in conflicts with neighbouring ethnic communities such as the Issa Somali, Kereyu Oromo, Amhara and Tigrayans. The former two are pastoralists like the Afar while the latter are cultivators. These conflicts have their origins in competition over water sources, pastures, cultivable land and in some cases also political competition and administrative boundaries. However, conflict between ethnic communities is not the norm. In large parts of the Afar region mechanisms have evolved to manage inter-ethnic tension and conflicts. One such institution is the bond in the form of a 'friendship bond' or 'blood brotherhood' between some Afar lowlanders and their Tigrayan counterparts from the highlands. The bond is referred to in Afar as *Qahanoyta* or *Fikur* in Tigrinya. It puts certain obligations on the partner as the two are tied in times of peace and conflict. In effect, two bonded men become brothers in every sense of the word.

In terms of formal conflict mitigation structures, the ANRS administration relies heavily on peace committees composed of elders from the Afar and those from the *woredas* that border the Afar region. The remit of these committees is limited to conflicts with communities in neighbouring regional states. The joint peace committees are an interesting fusion of the traditional and modern. Thus, while the members of the joint peace committee are picked by the state (on the recommendation of the concerned *woreda* administration), the members are invariably elders or clan chiefs. The methodology they utilise also draws more from the traditional sphere in terms of relying on compensation payments and reconciliation and bypassing the formal justice system. Joint peace committees

have also been created in urban areas in the ANRS to deal with conflicts and disputes arising between Afar and inhabitants from other ethnic groups.

In spite of the dualism and in some cases the merging of the two systems, the legal basis for traditional institutions both under the Ethiopian and ANRS constitutions is weak. There is an overlap between the formal state apparatus and traditional institutions in the ANRS. A number of clan and sub-clan elders have also been elected into the Regional Council of the ANRS (the legislative body of the regional state) and the proportion of elders elected into the *woreda* councils is even higher. In Chifra, *woreda* from positions in the *kebele* tier all the way to the *woreda* level administration, chiefs of clans and sub-clans hold government positions. It is also the *woreda* administration that appoints members of the *woreda* peace committee.

Although according to Article 63 of the ANRS constitution, the regional administration establishes councils of elders at different tiers of the administration, so far the councils of elders have yet to become operational. At present, different tiers of the regional administration have individual elders associated with them in advisory positions. These advisors are appointed by the regional administration. Currently, the *woreda* tier is assigned one elder, at the zonal level two to three elders and finally at the regional level many more elders have been appointed as advisors. The President of the ANRS also has as an advisor an elder of the Gidinto clan.

Conclusion

Clan and sub-clan elders in Chifra do not regard the state apparatus as a competitor or source of threat but in a more prosaic sense rather as a potential and actual source of support and as an ally. For instance, elders in Chifra *woreda* want to see formal budgetary support, transport and provision of office space from the state. What is even more striking is that these elders also want the state to use the means at its disposal to enforce speedier compensation payments.

Under the current federal system in the ANRS a process of coopting and co-operation between traditional institutions and the formal state apparatus is

well under way. This is a process bearing results where traditional institutions and mechanisms of conflict resolution play an invaluable role in conflict management, resolution and reconciliation at multiple levels. At the same time, traditional figures have been co-opted into or may even have captured the formal state apparatus to the extent where the distinction between the two has become blurred.

Due to this blurring, according to Akmel (2010:18-24) the Afar and their leaders have been able to localise the state structures and impose their will on them. The central government itself has had to acquiesce and accommodate itself to this state of affairs. However, as this study in Chifra shows, the relationship between the two is more nuanced and complex than is often suggested. A basic commonality of purpose and interests exists between the formal state apparatus and traditional institutions in the ANRS, which they seek to achieve by working in tandem, and the relationship is constantly being negotiated. Elements of the traditional leadership have penetrated the regional administration but there are limits and constraints which restrict their room for manoeuvre.

Larger developments in the ANRS, it would seem, will weaken traditional institutions. The expansion of modern education in the ANRS, the growth in the numbers of educated people and their entry into the state apparatus will provide greater competition for the traditional leadership. The process of urbanisation and its attendant implications is likely to also weaken the hold of traditional institutions in the long run. An interesting recent development that maybe symptomatic of future trends is the recent law passed by the Regional Council of the ANRS, which nationalises all clan lands (Wudineh, 2011). While all land in Ethiopia is state controlled, land ownership in the Afar area tended to be an anomaly, with land in the hands of the various clans. The new law thus synchronises land ownership and administration in the ANRS with the rest of the country. The ANRS regional administration justifies this step as necessitated by the developmental needs of the region. A policy document of the regional administration (ANRS 2009a:19) identifies land policy and usage patterns in the ANRS as one of the biggest obstacles to investment in the region. The law contains contradictory provisions. Thus for instance the draft law, whilst

nationalising all clan lands, also stipulates that land registration will be carried out and that clans and sub-clans will receive titles to their lands.⁸

The law and the process of its implementation will have effects on the traditional leadership of Afar society. It may accelerate differentiation within the pastoralist society and at the same time weaken the authority and power of the traditional leadership. It may also create resentment and possibly lead to attempts to forcibly resist efforts by the state to allocate land to private investors in the future. What is clear is that the relationship between traditional institutions and the formal state apparatus in the ANRS is still evolving and will continue to be the site of negotiation and manoeuvre.

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8 Section 2, Article 5, Sub-Article 5 of the draft law (ARNS 2009b).

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