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MAKE PEACE HAPPEN

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Foreword

Jannie Malan

All of the articles appearing in this issue are on the wavelength of our journal's name and ACCORD's name. They come with case studies about the attainment of conflict resolution or the orientation towards conflict resolution. They share information about approaches and agreements, attitudes and traditions. They are honest about shortcomings and threats, but also about good practices and exemplary models. They can contribute to the realistic equipment and the enthusiastic commitment of all of us who are doing what we can to remove causes of conflict and promote the building of peace.

Both formal and informal institutions are discussed in these articles. In the case of the Bakassi Peninsula, there was an International Court of Justice ruling, further mediation and a formal agreement between Cameroon and Nigeria (Baye). After the ending of the brutal Sierra Leone civil war, a Truth and Reconciliation Commission was given the formidable task of penetrating to the horrible truths of the war, and propagating a tolerant reconciliation between the sides (Svärd). In some Somali groups in eastern Ethiopia, many people take their minor and major cases to a fairly informal religious court instead of to the state courts (Zeleke). In the same area, women fulfil informal but powerful roles, sometimes to prod men to fight, but more often to prompt them to make peace (Tadesse). Women take part in social ceremonies, and specifically also in the rapprochement between groups. They are indeed the

key figures where intermarriage between different clans or groups has become a bridge-building tradition. In a south-eastern Nigerian city, where reasons abound for inter-ethnic and at the same time indigene-settler tensions, most of the people revealed and maintained an attitude of symbiotic coexistence (Odoemene and Olaoba). There was some state intervention in particular clashes, but the general atmosphere of inter-ethnic harmony may be attributed to several informal factors. There were, at least during the period researched, various conflict-managing and peace-promoting efforts of ethnic unions. There was the influence of stranger-friendly dispositions among the predominant cultural and religious groups. On the whole, residential neighbourhoods were 'un-segregated' and competition for jobs was 'non-exclusivist'.

In each of these articles, we find accounts, experiences and recommendations from real life. What we read in each one, is of course of direct relevance in any similar or comparable situation. There may also be a much wider relevance, however. From the settings in which particular procedures, practices and dispositions were applied, examples and findings may radiate and be applicable at other places and in other circumstances. Even where the causes of a conflict, the cultures concerned, the parties involved, or the methods attempted may be quite different, the insights and inspiration we can obtain from these articles may be of real significance.

The self-evident context of all these articles is the reality of problems and tensions arising out of human interaction. Differences, difficulties and disputes emerge on a daily basis, and/or accumulate over long-term periods. This happens in rural areas and urban settings, in particular countries and across borders between countries. Where inequality, discrimination or any form of injustice is inflicted on individuals or groups, reactions are elicited, and conflicts are caused. But then we find a common thread running through all these articles: the possibility of some human beings changing their mindsets and attitudes from being committed to troublemaking to becoming committed to peacemaking. These articles show us how this indeed happens, from grassroots level to government level. The articles also give us real-life examples of changed attitudes, actions and behaviours in more than one socio-cultural, socio-political and socio-economic setting. And moreover,

the articles refer to both present-day, formalised structures and time-proven, traditionalised customs, and make suggestions about integrating conventional and contemporary approaches. Some of the articles even show how people steer clear of 'modern' state courts with their disadvantages and opt for social institutions which appear convenient and trustworthy.

The cultural embeddedness and social orientation of traditional methods are duly emphasised. People frown upon the way in which legal structures focus on mere punishment, but appreciate the way in which indigenous methods take reconciliation and social harmony seriously.

The article about the truth and reconciliation process in Sierra Leone (Svärd) laments the way in which the recommendations about addressing the root causes of the terrible war and promoting the urgently needed reconciliation were implemented too slowly, too late, or not at all. When leaders lacked the political will and shirked the responsibility, non-governmental organisations stepped in and tried to fill as much of the gap as they could. In this article, therefore, it is strongly recommended that implementation of any Truth and Reconciliation Commission's recommendations and other follow-up work should start without delay and should be pursued as long as necessary.

As a matter of interesting coincidence, we may add that ACCORD has recognised the crucially important contributions of civil society in Sierra Leone and presented the 2010 Africa Peace Award to the Nation of Sierra Leone. At an ACCORD seminar on the same day as the Award-giving ceremony, the President of Sierra Leone, H.E. Ernest Bai Koroma, emphasised the urgency of addressing colonialism, ethnic intolerance, corruption, human rights violations, and poverty.

In each of the articles, directly mentioned or clearly implied recommendations may be found. For instance:

- Governments should follow appropriate examples of the peaceful resolution of border conflicts (Baye).
- State legal systems should expand their capacity and reduce the loop-holes for corruption (Zeleke).

- Both formal and informal institutions for dealing with conflict should focus on alleviating and eradicating poverty (Svärd, Tadesse).
- Traditional methods of resolving conflict, with their inherent social orientation, should be revitalised in appropriate ways (Tadesse).
- Women should participate fully in processes of dealing with conflict (Tadesse) – and men should learn from their attitudes and contributions.
- Education should be improved and promoted, and should include human rights and social coexistence (Svärd).
- The 'will and desire' to coexist and cooperate should be promoted (Odoemene and Olaoba).

As already indicated in the first paragraph above, these articles are about conflict resolution, but not about idealistic or superficial conflict resolution. In the aspects and case studies described and discussed, the conflicts concerned are understood with penetrating insight as to root causes, resulting purposes, threatening factors, conflictual mindsets and divisive attitudes. The reader can sense an orientation towards satisfactorily removing or transforming the reasons for a conflict, and towards restoring and maintaining the disrupted social harmony. As always, it is enlightening and encouraging to learn *how* real people in actual situations have helped to prevent, manage or resolve conflicts.

We sincerely thank the authors of these articles for sharing their accounts, findings and recommendations with us and we appreciate our privilege of passing such meaningful material on to our readers.

Implications of the Bakassi conflict resolution for Cameroon

*Francis Menjo Baye**

Abstract

This paper sketches a conceptual framework of international conflict dynamics and resolution, examines the geopolitics of the Bakassi dispute between Nigeria and Cameroon, and outlines socio-economic implications of its peaceful settlement. Neglect and subsequent discovery of oil deposits subjected the Bakassi Peninsula to claims and counter-claims for sovereignty, military occupation and recourse to the International Court of Justice (ICJ). The ICJ's ruling in 2002 in favour of Cameroon, although based on sound historical evidence, faced implementation difficulties. However, following mediation by the United Nations (UN) Secretary-General, good faith by protagonists, the Green-tree Agreement and subsequent instruments, Nigeria completed the withdrawal of its military, police and administration from the Bakassi Peninsula by 14 August 2008. Putting aside disruptive activities by social movements, the entire process could be viewed as a model in peaceful resolution of border conflicts. Implications of the settlement anchor on expenditure-reducing and expenditure-switching effects, wealth-generating effects, and enhanced

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cross-border activities. Infrastructural developments and effective presence are considered essential elements in border management policies.

1. Introduction

Territorial claims, ideology, colonialism, nationalism, religion and natural resources have typically been the main sources of conflict throughout the world. While the influence of some of these is waning, struggles for the control of valuable natural resources have remained a persistent feature of national and international affairs for decades. In addition to helping some of the most corrupt and oppressive regimes to remain in power, natural resources have been fuelling conflicts within and between African countries. Such conflict situations typically take the form of territorial disputes over the possession of oil-laden border areas, factional struggles among the leaders of oil-rich countries, and major inter-state wars over the control of vital oil and mineral zones (Klare 2004).

Africa was largely controlled by indigenous people in the 1870s, but by 1914[1] it became almost exclusively subjugated and divided into protectorates/colonies by the European powers (Rourke 1997; Aghemelo and Ibhasebhor 2006). The colonial boundaries in these configurations were not established according to the various indigenous groupings. Grouping nations together in some cases and dividing them in others was a common feature as long as it was consistent with the security and economic interests of the colonial powers. After independence, most of Africa became and is still troubled by the legacy of trying to get originally different indigenous groupings to live peacefully in a single country or to get the same ethnic group to live peacefully in different neighbouring countries. As in most of Africa, therefore, the origins of the conflict situation between Cameroon and Nigeria over border issues can be traced to the colonial era and some post-independence political activities.

The border between Cameroon and Nigeria extending from Lake Chad to the Gulf of Guinea has been a bone of contention between the two territories dating back to 1913. However, the knowledge that the Bakassi Peninsula harbours

1 Thirty years after the Berlin Conference.

important deposits of oil/gas reserves triggered mounting hostilities and military confrontations in the early 1990s between Cameroon and Nigeria. According to Klare (2004), the close connection between oil and conflict derives from three essential features of petroleum: (1) its vital importance to the economic and military power of nations; (2) its irregular geographical distribution; and (3) its imminent changing centre of gravity.

In 1993 Nigerian troops occupied the Bakassi Peninsula. In 1994, after serious incidents of border incursions that provoked shooting, and after many casualties and deaths of soldiers had been recorded on both sides, Cameroon submitted its entire set of border-related disputes with Nigeria to the International Court of Justice at The Hague for adjudication. After examining the case for eight years, the World Court ruled that Cameroon is the rightful owner of the oil-rich Peninsula, basing its argument on the 1913 Anglo-German Treaty which traced the borders between the two colonial powers.

Following intensive diplomatic activities culminating in the 12 June 2006 Green-tree Agreement[2] brokered by the United Nations and witnessed/guaranteed by four world powers – Britain, France, Germany and the United States – Nigeria eventually agreed to unconditionally hand over the oil-rich Peninsula to Cameroon. On 14 August 2006 Nigeria effectively pulled out its military and the Cameroonian flag was hoisted. Two years later (14 August 2008) the remaining Nigerian administration and police left the Peninsula. In this context, two key questions arise: is the outcome of the Bakassi conflict a model of conflict resolution and economic cross-border development, or is it more a situation of conflict dynamics, crisis and economic instability?

The main objective of this paper is to evaluate the implications of the Bakassi conflict settlement between Cameroon and Nigeria for sustainable peace and economic development. The specific objectives are: (1) to develop a conceptual framework of international conflict dynamics and resolution; (2) to examine the geopolitics of the Bakassi question; (3) to discuss implications of the verdict of

2 'The Green-tree Agreement' is the official appellation of the agreement between the Republic of Cameroon and the Federal Republic of Nigeria concerning the modalities of withdrawal and transfer of authority in the Bakassi Peninsula.

the International Court of Justice and subsequent instruments for international conflict resolution and socio-economic development in Cameroon; and (4) to outline policy recommendations on the basis of the analysis. According to these objectives, the rest of the paper is organised in four sections.

2. International conflict dynamics and resolution: A conceptual framework

In this section, the nature of international conflicts, their dynamics, and oil as engine and fuel for conflict situations are discussed. The dispute settlement linkages between Cameroon and Nigeria are then established.

2.1 Nature of international conflicts

Conflict is as old as the history of mankind and therefore normal, natural and unavoidable, yet it can generate negative and very destructive impacts, as well as awareness, economic growth and development (Ivorgba 2005). What matters is our response to conflict and post-conflict situations. Conflict is an indication that somehow, there is misunderstanding that requires attention and proper action.

International conflicts might occur between governments striving to monopolise the exploitation of resources in disputed territories. It could arise when a nation-state intervenes in the domestic disputes of another state. Occasionally, a conflict may ensue where the nationals of one state are attacked, dehumanised, killed or maimed by the agents of another state. Conflicts between countries are often presented as occurring between their governments and such situations are either conducted or perceived as inter-governmental struggles, while the bone of contention is usually territory or some other economic resource (Asobie 2003). It is seldom the welfare of the ordinary citizens of the states concerned that provokes conflict situations in Africa. Even when such reasons are brandished, they often turn out to be attempts at concealing other agendas.

As noted by Asobie (2003), a deeper examination may reveal that, in essence, international conflicts are struggles between primary social classes, clashing across national boundaries. In this regard, the real actors in international conflicts

are social classes (for instance, the ruling elite) which, in their struggles, mobilise and use the various state institutions to push forward their goals. For the most part, contests are related to the control of productive resources. Even when such resources are exploited, the proceeds are typically distributed disproportionately in favour of the ruling classes and their cronies/protégés. As the working class citizens become aware of this unequal sharing, the more vulnerable ones may be attracted into social movements conceived and sponsored by disgruntled drop-outs from the ruling class. Such social movements are fashioned to operate in opposition to the ruling elite using all sorts of means, while expecting better days ahead.

Hiding behind governments, in some international conflicts, are the monopolistic capitalists operating trans-nationally with multinational tentacles. Major oil and mineral exploiting companies belong to this category. These dominant expatriate capitalists are typically in simultaneous alliances with the respective ruling classes in the exploitation of resources in both countries. These unpleasant alliances often manifest in millions of hard currency diverted and stacked away in foreign banks, and open avenues for interventions in domestic affairs of host countries that serve the interest of multinationals even at the cost of inter-state conflicts. Yet victims of such conflicts remain the working people – especially the youth, women and child soldiers, as well as old people who find it difficult to escape conflict zones, emigrate or seek refugee status elsewhere.

2.2 Dynamics of international conflicts

The dynamics of most international conflicts may be shaped by three critical factors:

(1) The nature and size of the booty that would accrue from the conflict. This refers to the relative utility and size of the presumed productive resources that the victor might gain after the struggle.

(2) The nature of the relationship between the social classes that constitute the primary actors in conflict. Once monopolistic capitalists either on one side or on

both sides of the state territorial boundaries have high stakes in the outcome of the conflict, the spiral of international conflicts will be almost unending.[3]

(3) The nature of domestic politics in the nation-states that form the bases for the contending parties. This includes the nature of the regime in power. Authoritarian/dictatorial regimes have the tendency to provoke the emergence of violent inter-state politics, so as to divert attention from burning domestic issues and prolong their stay in power.

Generally, when violent conflicts erupt between two contending ruling classes of two distinct countries, they are extensions of violent intra-state conflicts promoted by the various discontented social groups who may be having international connections. Hoffmann (1985) observed that one definitely cannot imagine a non-violent diplomacy as long as violence has not been eliminated from intra-state politics. In this connection, social movements within territorial boundaries frequently seek to establish links with similar bodies in neighbouring countries and will spare no effort in taking advantage of a conflict situation to canvass for international recognition.

2.3 Oil as engine and fuel for conflict situations

It is possible that in some cases conflicts originated before the discovery of petroleum, but became interwoven with oil issues as the importance of oil as a factor of production increased. The drivers of such tendencies are territorial disputes, separatist struggles and factional/dynastic struggles.

Territorial disputes occur in border zones and offshore areas that were thought to possess no particular value, but suddenly become very valuable with the discovery of oil. For several decades, neither the Nigerian nor Cameroonian ruling elite showed any particular interest in the Bakassi Peninsula. Neither showed any concern nor initiated any programme that was capable of ameliorating the deplorable conditions of mass poverty, squalor and destitution in which most Bakassi residents live. But struggles over the ownership of Bakassi

3 In some cases, the monopolistic capitalists do not need to wait for the end of the conflict to have their benefits. They prey on the on-going conflict through the sale of arms (sometimes to both conflicting parties) and the exploitation of the resources under contention for a pittance.

by Nigeria and Cameroon began immediately it was discovered in the eighties that the Peninsula was floating on reserves of crude oil (Sango 2002). It was only then that the elite of both countries started making serious claims and counter-claims over the territory.[4]

Separatist struggles occur when oil is produced or presumed to exist in an area largely inhabited by an ethnic minority and the bulk of oil revenues go or are expected to go to government officials in the national capital. In this context, members of the ethnic minority often perceive a strong incentive to break away and establish their own ethnic state, with a view to getting all of the oil revenue. This sort of struggle is occurring in the southern part of Sudan, where the predominantly Christian population is struggling for independence and in Cameroon, where the Southern Cameroon National Council (SCNC) sympathises with advocates for the independence of the Bakassi Peninsula as 'The Republic of Ambazonia' (Gumne 2006). In some cases such as the Delta region of Nigeria, ethnic minorities are fighting to gain greater autonomy (and a larger share of oil revenues) rather than a separate state.

Factional/dynastic struggles occur because whoever controls the government of oil-producing states also controls the allocation of oil revenues. Those in control will seek to retain power for as long as possible, using heavy-handed repression and election rigging, while those excluded from power will have a powerful incentive to use any means necessary to gain control (including armed rebellion, terrorism, or coup d'état). These sorts of factional struggles have been a consistent pattern in countries like Nigeria and Saudi Arabia, as well as in most oil-rich states. In other countries, especially Venezuela, disputes over the allocation of oil revenues have taken the form of political violence between competing parties and interest groups (Klare 2004).

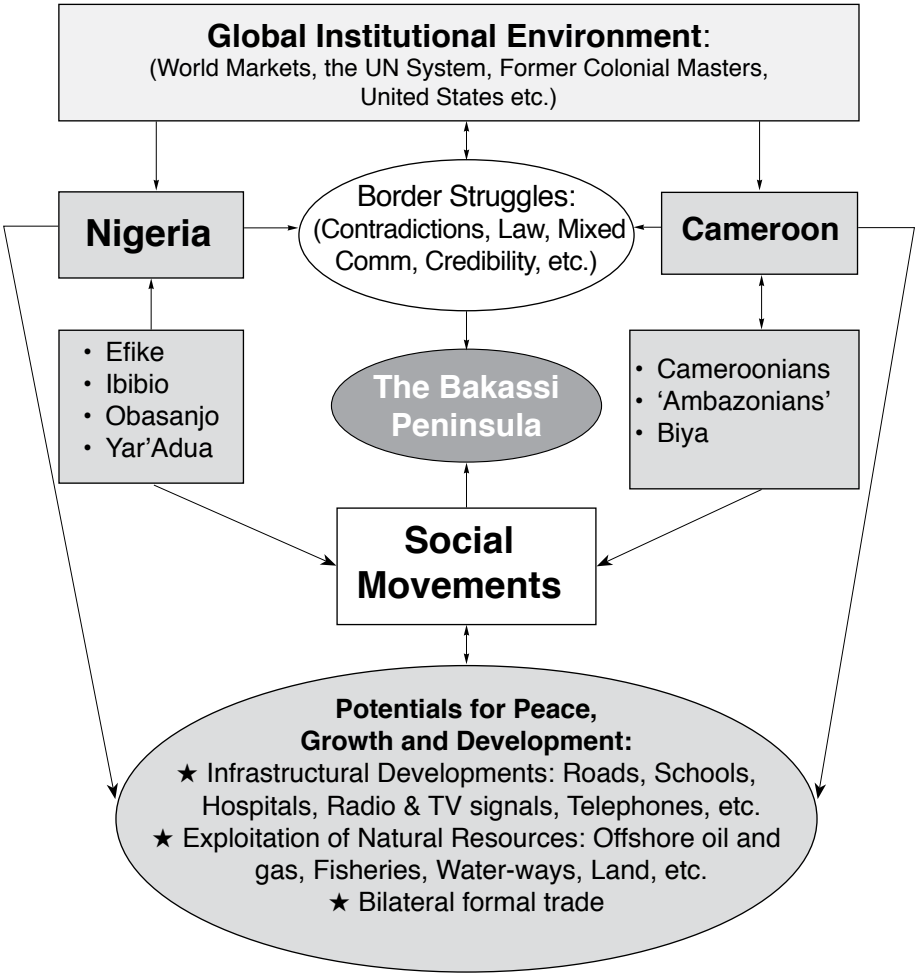
4 In essence, the struggle by the Nigerian and Cameroonian ruling classes for ownership of the Peninsula is not dictated by concern for the well-being of the residents of Bakassi, but rather for the rich oil reserves and fishing grounds found in the area and its strategic location in the Gulf of Guinea. Indeed, Nigeria started undertaking some social infrastructural developments in Bakassi only in 1997, four years after it occupied the Peninsula.

2.4 Dispute settlement linkages between Cameroon and Nigeria

The conflict between Nigeria and Cameroon was a boundary and territorial dispute – the Bakassi Peninsula being the most contested. Attempts were made in the past to resolve the dispute through bilateral negotiations, but in 1981, and again in 1993, 1994 and 1996, the dispute nearly escalated to a war. Between 1994 and 2002, the matter was before the International Court of Justice at The Hague. A judgment was pronounced in 2002 by the ICJ on the matter and the Nigerian government issued a statement rejecting the verdict of the International Court. Yet following negotiations between the two countries, facilitated by the UN and crowned by the June 2006 Green-tree Agreement in New York and subsequent instruments, Nigeria completed the withdrawal of its military, administration and police from the Bakassi Peninsula in August 2008. This has been described as a remarkable outcome in conflict resolution in Africa. However, it will be naïve to conclude that the issue has been neatly resolved without a careful examination of the linkages propelling the conflict and resolution processes.

Figure 1 is a conflict map showing the relationships among various actors and issues in the dispute over the Bakassi Peninsula. The states in conflict are Nigeria and Cameroon, and the ICJ awarded the Peninsula to Cameroon in October 2002. After the ICJ verdict, which of course has no enforcement mechanism, the Nigerian parliament submitted that the handover would be unconstitutional and demanded a referendum (Price 2005). Even the UN body overseeing the negotiations – the Cameroon-Nigerian Mixed Commission – between the countries did indicate that technical problems delayed the transfer of the Peninsula to Cameroon. This commission was set up by the UN Secretary-General on the request of President Paul Biya of Cameroon and President Olusegun Obasanjo of Nigeria and chaired by the Secretary-General's Special Representative for West Africa. Its role was to determine ways to implement the ICJ ruling and move the process forward (United Nations 2006).

Figure 1: Conflict dynamics and settlement linkages: Cameroon, Nigeria and the Bakassi Peninsula



Source: Constructed by the author

Figure 1 also refers to the idea that border struggles between Cameroon and Nigeria are the product of a number of contradictions:

(1) There is a clash between tradition and modernity. In this regard, the pre-colonial history of the ancient kingdom of Calabar is haunting the post-colonial reality of contemporary Nigeria and Cameroon.

(2) There is the tension between cartographical fact and cultural reality. The geographical map is in conflict with the people.

(3) There is conflict between the dictates of international law and citizenship.

(4) There is a gap between the demands for *raison d'être* or pragmatism and the needs and concerns of citizens.

In this framework, potentials for peace and the judicious exploitation of the natural resources in and around the Bakassi Peninsula will very much depend on the 'principle of good faith' (Aghemelo and Ibhasebhor 2006) and on responses by social movements, which include the concerns of the Anglophone Cameroon secessionist movement and the Nigerian migrant community in the Bakassi Peninsula. Essentially, there are two simultaneous issues to be guarded against: (1) sabotage resulting from subsequent oil development and fisheries in the Bakassi region and (2) the potential for further violence as secessionist movements (Ambazonians), other Cameroonians, Nigerians and the inhabitants of the Bakassi Peninsula (Efike) contest or undermine the Green-tree Agreement. In this connection, accompanying measures by both Cameroon and Nigeria, as well as by the international community are needed to sustain the peace dividend.

3. Geopolitics of the Bakassi dispute

3.1 The colonial legacy

Before the scramble for Africa, Bakassi was part of the ancient kingdom of Calabar. The people in the main settlements in the Bakassi Peninsula owed allegiance to the Obong of Calabar. The Obong of Calabar placed not only Calabar, but also the Efike and Ibibio (in the Peninsula) under the status of a British protectorate via a Treaty on 10 September 1884. The chiefs of Efike and Ibibio were co-signatories to the Treaty. Subsequently, through a series of bilateral treaties and other legal instruments, the territory was ceded by the

British in 1913, first to Germany, and later placed under the mandate of the League of Nations and the Trusteeship of the United Nations in 1919 at the end of the First World War. Finally, it was ceded by plebiscite to independent Cameroon in 1961.

The critical legal instruments that changed the status of the Peninsula and its inhabitants were the following (Aghemelo and Ibhasebhor 2006; Omoigui 2006):

- The agreement between the United Kingdom and Germany signed in London on 11 March 1913 entitled '(1) the Settlement of the Frontier between Nigeria and the Cameroons, from Yola to the sea, and (2) the Regulation of Navigation on the Cross River'.
- The Anglo-German Protocol signed in Obokun on 12 April 1913, demarcating the Anglo-German boundary between Nigeria and Kamerun[5] from Yola to the Cross River. Eight maps accompanied this Protocol.
- The exchange of letters between the British and German governments on 6 July 1914.
- The endorsement, in April 1961, by both the United Nations General Assembly and the International Court of Justice, of the results of the plebiscites conducted in Northern and Southern Cameroons in 1959 and on 11 February 1961, respectively.
- The Diplomatic Note, accompanied by a map, dispatched to the government of Cameroon by Nigeria in 1962, accepting the results of the plebiscites.

For the Bakassi Peninsula in particular, the Germans were interested in getting assurance that Britain would not seek to expand eastwards. The British were interested in uninterrupted and secure sea route access to Calabar, a key trading port. Since the Germans already had the option of using the Douala port, they conceded the 'navigable portion' of the offshore border to Britain. In exchange,

5 The appellations 'Kamerun', 'Cameroun' and 'Cameroons' can be used interchangeably to refer to Cameroon depending on whether the perspective is that of the Germans, Francophones or Anglophones, respectively.

Britain conceded the Bakassi Peninsula proper to Germany.[6] Note that 'Nigeria' did not yet exist as an independent state in 1913.

In January 1914, 'Nigeria' was created by amalgamation of the various British protectorates spanning the north to the south. At the end of the First World War, all German territories were divided between France and Britain by the Treaty of Versailles. The League of Nations placed them under French or British mandate. The boundaries between British and French mandated Kamerun were defined by the Franco-British Declaration of 10 July 1919. In this agreement, Bakassi and the rest of what became known as 'British Cameroons' were placed under British mandate and administered coterminous with 'Nigeria' but not merged. The old 1913 border was retained. To codify this further, other agreements were signed on 29 December 1929 and 11 January 1930 between Britain and France. These declarations were ratified and incorporated in an Exchange of Notes on 9 January 1931 between the French Ambassador in London and the British Foreign Minister. Again, maps from that period show the Bakassi Peninsula within 'British Cameroons' (Omoigui 2006).

3.2 The advent of independence

On 1 January 1960 and on 1 October 1960, the French Cameroun and Nigeria became independent, respectively. Instruments creating the new countries and exchange of notes between France and Cameroun rehashed all its colonial boundaries as defined by previous colonial agreements. A plebiscite was held to 'clarify the wishes of the people living in Northern and Southern Cameroons under British rule'. The population of Northern Cameroons still under British rule had earlier – in 1959 – 'decided to achieve independence by joining the independent Federation of Nigeria'. The population of Southern Cameroons 'decided to achieve independence by joining the independent Republic of Cameroun' on 11 February 1961 (United Nations 1961). There were 21 polling stations on the Bakassi Peninsula itself and about 73% of the people living

6 In other words, to get Germany's cooperation not to threaten access to Calabar, Bakassi Peninsula was conceded by Britain.

there voted to 'achieve independence by joining the independent Republic of Cameroun' (Omoigui 2006).[7]

Moreover, by Diplomatic Note No. 570 of 27 March 1962, the government of Tafawa Balewa of Nigeria exchanged diplomatic notes with Cameroon acknowledging the fact that Bakassi was indeed Cameroonian territory (Aghemelo and Ibhasebhor 2006). In July 1966, Lt.-Col. Gowon came to power in Nigeria. As the Balewa government, he too committed his government to respect all prior international agreements made by the Balewa and Ironsi governments.

3.3 Political developments and the Bakassi question

In May 1967, in response to the mandate granted to Lt.-Col. Ojukwu by the self-imposed Eastern Consultative Assembly to secede, Lt.-Col. Gowon created 12 new states in Nigeria – including the South-Eastern State headed by an Ibibio officer. The creation of the South-Eastern State from the former Eastern Region rekindled interest in rejoining Nigeria among Efike and Ibibio residents of the Bakassi Peninsula – many of whom had actually voted in 1961 not to pursue integration with Nigeria. In July 1967, the Nigerian Civil War broke out and lasted until January 1970.

In April 1971, there was a summit meeting between General Gowon of Nigeria and Alhaji Ahmadou Ahidjo of Cameroon in Yaoundé. It was at this meeting that Gowon and Ahidjo agreed to define the navigable channel of the Akpa-Yafe River up to Point 12. During the summit, Ahidjo asked his survey expert to stop arguing and asked Gowon to draw the line where he wanted it, and Gowon turned to his own technical expert for guidance. The expert marked a point on the map and Gowon drew the line towards that point (Omoigui 2006). Unfortunately, the line Gowon drew – on direct advice from the Director of

7 By spelling it as 'Cameroon', rather than 'Cameroun', the UN created an opening for some mischievous 'Southern Cameroonians' to later say they never voted to join 'Cameroun' which is the former French territory.

Federal Surveys – was not the true navigable channel of the Akpa-Yafe River as established by the colonial masters.[8]

Two months later, in June 1971, the Joint Boundary Commission met in Lagos, led by Chief Coker for Nigeria and Mr Ngo for Cameroon. They extended the already faulty Gowon-Ahidjo 'compromise line' outwards to the sea in what became known as the Coker-Ngo line. A few weeks later, following the signing of the Coker-Ngo line, Gowon discovered what had transpired. In May 1972, the joint boundary commission met, followed in August 1972 by a summit meeting at Garoua, where General Gowon tried repeatedly without success to get Ahidjo to agree to the reversal and renegotiation of the Gowon-Ahidjo/Coker-Ngo line. An oil rig was erected offshore by the Ahidjo government in 1974, and later in June 1975 in a highly reluctant compromise to accommodate the rig, Gowon conceded a tiny part of Nigerian maritime territory to Cameroon.

On 29 July 1975, General Gowon was overthrown in a coup d'état. The new regime decided to question the 1971 and 1975 Gowon-Ahidjo maritime agreements – either without really understanding the issues or by acting mischievously. In no time the country got the impression that Gowon had given away the 'Bakassi Peninsula' to Cameroon to compensate for President Ahidjo's neutrality during the Nigerian Civil War, an unfortunate and totally false notion which persists in many quarters to this day (Omoigui 2006; Olumide 2002). Many commentators still do not realise that the Peninsula had been ceded by a series of actions and inactions beginning as far back as 1913, reconfirmed when Nigeria became independent in 1960, finalised with the 1961 plebiscite and affirmed with the 1964 Organisation of African Unity (OAU) declaration, which stipulated that independent African countries were bound to respect their colonial borders (Omoigui 2006).

8 Not only did it run right into a ridge, but the line also crisscrossed the navigable channels of the Calabar and Cross rivers, which the British had intended (with German agreement) to be completely on the Nigerian side, west of the Akpa-Yafe channel.

4. Implications of the ICJ ruling and the Green-tree Agreement

4.1 Ruling of the ICJ and difficulties in implementation

Cameroon tabled its border dispute with Nigeria before the ICJ in 1994 following the occupation of the Bakassi territory by the Nigerian troops on 12 December 1993. Cameroon anchored its claim over the ownership of Bakassi on the Anglo-German Treaty of 11 March 1913 when both territories now called Cameroon and Nigeria were under colonial rule. Nigeria tried unsuccessfully to challenge the legal basis of the 1913 Treaty, arguing that the two colonial masters had no *locus standi* to cede territories and that the agreement was not ratified by any of the parliaments of the two nations. Nigeria also unsuccessfully maintained that the alleged ceding of the Peninsula by Gowon was not endorsed by the Supreme Military Council, which was the law-making body of the country at the time (Aghemelo and Ibhasebhor 2006).

On 10 October 2002, after eight years of deliberations, the ICJ at The Hague decided that Cameroon had sovereignty over Bakassi, basing its decision on old colonial documents (Lacey and Banerjee 2002). The boundaries in the Lake Chad region were determined by the Thomson-Marchand Declarations of 1929–1930 and the boundary in Bakassi was determined by the Anglo-German Treaty of 11 March 1913. The Court requested Nigeria to quickly and unconditionally withdraw her administration, police and military from the area of Lake Chad under Cameroonian sovereignty and from the Bakassi Peninsula. The ICJ equally requested Cameroon to expeditiously and without condition remove any administration or military or police forces which may be present along the land boundary from Lake Chad to the Bakassi Peninsula on territories which, pursuant to the judgment, fall within the sovereignty of Nigeria.

The Court fixed the land boundaries from Lake Chad in the north to Bakassi in the south. However, the Court did not specify a definite location off the coast of Equatorial Guinea where the maritime boundary between the two countries would terminate (Bekker 2003). The immediate reaction was that Nigeria rejected the ruling, and at one point it seemed possible that the dispute

would flare into open war, but UN mediation brought the two sides to the table (Friends of the Earth 2003; Sango 2002).

When it became difficult to implement the ICJ ruling, the UN Secretary-General formed the Cameroon-Nigeria Mixed Commission on the request of both leaders. The Mixed Commission first demarcated the land boundaries.[9] The development of projects to promote joint economic ventures and cross-border cooperation monitored by the Mixed Commission included the construction of border markets and roads linking the two countries. All appeared on track – some villages further north and around Lake Chad were exchanged until the handing-over process reached the oil-rich Bakassi Peninsula. Two withdrawal timetables were not respected; thousands of Nigerians in the Bakassi Peninsula were not sure where they stood in terms of citizenship and many wanted to remain Nigerians since they had more social and economic ties with Nigeria (Borzello 2004). Nigeria's failure to give Cameroon full control of Bakassi on 15 September 2004 was predicated on the argument that their withdrawal would lead to the collapse of law and order.

In addition, Nigeria submitted that the most democratic manner to decide Bakassi's sovereignty would be to hold a referendum since about 90% of the people on the Peninsula did not want to become Cameroonian (Eboh 2005). Nigeria claimed that sovereignty of Bakassi was not a matter of oil or natural resources on land or in coastal waters, but rather the welfare and well-being of Nigerians on their land (Federal Republic of Nigeria 2002). There were calls on the Nigerian government by some Nigerians to go to war over the matter. This school of thought argued that 'there is no morality in international relations' and that it is against the national interest of Nigeria in terms of security and economic interest to accept the ICJ's verdict in its totality (Etim-Bassey 2002). However, other Nigerians cautioned against war – arguing that women and

9 The Mixed Commission's mandate covered the following areas: (1) The demarcation of the land boundary between the two countries; (2) The withdrawal of civil administration, military and police forces and transfer of authority in relevant areas along the boundary; (3) The eventual demilitarisation of the Bakassi peninsula; (4) The need to protect the rights of the affected populations in both countries; (5) The development of projects to promote joint economic ventures and cross-border cooperation; and (6) The reactivation of the Lake Chad Basin Commission.

children are the most vulnerable victims of war – and that youths are the greatest losers in all social conflicts, domestic or international, not the men who usually ask for war (Asobie 2003). They further maintained that 'the principle of good faith' in international relations demands that Nigeria should not disavow her word of honour as evidenced by the Diplomatic Note of 1962 (Aghemelo and Ibhasebhor 2006).

There is no doubt that the ICJ has a limited capacity to facilitate enforcement because there is a very weak interplay between passing judgement and binding enforcements. Implementation of rulings of the ICJ is largely dependent on the goodwill of countries in conflict. In situations where the countries involved are outward looking and cherish international credibility, diplomatic pressure can act as a credible tool which can be used to generate incentives for compliance with international obligations.

4.2 The Green-tree Agreement

Following intense diplomatic offensives and the good office of the UN Secretary-General, Cameroon was able to secure the Green-tree Agreement with Nigeria on June 12, 2006, brokered by the UN Secretary-General and witnessed by Britain, France, Germany, and the United States.[10] Under the Agreement, the Nigerian troops were to withdraw within a maximum of ninety days and a transition period of two years was given for the Nigerian administration to be replaced by the Cameroonian administration. Nigerians living in the Peninsula would be able to remain there under a special regime for four years after Cameroon takes full control and could stay on after that if they so wish.

According to the then Nigerian President Olusegun Obasanjo, the Green-tree Agreement was a great achievement in conflict prevention, which practically reflected its cost-effectiveness when compared with the alternative of conflict resolution. He urged that it should represent a model for the resolution of similar conflicts in Africa and the world at large. Moreover, President Obasanjo had played a leading role in conflict resolution among African states. His refusal

10 Experts had noted that it was in the United States' interests to resolve the dispute to provide 'secure operating environment for oil companies' including Exxon-Mobil, which is active in the region (Friends of the Earth 2003).

to respect the ICJ verdict would have left an unfavourable spot on his record. Meanwhile, his decision to respect the ICJ verdict and withdraw Nigerian military forces from Bakassi met with strong opposition from some radicals, who felt that Nigeria's military might should be used for expansionist ambitions. In the same spirit with President Obasanjo, President Paul Biya underscored the importance of respecting the ICJ ruling, arguing that their personal credibility and that of the UN depended greatly on its implementation and that it will begin a new era of trust, peace and cooperation between Cameroon and Nigeria.

On 14 August 2006, the Nigerian troops, in a solemn ceremony, peacefully withdrew from the Bakassi Peninsula, marking the climax of a long and meandering peace process that spanned a period of 12 years. The effective withdrawal of Nigerian forces from Bakassi is an indication that it is possible for African nations who find themselves in conflict over territorial rights and other issues to resolve the matter amicably – thus avoiding carnage, blood-shed, socio-economic and political dislocations, which many post-independent African countries have suffered. Other things being equal, the Green-tree Agreement and the various stages that led up to the handing over is a model for the peaceful settlement of disputes in Africa. The entire process was graced by the Treaty of Calabar between Cameroon and Nigeria on 14 August 2008 that marked the complete withdrawal of the Nigerian administration and police as stipulated in the Green-tree Agreement.

4.3 Socio-economic implications of the Bakassi conflict resolution

Reflections on the possible socio-economic implications of the Bakassi conflict resolution are anchored on expenditure-reducing and expenditure-switching effects of peaceful settlements, wealth-generating effects of international credibility, cross-border activities enhanced by the new-found confidence and the need for accompanying measures.

4.3.1 Expenditure-reducing and switching effects

In an escalating border conflict situation, the countries involved generally spend much more on security and military activities. Such military spending often crowds out social spending on health, education and infrastructure, a practice

that negatively affects the welfare situation of the citizenry. As hostilities are scaled down through a negotiated settlement, wasteful military spending is scaled down as well, hence the expenditure-reducing effect of peaceful settlement of border conflicts.

At the same time, there are potentials and incentives to switch from military spending to social sector spending, a situation that will enhance the general welfare of the population. In the case of the Bakassi Peninsula dispute settlement between Cameroon and Nigeria, both countries will realise savings in military and associated logistical expenditures. These savings can be more judiciously used to enhance the standards of living of the various populations via infrastructural development that generates income and employment opportunities. The success of these, however, depends on the good faith of the governments in place and the reducing of corruption.

4.3.2 Wealth-generating effects

The peaceful settlement of the Bakassi dispute has increased the international credibility of the presidents of Cameroon and Nigeria, as well as that of the economy of both countries. This new-found credibility would act as an incentive to both domestic and foreign investors to invest and create employment opportunities, which will provoke income-generating activities that are badly needed to reverse the dismal socio-economic situation of the bulk of the populations of both countries.

In particular, Cameroon can now valorise her oil deposits and promote modern fishing in the Peninsula, especially at a time when the country is reaping the fall-outs of the 2006 completion point of the heavily indebted poor countries (HIPC) initiative. This will be facilitated both by the peace dividend and the design of accompanying incentives to pull in trans-national oil and fishing companies. The effective exploitation of these resources will improve Cameroon's trade balance, fiscal revenue and resources for her poverty eradication programmes. This is consistent with the three major contributions that investment in oil development is expected to bring to the host country – employment opportunities, foreign

exchange earnings, and technology transfer that enhances local capacities (Oruwari and Owei 2005).

4.3.3 Cross-border activities

Due to historical and ethno-linguistic ties between Cameroon and Nigeria, even during hostilities, trans-border trading did not stop (Konings 2005). It is expected that with the peaceful handing over of Bakassi to Cameroon, fruitful socio-economic activities between the two countries will be revamped. In this regard, it will be in the interest of both countries if more formal trading arrangements are negotiated, so as to curb smuggling, enhance the competitiveness of home industries and increase tax revenues accordingly.

Cross-border activities will be enhanced further if Cameroon and Nigeria push forward their intentions to initiate a number of political and economic confidence-building measures, and to consider the adoption of a treaty of friendship and non-aggression between them. To crown it all, the Bakassi story illustrates the crucial role of multilateral measures, such as the potential for dialogue and conflict resolution offered by recourse to the ICJ. The Mixed Commission also represents a remarkable initiative and can be seen as an excellent model for preventive diplomacy and a precious tool for moving from a culture of confrontation to a culture of peace.[11]

Notwithstanding this apparent success story in conflict settlement, a few months before 14 August 2008 – the date Nigerian administration and police were expected to finally pull out from the Peninsula as per the June 2006 Green-tree Agreement – a succession of armed attacks suggested that social

11 Indeed, both nations exchange delegations on a regular basis, and the Presidents customarily send messages of congratulation to each other on festive occasions. This happened even at the peak of hostilities in the Bakassi area. A noted example is the visit of a Cameroon delegation to Nigeria in 1995 'in order to canvass support for Cameroon's membership in the Commonwealth' (Mbuh 2004: 2).

movements were actively at work trying to undermine the process.[12] These attacks were perhaps meant to undermine the entire process of sustaining the peaceful settlement. However, subsequent to the first attack, Nigeria dispatched a high-level government delegation led by the Minister of State for Foreign Affairs to Yaoundé to present the condolence of the government and people of Nigeria following the brutal killing of Cameroonian Officers. In addition, Nigerian authorities stated and re-stated their resolve to respect international commitments on the conflict settlement.

4.3.4 The need for accompanying measures

Accompanying measures by Cameroon, Nigeria and the international community, as well as other socio-economic and political developments emanating from the entire border conflict settlement are needed to enhance the peace dividend.

The government of Cameroon needs to carry out important infrastructural developments in the health, education, road, water and telecommunications domains in the Peninsula. This will ease the precarious living conditions of the Bakassi residents and act as incentives for other Cameroonians to accept working there. This will also help to discourage any social movements that may be nurturing the intention to instigate the Bakassi indigenous people to reject the peace dividends that they stand to gain from the implementation of the Green-tree Agreement. Moreover, it cannot be ruled out that the recent in-land and amphibious attacks on Cameroonian civilians and military in the Peninsula were perpetrated by negative social movements and their sponsors in or out of Cameroon.

12 In particular, (1) on 12 November 2007 an attack by unidentified assailants left 21 Cameroonian military personnel dead, (2) on 9 June 2008 another armed group attacked and killed six Cameroonian officials including the Divisional Officer, (3) on 11 July 2008 yet another attack left three officials wounded, and (4) on 24 July 2008 another attack left two Cameroonian marines on patrol dead and four wounded (Forbinake 2008). For the first time, ten of the assailants were killed by Cameroonian forces and eight captured (official government statement over the Cameroon Radio and Television on 24 July 2008). A local private newspaper (*Messager* 2008) quoted statements issued by one General A. G. Basua and Commandant Ebi Dari claiming responsibility for the recurrent attacks on behalf of the Niger Delta Defence and Security Council.

It will be encouraging if the international community were to recognise and reward the remarkable level-headedness exercised by the two statesmen, Paul Biya and Olusegun Obasanjo, in the conflict resolution process, and subsequently also by President Yar'Adua of Nigeria. Such a reward, which could take the form of a joint peace award, might act as a catalyst to encourage other countries in conflict to opt for peaceful settlements. In addition, the donor community, acting individually or in coalition, could assist in infrastructural developments in the Bakassi Peninsula. Moreover, as implied by the then President Obasanjo after the signing of the Green-tree Agreement, an alternative to the peaceful resolution of the conflict could have been military confrontations with rippling effects transmitted across the sub-region that would have entailed much more assistance for humanitarian activities from the international community.

Subsequent to the complete withdrawal of Nigerian authorities from the Bakassi Peninsula, oil resources have not been exploited in this area, yet the government of Cameroon and its development partners, especially the European Union through the European Development Fund and the French Development Agency, from 2007 to 2009, spent over CFAF 12 billion to execute some priority projects. The government of Cameroon created a Coordination and Follow-up Committee for the implementation of these Priority Projects in the Bakassi Peninsula on August 27, 2007. Priority projects have been carried out in Idabato, Kombo Itindi, Kombo Abedimo and Bamusso Subdivisions. These projects include the construction of classrooms, government offices, health centres, residences for workers, markets, speed-boats for administrative authorities, water supply, generators for energy supply, social centres, women's empowerment centres and support to farmers' organisations (Kendemeh 2010).

According to the progress report presented on 11 March 2010 by Lekunze Ketuma, chair of the Follow-up Committee, a pressing problem for the administration is how to people the area with Cameroonian nationals and motivate government workers to go and work in Bakassi. Among projects earmarked for 2010 worth CFAF 2,5 billion with a view to reducing this problem are the construction of camps for fishermen (and providing them with fishing gear), the construction of improved facilities for communal fish smoking, the extension of oil palm plantation and the construction of camps for workers,

and the tarring of the Loum-Kumba-Ekondo-Titi-Mundemba-Isangele-Akwa road (Kendemeh 2010). Other projects include mobile telephone relay antennas, a CRTV (Cameroon Radio and Television) signal relay tower and a broadcast centre. Notwithstanding these efforts, the general impression is that the process has been rather slow.

The first-ever Fish Festival chaired by the Cameroon Minister of Livestock, Fisheries and Animal Industries held in Bamusso Subdivision in April 2010 brought together local and foreign fishermen, traditional rulers, and administrative and municipal authorities (Efande 2010). The occasion is seen as promoting fishing in the Bakassi area and as encouraging peaceful co-existence between natives and foreigners in tandem with the Green-tree Agreement.

5. Concluding Remarks

This paper evaluated the implications of the Bakassi conflict settlement between Cameroon and Nigeria for sustainable peace and economic development. Specifically, the paper (1) developed a conceptual framework of international conflict dynamics and resolution; (2) examined the geopolitics of the Bakassi dispute; and (3) discussed the implications of the Bakassi conflict resolution for socio-economic development and international conflict resolution.

The colonial powers subjugated and divided Africa disregarding the relationship between territorial boundaries and the anthropogenic homogeneity and/or characteristics of the various ethnic groupings. International conflicts were depicted as being shaped by: the nature and size of the booty that would accrue from the conflict, the nature of the relationship between the social classes that constitute the main actors in the conflict, and the nature of domestic politics in nation-states that form the bases for the contending parties.

The effective withdrawal of the Nigerian military, police and administration from Bakassi indicates that it is possible for African countries in conflict to resolve matters amicably and avoid carnage, blood-shed, socio-economic and political dislocations, which many post-independent African nations have inflicted on themselves. Other things being equal, the entire process leading to

the final handing-over day is a model for the peaceful settlement of disputes in Africa. Reflections on the possible socio-economic implications of the Bakassi conflict resolution were anchored by four aspects: expenditure-reducing and expenditure-switching effects of peaceful settlements; wealth-generating effects of international credibility; cross-border activities enhanced by confidence building; and the need for accompanying measures to weaken sympathies for disruptive views propagated by negative social movements.

There is no doubt that neglect of border areas contributes to the problem of border incursions. Cameroonians along the Nigerian border use mostly foreign currency, watch Nigerian television, listen to Nigerian radio and are cut off from contacts with their own country. Cameroon's new border policy should, therefore, continue to provide for the construction of schools, hospitals, roads, agricultural posts, telecommunications network, pipe-borne water, etc. It is perhaps only by carrying out infrastructural developments and effectively occupying border areas that future incursions can be checked and sustainable peace guaranteed. Rewarding the main protagonists could be catalytic in replicating peaceful settlements of similar international disputes.

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Abbreviations

AERC	African Economic Research Consortium
BBC	British Broadcasting Corporation
CFAF	*Communauté Financière Africaine Franc*
DPRU/UCT	Development Policy Research Unit/University of Cape Town
ICE	Inventory of Conflict and Environment
SCAPO	Southern Cameroons Peoples Organisation
TIPS	Trade and Industrial Policy Strategies
UNU	United Nations University
WIDER	World Institute for Development Economics Research

The international community and post-war reconciliation in Africa: A case study of the Sierra Leone Truth and Reconciliation Commission

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Abstract

The decade-long armed conflict and political unrest in Sierra Leone deeply affected the civilian population. Since the end of the war in 2002, the government of Sierra Leone and the international community have been involved in peacebuilding activities, national reconciliation and reconstruction. The reconciliatory process necessitated the setting up of a Truth and Reconciliation Commission (TRC) which was also a product of the Lomé Peace Agreement between the Government of Sierra Leone and the now defunct Revolutionary United Front (RUF). The international community invested US$ 4,6 million in the Sierra Leone TRC mission. The TRC examined the causes of the war, human rights violations and the role played by foreign actors. This paper analyses the TRC as an internationally driven process to enhance reconciliation, peace, development and democracy in Sierra Leone. It also evaluates the impact of the implementation of the recommendations of the TRC. Beyond this, it makes

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some suggestions on how the international community can better promote transitional justice and the peacebuilding process by supporting local initiatives and promoting national ownership for sustainability.

Introduction

Sierra Leone is one of the few countries that have pursued a dual approach to transitional justice. The Special Court for Sierra Leone was established to try persons who bear the greatest responsibility for war crimes and crimes against humanity whilst the Truth and Reconciliation Commission (TRC) pursued forgiveness and reconciliation (Sawyer and Kelsall 2007:37). The focus of this paper is on the TRC as an instrument that was financed by the international community in order to implement some transitional justice measures and promote post-war reconciliation in the country. The decade-long civil war, characterised by abduction and mutilation of civilians, destruction of properties, rampant rape and sexual abuse of women and young girls and the recruitment of children into irregular armed groups, necessitated the establishment of a TRC to heal those wounds and build a democratic state (Schabas 2005:129). The ethnic, regional and violent politics of the 1970s paved the way for the Sierra Leonean crises and disintegration of the society. Ethnic and regional politics facilitated the north-south divide and the uneven distribution of resources (Keen 2005). Regardless of the rich natural resources like diamonds, gold, bauxite, iron ore, coffee, cocoa and palm kernels, Sierra Leone has remained a poor country. Presidents like Siaka Stevens were more interested in building a personal fortune and power base than in the general development of the country. The politics of patronage and intimidation created resentment against corrupt politicians (Keen 2005:26).

According to international law, governments have an obligation to bring perpetrators of war crimes and crimes against humanity to justice. Article 26 of the African Charter also encourages governments to carry out an official inquiry into human rights abuses and to establish national institutions to protect human rights (Human Rights Watch 1991:1–4). Transitional governments should opt for full accountability in order to deter the repetition of violations. Avruch and

Vejarano (2002:42) argue that accountability is a prerequisite for democratic transition. TRCs therefore help new governments to establish a foundation on which to build legitimacy by espousing democratic ideals, the rule of law, formal legal equality and social justice (Brahm 2006:6). The TRC was able to examine the history of the conflict through a victim-centred truth-seeking process with a concentration on the issues of children. A just and economically viable Sierra Leone was to depend on a deep understanding of the country's past (Conflict Management and Development Associates et al. n.d.:22). Justice and truth commissions are key processes for achieving reconciliation and peace (Othman 2005:249). The TRC was to produce an impartial historical record of the conflict and atrocities committed against the civilian population (Sawyer and Kelsall 2007:37). The status of the country after the conflict speaks to the fact that the help of the international community to address the gross violations of human rights and international humanitarian law was required.

The restoration and establishment of the rule of law, peace and security and the eradication of impunity is one way to promote a democratic society (Othman 2005:250). Reconciliation is crucial to the process of sustainable peacebuilding. However, can people reconcile by recounting the trauma to which they have been subjected? And is this enough to enable them to embark on the democratisation process? It is also argued in the literature on TRCs that it is important to unearth the truth if there is to be any reconciliation (Hayner 2002; Skaar, Gloppen and Suhrke 2005). An important question that should be put before the proponents of TRCs is whether the truth is essential if it does not lead to some kind of punishment or to improvements in the social and economic justice. The past cannot be forgotten since it is very important for the future and therefore needs to be documented for posterity. But what about communities that believe in forgetting and that equate the recounting of past atrocities to the opening up of old wounds? What about the traditional mechanisms of conflict resolution that some communities have traditionally used to resolve conflicts? (Sesay 2007:43–44). These are complex issues which, given the nature of the war, are hard to address, but a war-weary population has expectations and needs to see quick economic recovery and development that can generate employment, social

services like education, health, electricity and water, and the reconstruction of infrastructure.

This paper analyses the TRC as an internationally driven process for the democratisation of Sierra Leone through truth and reconciliation. It also evaluates the impact of the implementation of the TRC on the consolidation of democracy in Sierra Leone. Another aspect relates to the national ownership of the transitional justice process, and how much access Sierra Leoneans have had to the TRC findings. The paper is divided into an introduction, a historical background of the Sierra Leonean conflict, an analysis of the TRC process and its aftermath, a conclusion and some recommendations.

Method

The study is based on a combination of primary and secondary data as well as the author's personal observations. Data on the TRC process and post-conflict development processes were collected from unstructured interviews with students, researchers, activists and ordinary people during the author's visits to Freetown, Sierra Leone, in September 2006 and in March and September 2007. A literature review on the topic was also undertaken.

A historical background of the Sierra Leonean civil war

Sierra Leone is a small West African State with over 4,5 million people. It gained independence in 1961 and has since had a succession of corrupt leaders. Sir Milton Margai, the first President of independent Sierra Leone, managed to bring about a steady development in the country until the long (1968–1985) and autocratic rule of Siaka Stevens of the All People's Congress (APC). Stevens' rule led to authoritarianism, corruption and patrimonialism, depriving the majority of Sierra Leoneans of basic social services (Sesay 2003). The ineffectual leadership of Momoh, Stevens' successor, coupled with mass social disaffection, plunged the country into war. The insurgency of the 23rd March 1991 by the Revolutionary United Front (RUF), led by Corporal Foday Sankoh, was, according to Ukeje (2003:113), a by-product of the Liberian civil war. Charles Taylor, leader of the former National Patriotic Front of Liberia (NPFL), was considered a destabilising force in the region and a sponsor of the RUF (Afrol

News n.d.). The subsequent years gave way to a complicated and protracted conflict, fuelled by diamonds that were supposed to serve as a blessing to the country. The RUF walked in the footsteps of those it had intended to overthrow and was devoid of ideology (Schabas 2005:130). It indiscriminately amputated limbs, abducted women and children, recruited children as combatants, raped and sexually abused women and children, carried out gratuitous killings and cannibalism, and destroyed villages and towns (Conflict Management and Development Associates et al. n.d.).

In March 1999, peace negotiations started, and culminated in a power sharing agreement, the Lomé Peace Agreement, signed on 7 July 1999 between the RUF and the SLPP government (Lomé Accord 1999; Schabas 2005:130). This agreement provided amnesty to the perpetrators of atrocities. However, the then Special Representative of the United Nations (UN) Secretary-General, Francis Okello, insisted that the amnesty was not to apply to crimes against humanity and war crimes. The Lomé Agreement paved the way for the establishment of a Truth and Reconciliation Commission (Schabas 2005:130). The TRC was established as a result of the need for reconciliation – as agreed in the Lomé Agreement by the parties involved. In addition, it was sanctioned by an act of parliament. Since accountability is a prerequisite for democratic transition, the role played by truth commissions in unearthing the truth is of importance to stability, peace and the democratisation process of post-conflict societies (Hayner 2002:24).

Analysis of the Truth and Reconciliation process

The purpose of setting up a TRC was to address the past, heal the wounds of the victims and enable communities to reconcile. Through reconciliation, a more united society would emerge to engage in the reconstruction work of promoting long-term peace. Since the cause of the war was largely the uneven distribution of resources (Keen 2005), Kabbah's government was expected to usher in a new democratic dispensation that was to deliver the dividends of democracy, including the basic amenities and freedom of expression.

Democratisation

The TRC process was supposed to lead to a democratic development that would address the root causes of the conflict. The war in Sierra Leone was a result of bad governance, uneven distribution of resources and institutional failure to guarantee the citizens security, livelihood and democratic participation in decision-making processes (Conflict Management and Development Associates et al. n.d.). This article, therefore, looks at popular democracy which puts the needs, interests and voices of the electorate at the centre of the process. Popular democracy operates on the principles of equal sharing of and access to resources, equal rights regardless of gender, ethnicity, disability, nationality and sexuality, and would therefore be appropriate to the Sierra Leonean case. Participatory decision-making is the key to the involvement of all citizens, especially the poor (Scott and Katz-Fishman 2004:1). Democracy is internationally supported because it is a means by which development is achieved. Where there is development, there are hopes for stability, order and peace. Rudebeck (2002:7) posits that 'democratisation in any given country implies in the first place, equalisation of power to control those developmental resources', which can probably only be controlled from within that country. Scholars such as Sawyer (2004:109) believe that the sustainability of democracy in Africa should be grounded in the common humanity of all citizens. The process of democratisation can be conflict-preventing and -resolving and can enhance productive discourses that would promote enlightenment and problem-solving capabilities (Sawyer 2004:112). According to the 2006 publication of the International Institute for Democracy and Electoral Assistance (International IDEA 2006:122), democratisation processes should include elections that give people a voice to advocate for their interests and needs, promote universal education, the flow of communication and the spread of knowledge, prioritising public goods such as education, health, job training, a clean environment and the rule of law. Failure for democracy to address justly distributed social-economic development undermines human security (International IDEA 2006:124). The TRC was therefore set up to address the social injustices that caused the conflict.

In a post-conflict society, people need to regain trust in government institutions because as Rothstein (2005:21) postulates, 'the more trust a society has, the more democratic it is, the better governed it is, the more economic prosperity it will have'. Competence and impartiality are key if people are to develop trust in institutions (Rothstein 2005:25). There has to be confidence in courts, the police, universities, public schools and public health care systems (Rothstein 2005:24). The export of ideal rights and institutions must make sense within contexts of people, interests and power relations (Törnquist 2003:32). The democratisation of a society should therefore promote political equality and popular capacity to enable people to use their democratic rights and institutions (Törnquist 2003:34). Transitional justice and democracy should lead to improved living conditions for the population and socio-economic development (International IDEA 2006:125). In this same publication it is stated that the populations of many countries are disappointed by democratic systems that cannot deliver basic human security needs (International IDEA 2006:115). In order to build and to sustain peace, democratic systems should incorporate the following core values:

1. Institutional arrangements of power sharing
2. Checks and balances for the responsible and accountable use of power
3. 'Process options' for a public policy which meets local needs for development and human security
4. Equality in human rights and political participation

Democracy is intended to function as the ultimate conflict management system for a country. However, it is threatened when human rights are violated, when there is lack of human security and when power and resources are concentrated in the hands of a chosen few (International IDEA 2006:50–53). Analysing the TRC in Sierra Leone, Sesay highlights the need to improve the lives of the people in order to hasten the reconciliation process. He is of the view that reconciliation is a process that is linked to government policies and structural macro-level reforms to address the causes of conflict (Sesay 2007:16).

The Truth and Reconciliation Commission (TRC)

The Sierra Leone TRC was established on the basis of the provisions of Article 26 of the 1999 Lomé Peace Agreement between the Government of Sierra Leone and the now defunct Revolutionary United Front (RUF), and was sanctioned by an act of parliament – the TRC Act of 2000. The Sierra Leonean TRC Act called for the commission 'to create an impartial historical record of violations and abuses of human rights and international humanitarian law related to the armed conflict in Sierra Leone from the beginning of the conflict in 1991 to the signing of the Lomé Peace Agreement, to address impunity, to respond to the needs of the victims, to promote healing and reconciliation and to prevent a repetition of the violations and abuses suffered' (Hayner 2004:2).

The investigation was to further reveal whether the committed atrocities were planned or authorised by any of the governments, factions or individuals. Since the Sierra Leonean war was greatly influenced by external factors like the war in Liberia with warlord Charles Taylor in the lead, the TRC looked at the role played by foreign actors too. The Commission shared the notion of the South African Truth and Reconciliation Commission report that unless the truth is exposed, the possibility of reconciliation, reunification and trust remains elusive (Truth and Reconciliation Commission of South Africa 2003). The Commission had seven commissioners, four of whom were Sierra Leoneans, three international commissioners (Dumbuya 2003:20–21) and other staff that were involved in its work. The Commission was principally funded by the United States of America, the United Kingdom, Germany, Ireland, the Netherlands, Canada and the European Union (Schabas 2005:133), with the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Geneva serving as the main channel of the donor funds. The Commission became a mere implementer, while the OHCHR served as the Project coordinator and controller of funds for the Commission's work. The TRC's work was to last between a year and eighteen months with a budget of US$ 4,6 million, reduced from the original figure of US$ 10 million.[1]

1 E-mail interview with the Chairperson of the TRC, Bishop Joseph C. Humper, March 2006.

International intervention

The TRC in Sierra Leone was a transitional justice mechanism that was supported by the international community to the amount just mentioned. Since external assistance in post-war reconstruction was reduced after the most pressing issues had been addressed, the sustainability of the concluded activities requires a follow-up institution. The government ought to have the capacity to further pursue what has been achieved with the help of the international community (Sesay 2007:50, 53). Although the international community supports transitional justice, Brahm is of the view that its involvement in TRCs can have some negative effects due to lack of knowledge of the domestic environment (Brahm 2006:6). Even though the work of the TRC was appreciated by some of the respondents, there was a view that some communities wanted to exercise their traditional ways of dealing with conflicts. Interviews conducted in Sierra Leone in September 2006 revealed that lack of possibilities to use traditional ways impacted negatively on the reintegration of some of the perpetrators into their communities.[2] In one case it was even said that the failure to embrace traditional mechanisms failed the re-integration of some of the ex-combatants into their communities (Sesay 2007:42–43). Sesay highlights this point and argues that local mechanisms for reconciliation should be used as much as possible, since they are cheaper and more easily accepted by the people (Sesay 2007:42–43). The Sierra Leonean TRC depended heavily on the international community for funding. Where the pledged funding was not delivered, rehabilitation programmes for amputees and victims of sexual violence and children could not be implemented as planned (Sesay 2007:49). Sesay contends that even though the international community has already spent a lot of money on the TRC, it will need to inject more financial assistance if the transition from insecurity to genuine peace and development is to be achieved.

The recommendations of the TRC

The recommendations of the TRC were designed to promote a new Sierra Leone where human dignity, tolerance and respect of all people's rights would be

2 Interview with the Executive Director of Campaign for Good Governance, March 2006, Freetown, Sierra Leone.

established. This new society would enhance vibrant democracy where all citizens would be treated equally before the law (Conflict Management and Development et al. n.d.:117). The legacies of the conflict were to be confronted to enhance the need for 'tolerance, not for prejudice: a need for acknowledgement and accountability, not for recrimination: a need for reparation, not for retribution; a need for community, not for victimisation; a need for understanding, not for suspicion; and a need for reconstruction, not for greed' (Conflict Management and Development et al. n.d.:117). The Sierra Leone People's Party (SLPP) government was to faithfully implement the recommendations through the state institutions and also facilitate the recommendations directed at other bodies (Conflict Management and Development et al. n.d.:117). It was also stated that after the publication of the TRC report, a committee or an institution that would include representatives of the Moral Guarantors of the Lomé Peace Agreement would be formed to monitor the government's implementation of the TRC recommendations.

The Commission also recommended that its findings be widely disseminated to the people. The TRC recommendations were divided into three categories: the Imperative, the Work Towards and the Seriously Consider recommendations. The imperative recommendations were to be implemented as soon as possible. It was further recommended that the parliament should enact an 'Omnibus bill' to address the implementation of the imperative recommendations (Conflict Management and Development et al. n.d.:119). Work Towards meant that the government should work towards the fulfilment of a recommendation and Seriously Consider meant that the TRC wanted the government to seriously consider the recommendation (Conflict Management and Development et al. n.d.:120). The recommendations called for the protection of human rights, establishing the rule of law, improved security services, promotion of good governance, the fight against corruption, the addressing of youth, women and children issues, the promotion of regional integration and unity by external actors, accountability for the proceeds from mineral resources, the building of the national justice system, reparations, reconciliation that included guiding principles and reconciliation activities, a national vision of going forward, archiving of commission documentation, dissemination of the TRC Report

and the establishment or formation of a Follow-up Committee (Conflict Management and Development et al. n.d.:123–125).

Recommendations Table: Protection of Human Rights

Imperative	Work Towards	Serious Consideration	Calls On
Enshrine human dignity as a fundamental right in the Constitution.	Compulsory human rights education in schools, army, police and judicial services.	Creation of a new constitution for Sierra Leone.	Judiciary to adopt a rights and values based approach to constitutional interpretation.
Abolish the death penalty. Commute pending death sentences.	Codify Customary Law. Codification to be in accordance with Constitution and international obligations.	Extend constitutional jurisdiction to other courts.	Judiciary not to permit unjust laws and practices to stand.
Release persons held in Safe Custody detention. Never again resort to Safe Custody detention.		Outlaw corporal punishment throughout Sierra Leone society.	International Community to Support a Street Law programme in Sierra Leone.
No ouster of Courts' jurisdiction in Public Emergencies. Certain rights are non-derogable in Emergencies. Various measures for the protection of detainees.			Media to thoroughly investigate stories before publication.

Avoid criminal sanctions in sphere of expression. Limit criminal sanctions to conduct aimed at inciting violence and lawlessness.			Sierra Leone Association of Journalists and Media Commission to be more active in monitoring of standards of journalism.
Race and gender must not be a consideration in the acquisition of citizenship.			
Outlaw use of corporal punishment in schools and homes.			
Repeal sections 27(4) (d) and (e) of the Constitution which permit discrimination against women.			
Create a National Human Rights Commission (HRC). Public and open nomination process for commissioners.			

Ratify or accede to international human rights treaties that Sierra Leone has not yet accepted. Submit outstanding reports under its International Human Rights Obligations.			

Source: Conflict Management and Development Associates et al. n.d.

The work of the TRC was to enhance reconciliation through the recommendations that it put forward to the SLPP government.

Reconciliation

In order for post-conflict societies to reconcile and to consolidate democracy, they need to address past atrocities (Gloppen 2005:17). Democratic consolidation builds on national reconciliation and according to Gloppen (2005:18, 32), the five strategies that enhance reconciliation are:

1. Retributive justice where the focus is on justice and perpetrators are held accountable and punished for their crimes.
2. The need to establish the truth through testimonies and institutional mechanisms like truth commissions.
3. Restitution and rehabilitation of victims through the acknowledgment of the physical, psychological and social damages caused by past injustices.
4. Forward-looking reforms through the building of institutions for the prevention of future human rights violations, the promotion of social justice, constitutional and economic reforms, reforms of just apparatus, and the promotion of the education, health and housing sectors.
5. Oblivion through amnesty and public amnesia.

Reconciliation is also about individuals forgiving each other and the mending of the societal social fabric in an effort to peacefully live together. Reconciliation and democracy are therefore intrinsically linked because they are a process through which 'a common set of values are developed and a democratic society can be built' (Gloppen 2005:21). There is, however, a school of thought that coming to terms with the past is easier if the material, physical and other special needs of victims and perpetrators are catered for (Sesay 2007:29). This was the aim of the Sierra Leone TRC, but has that really been achieved? To find out, a representative group of Sierra Leoneans was consulted about the reconciliation process. All the perceptions are not included in this paper but a few voices are represented.

Reconciliation as understood by the citizens

Among the people interviewed in September 2006, there was a general perception that the TRC was the right platform for people to reconcile even though its work had been stifled by the parallel existence of the Special Court. Given the nature of the conflict wherein many Sierra Leoneans were involved, the neutrality of the TRC was a welcome initiative. Nevertheless, some people believed that a better reintegration of the perpetrators into some communities required an embracement of the traditional mechanisms. An interview with a young Sierra Leonean Master's student revealed that there is much more to reconciliation than unearthing the truth. His response as to whether the TRC process had enhanced healing and reconciliation was, 'Well, I will say no. I will say no because you cannot talk about reconciling victims and perpetrators living within the same community when the victims are still living in appalling conditions. For instance, the man whose house was burnt, if he is still homeless, if he cannot afford basic facilities for his children, he is still thinking of the war days! Whenever he looks at his present plight, his mind is drawn back to what actually caused the problems. So, the point that I am making here is that there is no logical conclusion to this day. So the healing process has not come to its conclusion yet'.[3] A respondent working with the Special Court was of the view

3 Interview with a Master's Student, Fourah Bay College, University of Sierra Leone, September 2006.

that healing and reconciliation had not yet taken place because there were still many political, socio-economic problems in the country. He made reference to the TRC recommendations that the government was yet to implement.[4] However, there was a general consensus among the interviewees that for the healing and reconciliation process to take place the causes of the civil war have to be addressed and the recommendations of the TRC implemented.

Based on the perceptions of the ordinary citizens of Sierra Leone, one would wonder whether the TRC can be judged as a successful process. This, I believe, is a debatable issue because it is hard to achieve genuine peace and development in a situation where the very causes of the conflict still exist. One could also argue that since restorative justice is the foundation of healing and reconciliation (Sesay 2007:50–51), the platform that was offered to the victims and perpetrators through the TRC was a necessity in a country where many people were affected by the conflict. The international community, however, should have continued to support the TRC activities and should have ensured that reparations were paid to the victims. Or, where individual compensation was an impossible task, that communities were compensated as far as possible through the construction of facilities that would ease their daily constraints and restore their dignity. Sesay (2007:49) points out that, for example, HIV/AIDS victims should have been provided with facilities to enable them to manage their situation as the majority of them lack basic health facilities. Based on the interactions I had with some of the people of Sierra Leone, their highest wish is to see the government respond to the root causes of the conflict by implementing the TRC recommendations. This would facilitate the reconciliation process.

Dissemination of the TRC Report/findings

The report and findings of the TRC were meant to inform and sensitise Sierra Leoneans on the real causes of the conflict which would serve as a lesson to learn from. In this respect, the Commission recommended the widest possible dissemination of its findings. It also encouraged the production of popular versions and summaries of the report in different local languages. It further recommended the formation of dissemination committees to distribute the

4 Interview with an employee of the Special Court, Freetown, September 2006.

report at local and national levels. The report was also to be used in workshops to promote dialogue and stimulate debate. The printed version of the report has not been made available to the average Sierra Leonean and even though it can digitally be accessed, the majority of Sierra Leoneans do not have access to computers or Internet facilities. The erratic supply of electricity throughout the country also makes access impossible for the few who might want to explore this possibility. Non-governmental organisations (NGOs) and the Human Rights Section of the United Nations Integrated Office in Sierra Leone (UNIOSIL) and civil society groups did their best to disseminate the TRC findings.[5] It ought not to be the duty of the NGOs or civil society groups to replace governmental functions of this nature. A government institution ought to have been charged with the task of disseminating the TRC findings. Proper mechanisms ought to have been put in place to enhance countrywide dissemination.

A respondent who worked at the TRC Secretariat argued that the government and the international community did not do much to promote the dissemination of the TRC report. The SLPP government was said to have been utterly inept in supporting the TRC process and that it obstructed free access to the TRC archives by failing to implement the recommendation of the TRC regarding the archiving of its documents.[6] When I interviewed one of the Sierra Leonean commissioners, he was of the view that the government had done what it could to help. He showed me a copy of the pictorial report which was supposed to have been part of the TRC report but which due to lack of funds was never published. It is my hope that those working with the TRC documentation will be in a position to retrieve a copy from the personal archives of those who were involved in the process, in order to make the TRC report complete.[7] The International community supported the TRC, but its investment risks dissipation if the follow-up programmes and projects are not supported. The TRC process would have needed a follow-up institution or committee to ensure that important recommendations such as the dissemination of the TRC findings

5 Interview with a Swedish Researcher working on Sierra Leone, Sweden, February 2006.

6 Interview with the TRC lead Researcher while in Sweden, March 2006.

7 Interview with one of the TRC Commissioners, Freetown, March 2006.

are implemented.[8] The TRC finished its work in 2004 and this is 2009 but its findings have not yet been effectively disseminated.

In the aftermath of the TRC

The TRC concentrated on the establishment of the truth through the acknowledgement of wrong-doing by perpetrators and the testimonies from victims, and on the provision of restitution, and the rehabilitation of victims from the trauma they were subjected to. It also recommended that the government of Sierra Leone enhances forward-looking reforms to deal with these issues. However, after the completion of its mission, there was no follow-up institution/committee to take over the work that was to follow. It was only on 11 December 2006 that a Human Rights Commission (HRCSL) was inaugurated – a statutory body that is funded partly by the Government of Sierra Leone and partly by the United Nations Peace Building Fund, and is charged with the responsibility to maintain human rights and also serve as a follow-up committee of the TRC. It has the challenge of holding the government accountable for the implementation of the TRC recommendations, to follow up the TRC process and to engage in the dissemination of the TRC findings (King 2007:1–4). According to an interview that I had with both the Chair and the Executive Secretary during my first and second visits to Freetown in March 2007 and September 2007, the HRCSL was working with many issues related to human rights including the sensitisation of the people on the Child Rights Bill and the Gender Bill.[9]

Given the long history of repression and impunity, the challenges before the Commission will require the government's engagement in financing its activities. The Commission is supposed to serve as 'a watchdog and a visible route through which people can access their rights' (Conflict Management and Development Associates et al. n.d.:136). According to the Paris Principles,

8 Interview with one of the TRC Commissioners, Freetown, March 2006.

9 Interview with the Chair and the Executive Secretary of the Human Rights Commission of Sierra Leone, September, 2007, Freetown, Sierra Leone.

the HRCSL is supposed to be funded by the government of Sierra Leone.[10] The Commission only became fully operational in 2008 (Human Rights Commission of Sierra Leone 2008:14). This is year 2009, but the HRCSL is still urging the new government of Sierra Leone, to set up a TRC Follow-Up Committee as recommended by the TRC (Human Rights Commission of Sierra Leone 2008:65). The TRC was sanctioned by the SLPP government of Tejan Kabbah, but it failed to link its reforms and reconstruction efforts to the TRC recommendations.

The SLPP Government's efforts to bring about democratic change

Post-conflict Sierra Leone has received tremendous amounts of money from the UK Department for International Development (DFID), the United Nations High Commissioner for Refugees (UNHCR), the United Nations Development Programme (UNDP) and the United Nations Mission in Sierra Leone (UNASMIL). The money was directed at repatriation, reintegration, rehabilitation and reconstruction (Freeman 2008:1). Freeman is of the view that some reconstruction efforts have been successful: like the resettlement of 300 000 Sierra Leoneans, the disarmament of over 70 000 ex-combatants, the extensive training of the police and restructuring of the military by the British, the construction of clinics, schools, and homes and the successful execution of free elections. However, despite these international efforts, the root causes of the conflict are still omnipresent and this is causing disillusionment among the population (Freeman 2008:2).

Zack-Williams (2008:13) argues that the SLPP government led by President Alhaji Ahmad Tejan Kabbah failed to deliver the dividends of democracy like basic amenities, employment and better infrastructure. However, according to an interview that I held in March 2007 with Dr. Ahmed Dumbuya, who was at that time the Presidential Advisor of the SLPP government, his view was that his government had taken a holistic approach in dealing with the challenges of post-conflict reconstruction and had made the following achievements:

10 Interview with the Executive Secretary of the Human Rights Commission of Sierra Leone, Uppsala, February 2009.

- The government carried out several institutional and governance reforms to strengthen government institutions in order to make the civil and public service delivery more effective.
- The decentralisation programme had reinstituted local government machinery and had brought the government closer to the people, which enabled them to participate in governance.
- Several reform measures had been put in place to improve the government's resource regulatory systems – because in the past, the country's minerals were accessed without sufficient scrutiny.
- A huge expansion in the education field through the provision of infrastructure for schools and two universities.
- More teachers were recruited and trained and the government provided subsidies for school fees at primary, secondary and tertiary level.
- The roads that were destroyed during the war have been repaired and so have many of the institutions.
- All 19 local government bodies have been reinstated and they are all being empowered in terms of funds to carry out services in their areas.
- In the justice sector, efforts have been made in infrastructural developments, such as the building of more court houses and the training of more magistrates and judges – because the delivery of justice was one of the problems that created the war.[11]

Dr. Dumbuya agreed that Sierra Leone is a country with a prosperous future because of its natural and human resources, and that the discrepancies which created the environment for the war, will have to be addressed through the development of resources that would improve the lives of the people. Despite the holistic approach that the SLLP government undertook, as argued by the Presidential Advisor, the majority of Sierra Leoneans are still living in abject poverty. My interview with one of the key actors at Fourah Bay College,

11 Interview carried out in Freetown, Sierra Lone with Dr. Ahmed Dumbuya, the former Presidential Advisor of the SLPP Government, in March 2007.

University of Sierra Leone, revealed that a lot still needs to be done in Education, in order to keep up with the challenges of post-war reconstruction.

Education and its challenges

Education is a master instrument in transforming attitudes, social structures, acceleration of growth and the development of new political patterns. Article 25 of the Lomé Agreement pledged to 'promote human rights education, including the schools, the media, the police, the military and the religious community' (Hayner 2007:8). Hinton (2002) contends that the first post-independence educational system of Sierra Leone was elitist. It only focused on academic subjects and ignored technical and vocational training which would have enabled students to earn a living even as school drop-outs. Lack of nation-building educational policies led to mass illiteracy (Hinton 2002:109). Sierra Leone's education system needs to utilise the energies of the youth, and lack of the political will to do so will only hinder social and economic progress and will lead to political instability (Hinton 2002:111). 85% of Sierra Leone´s population is illiterate (Hinton 2002:5). Women represent the largest group without formal education (Conflict Management and Development Associates et al. n.d.:174).

A decade of armed conflict and political unrest affected the entire infrastructure of Sierra Leone including schools. The Fourah Bay College respondent bemoaned the state in which the universities are. He argued that the international donors are not interested in supporting tertiary education and that the University of Sierra Leone is facing enormous challenges in meeting the students' demands. In order to enable the students to actively participate and to get sensitised about the realities of the day, as the country transits from war to peace, the university has to respond to the national challenges of state reconstruction and challenges from regional and international dimensions. He enumerated the present challenges as follows:

- Lack of up-to-date equipment to enhance the research capacity of students as well as members of staff.
- Lack of infrastructure.
- The university library's dire need to update its collections of books and its Internet facilities.

- Lack of research capacity for staff – lack of access to research materials and avenues to disseminate their research findings.
- The brain drain syndrome both before and after the war has resulted in the loss of a number of qualified lecturers and professors who left the university for other jobs or better conditions of service in the Diaspora.

The faculty of Social Sciences and Law should therefore be instrumental in the national and regional transformation and the courses offered should reflect the realities of the nation, the region and the international community. Tertiary education is however de-emphasised by the international funders and since the SLPP government was getting 60% of its funds from the international community, its hands were tied behind its back and it was therefore unable to respond to the challenges of the university. He stressed that education is a human right and the only way for Sierra Leoneans to move forward since only 35% of the population is considered literate. Schools and universities are key players in knowledge generation and dissemination and this requires research in post-conflict challenges. The international community should review and revisit some of the International Monetary Fund (IMF) conditionalities for the paging of the number of teachers and lecturers to be hired. This has created problems because in post-conflict societies, universities have to respond to post-conflict challenges in education and have to introduce new programmes and subjects related to trauma healing, post-conflict reconstruction and reconciliation issues which will contribute to the reconstruction of such societies. According to him, Sierra Leone, a country emerging from war, has only one psychiatric doctor.

My respondent was of the view that Sierra Leone needs more investment into university education and the government also has to utilise the resources of the state judiciously, to ensure that education is given the priority it deserves in order to increase the country's capacity for development. The media play an indispensable role in educating the electorate and therefore the TRC made recommendations to enhance their activities.

TRC media recommendations

In democratic societies the media play an informative role and disseminate information on complex issues to the general public. The media's interpretation

of conflicts or particular situations usually defines public knowledge and constructs public opinion on that conflict or issue (Curran 2000:127). The TRC called upon the Sierra Leone Association of Journalists (SLAJ) and the Independent Media Commission (IMC) to be more proactive in advancing the culture of human rights in Sierra Leone (Conflict Management and Development Associates et al. n.d.:132). It also encouraged the media houses to carry out thorough investigations before publishing stories, in order to offer informed accounts on matters of both national and international interest to the public. The Commission advocated media freedom as key to the enhancement of democracy and reconciliation.

The media however still have problems that are posed by the various sections of the Public Order Act which limits the freedom of expression. The use of sedition and defamation proceedings limits media operations (Conflict Management and Development Associates et al. n.d.:131). According to an interview with the Chairperson of SLAJ, the Public Order Act ought to be reviewed because it criminalises journalism as a profession and is inconsistent with the whole concept of democracy, because it impinges on the rights of freedom of expression. He was of the view that the Public Order Act interferes with the freedom of intellectual development and that even though reliable information is important, the laws do not allow public officials to talk to journalists or to give them information. The information the press therefore gets, is either accidental or stolen. It is anticipated that the new constitution under review, will promote access to information.[12]

Conclusion

Truth Commissions have become part and parcel of the peace agreements that are internationally signed, and given the nature of the conflicts, they play a very important role. Through the support of the international community the SLPP government sanctioned the establishment of a TRC – a platform created to bring together both victims and perpetrators to recount their experiences

12 Interview with the Chairman of the Sierra Leone Journalist Association in Freetown, Sierra Leone, March 2007.

of the conflict. This was an effort to acknowledge the horrendous atrocities that were committed against the civilian population and to enhance healing and reconciliation. As argued by some of the authors, reconciliation is key if a post-conflict society is to move forward and reconstruct every facet of its system for the attainment of a just and democratic society. The new democratic dispensation therefore ought to deliver the dividends of democracy, in the form of basic amenities, freedom of expression, and security. The people, who have experienced a long and brutal armed conflict and repressive governments since independence, need to quickly see positive developments. Democracy is, as illustrated by the different authors, a conflict management system. It builds on respect for human rights, institutional arrangements for power sharing, checks and balances for the responsible and accountable use of power, and process options for public policy which meet local needs for development and human security, political participation and development, and prevailing peace.

A sum of 4,6 million US dollars was invested by the international community in the TRC but the follow-up activities are slow in being implemented. The issue is: how long should the victims of war wait in order to see an improvement in their daily lives? Even though the SLPP government as argued by its Presidential Advisor, tried to address some of the causes of the conflict, the interviews show that the root causes of the conflict remain unaddressed and the reparations have not yet been paid out. Where the SLPP government instituted some changes, it failed to link them to the TRC recommendations. This raises questions, especially since the government was party to the Agreement that led to the establishment of the TRC. The dissemination of the TRC findings that was meant to educate the masses and prevent a recurrence of the conflict was left to the civil society groups and the NGOs. The Human Rights Commission of Sierra Leone that was to follow-up the TRC process was only established two years after the TRC had finished its work. It is now fully operational and has done commendable work. But it is still dependent on international assistance in order to carry out its activities even though the Paris Principles state that it should be financed by the state.

The eradication of the culture of impunity and the restoration of respect for human rights will require an investment in long-term education. It is argued

in the TRC report that lasting peace will have to build on an understanding of the past and comprehensive knowledge of the nature of the conflict. Schools therefore ought to include the TRC findings in their curricula and universities ought to introduce courses that would address issues related to post-conflict trauma, peacebuilding and democratic consolidation. However, without the proper financial assistance, equipment and infrastructure this is going to be an enormous challenge for a post-conflict state like Sierra Leone.

The media have an important role to play in a democratic society and therefore freedom of expression is key to the enhancement of a vibrant public sphere. The laws impeding media freedom ought to be abolished since they curtail the media's 'watch dog' role of keeping an eye on how those elected into government offices are managing the public goods. Media independence is essential to the democratic development of the society through information dissemination.

TRCs engage in deep research on which their recommendations are based. However, despite all this indispensable work, research shows that the plight of the marginalised in most places where TRCs have been implemented has not been addressed and that the final reports have not sufficiently been disseminated. The government of Sierra Leone will therefore have to honour its citizens by implementing the TRC recommendations. There is a school of thought that proposes the use of traditional mechanisms, since they might be a less expensive alternative that might enhance ownership. However, the nature of the conflicts makes it difficult to find a neutral ground that could reconcile victims and the perpetrators. The issue is debatable, but the TRC alternative needs to be seriously evaluated in order to deliver the marginalised and traumatised populations from a life of endless suffering and poverty.

Recommendations

Lessons drawn from this study could be useful for the establishment of future truth commissions. The international community needs to invest in a long-term reconciliation process that will bring about sustainable peace. Follow-up activities are crucial to the legitimacy of the TRC process and should therefore be immediately pursued in order to deliver the people from the state of despair.

The international community needs to start asking whether TRCs are working for the poor. Is the promise to deliver individual reparations realistic or should the focus be moved onto community reparations? Failure to deliver reparations to the marginalised groups risks endangering the prevailing precarious peace. A mini-commission should be established with a particular focus on the follow-up activities. It should be under the Human Rights Commission of Sierra Leone with a special budget to engage in the dissemination of the findings and to dialogue with the government on the implementation of the recommendations. The funding from the international community should be stepped up, so that the pending issues can be dealt with. The documentation of the TRC is a good example to illustrate the need for more support of the process in order to enhance local ownership, access to the TRC findings and the building of institutions that would preserve and disseminate the findings. In a country where information institutions are poorly equipped and where there is lack of access to Information Communication Technologies, low levels of education and lack of the political will to make information available to the people, the international community should invest in an information infrastructure at the beginning of the commission's work that would promote access to the TRC findings.

People need to see that the TRC recommendations are implemented because it gives legitimacy to the process. This would require well-established local and national institutions with the capacity to support the process. This further illuminates the need for local capacity building as a way to ensure ownership of the reconciliation process. Local capacity can act as stimulus for the more rapid development of democratic procedures required for nation building. National and local initiatives for reconciliation should be promoted to transform the culture of impunity. Support to long-term education and especially tertiary education is crucial to addressing the culture of impunity. Access to information is also an important part of education since it enlightens the citizens about the different aspects of their society. Therefore, Freedom of Information (FOI) Laws should be enacted in order to create an engaged public sphere.

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Ye Shakoch Chilot (the court of the sheikhs): A traditional institution of conflict resolution in Oromiya zone of Amhara regional state, Ethiopia

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Abstract

Traditional institutions of conflict resolution play a very significant role in the day-to-day lives of Africans in general and Ethiopians in particular. In Ethiopia, a country that has adopted ethnic federalism as its policy, such traditional institutions help to blur political boundaries and bring people from different ethnic and regional backgrounds together. Furthermore, they serve as alternative institutions of conflict resolution in a country where the state legal system is failing to fully provide the judiciary needs of the nation. For instance, in Jille Dhmugaa district, where the research was conducted, there are only two judges for a total population of 102 936. Apart from the lack of capacity under which it suffers, the state legal system can also be criticised for a high degree of preferential treatment due to corruption, so that justice is provided only to a few. Furthermore, the ideology of the state legal system is drawn mainly from the western legal philosophy which is highly influenced by an individualistic orientation and does not fit the strong social orientation on the ground where it is being implemented. These reasons and more are raised by many as main

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drawbacks of the state legal system in Ethiopia. There were times in Ethiopian history when the state legal system officially incorporated elements from the traditional institutions of conflict resolution in the state courts (Carmichael 2003:122; Walker 1933:153–156). The Ethiopian constitution has, however, limited the mandate of the customary and religious institutions to private and family matters. Nevertheless, these institutions are playing a very significant role in other domains – such as criminal matters. The strong social tie existing in the community makes the significance of reconciliation, the key role of traditional institutions, indispensable.

The main questions this paper attempts to answer, on the bases of ethnographic data, are: What are the pull factors towards traditional institutions? And why do people prefer the traditional institutions vis-à-vis the state legal system?

Introduction

Sampson (1997:23–27) describes the important role played by religious institutions in conflict resolution as follows: '[G]rowing numbers of religious actors of many sorts – laypersons, individual religious leaders, denominational structures, ad hoc commissions and delegations, and interdenominational and multi-religious bodies have been involved in a range of peace building efforts ...'

Thus, the role of religious institutions is not limited to performing a spiritual mission. It goes beyond that to other domains such as conflict resolution. However, the role of religious institutions in conflict resolution is a topic that has received little academic attention – in general (Appleby 2000:1–3) and in Ethiopia in particular (Zeleke 2009b:1). The few works done on the subject can be summarised under three general categories:

- those dealing with the universal religions' role in conflict resolution and peacebuilding, (e.g. Abu-Nimer 2003; Nathan and Ayse 2000),
- those focusing on some moral values central to the universal religions like tolerance and forgiveness, and the role of such values in conflict resolution (e.g. Galtung 1965; Raymond and Peterson 2001), and

- those works which highlight the two opposing dimensions of religion both as a source of conflict and as a means of resolving conflicts (e.g. Gopin 1997; Boulding 1985).

Similarly, there are very few anthropological works examining the sacred institutions of conflict resolution. Most classic works on the subject of conflict resolution give more emphasis to the customary institutions of conflict resolution and focus on mechanisms and court procedures used by these institutions, such as: mediation, arbitration and negotiation (Gluckman 1965:67; Bohannan 1989; Nader 1997; Avruch 1998). The same trend can be observed in anthropological works on conflict resolution done in Ethiopia so far (e.g. Nicolas 2006; Bassi 1992; Dejene 2002; Hamer 1972; Kelemewerik 2006; Solomon 1992).

The religious institutions of conflict resolution are considered by many to be free of the major drawbacks of the state legal system – described by many as being mainly evidence-driven and containing the possibility of false allegation and testimony. The state system is criticised as inefficient and as lacking capacity since the number of trained legal officials is disproportional to the total number of the population. Furthermore, the focus on punishment at the state court is said to lack the sense of social relationship found in the social structures of the community. Revenge is a cultural value which exists till this day in many parts of Ethiopia (Pankhurst and Getachew 2008:68). For instance, the Oromo term for killing for revenge is *gumma* (Huntingford 1955:63). The Amhara and the Afar call it *guma* (Pankhurst and Getachew 2008:68). It is clear, therefore, that the state mechanism of punishment has not managed to eradicate the long-standing norm of revenge. Experiences from different parts of Ethiopia and the case study in this paper show that what people tend to do, after passing through the penalty at the state court, is to go to the customary institutions for reconciliation and in order to control acts of revenge. Such domains are beyond the state legal system and cannot be controlled by enforcing harsh penalties. In some parts of the state, however, district justice courts work along with the customary institutions (Melaku and Wubishet 2008:107).

Focusing on this gap and on the significant roles religious institutions in Ethiopia play, the researcher's Ph.D. project deals with the topic by providing

an ethnographic study of a shrine – the shrine of Tiru Sina. This shrine has a weekly conflict resolution session, handling diverse cases ranging from civil to criminal matters and serving a broad geographical area. The discussion of this paper focuses on people's choices of what legal system to use, which may be termed 'forum shopping'. I will examine which factors pull or draw people to bring their cases to the shrine-based judiciary instead of to the state court.

This paper has three parts. The first gives a brief description of the shrine and the court of the sheikhs in order to give readers an overview of the institution under study. The second part deals with the diverse nature of cases handled by the court of the sheikhs. Part three is where the main argument around factors affecting the forum shopping process, will be discussed at length.

1. An overview of the shrine of Tiru Sina and the *Shakoch Chilot* (court of the sheikhs) at the shrine.

1.1 The establishment of the shrine

The shrine of Tiru Sina is located in Oromiya zone of Amhara Regional State, in Jille Dhumugaa district, at Arba Wayu *kebele* (peasant association). The shrine was founded by a sheikh named sheikh Siraj Mohammed Awel, a famous sheikh from Yejju born around 1885 at a place called Dana in Yejju. Sheikh Siraj has done his religious studies in different famous Islamic schools in Wollo and Shewa (in north central Ethiopia). He has studied in Shonke and Gata in Wollo and in Aliyu Amba in north Shewa. He established other shrines in Mekdessa, Chafa Robit, Jubaruhman, Chiri and Karakore. The shrine of Tiru Sina was established under an Islamic framework (Zeleke 2009a:1).

As the very name of the institution under study, *Ye Shakoch Madad* (the abode of the sheikhs) suggests, the shrine is run by the sheikhs who are the founders and leaders of the shrine. This institution of *Ye Shakoch Madad* has a regular court of sheikhs called *Ye Shakoch Chilot.*

The shrine of Tiru Sina was established around 1949. Before the establishment of the shrine at Tiru Sina the area was one of the hot spots for ethnic conflict between the Oromo and the Amhara. According to informants who were

residents of the area during the time of the conflict, the conflicting parties were the Oromo of the *wereda*, Amharas from the neighbouring district of north Shewa and the *Saddacha* (the assimilated migrant Oromos from different parts of South Wollo). The conflicts were caused by land issues between these different groups. Governors of the area have tried to end the conflicts, but failed. Sheikh Siraj, who was on the verge of getting a reputation for his extraordinary spiritual power of performing miracles and healing, managed to convince both parties to come to peaceful terms. This incident has helped the sheikh to win a reputation both from emperor Haile Selassie and of the community at large. This has also helped him to get official support and build a close relationship with Emperor Haile Selassie, who was thankful to the sheikh who managed to end the conflict.[1] This relationship with the emperor helped him to strengthen his shrine at Tiru Sina and obtain ownership of land in different parts of the zone and in different areas of today's north Shewa. These rewards for his successful conflict resolution helped him to accumulate power. Sheikh Siraj passed away in 1972. Upon his death, the shrine stopped serving the purpose of Islamic education, but what continued on a regular base were the weekly conflict resolution sessions, the weekly *wadaja* (group prayer), the *zar hadra* (sessions of prayer, chants, singing, and dancing by a group of possessed individuals), healing rituals, and the biannual pilgrimage to the shrine.

1.2 The court of the sheikhs

On account of the successful ethnic conflict resolution of the 1930s, the shrine of Tiru Sina began to provide the service of conflict resolution. The sheikh obtained legal recognition from the local and central government officials and was encouraged to carry out the role of conflict resolution. There are two different accounts of how he has got involved in the weekly conflict resolution. There are those who attribute the initiation of his weekly court to Emperor Haile Selassie, who was impressed by sheikh Siraj's successful peace deal between the ethnic groups in conflict. Others provide a religious explanation linking his

1 Both primary data obtained from interviews conducted and the secondary data from the archives in the two shrines of Tiru Sina and Mekdessa, which included letters sheikh Siraj exchanged with the emperor and government officials, provide evidence of this good relationship.

reconciliation activity with 'his call' and a gift he got from Allah. At any rate, the emperor gave sheikh Siraj an official seal which he put onto the contract he made between the disputing parties after the reconciliation. The use of the seal was not limited to this domain, however, as can be seen when examining the archives at the shrine.[2] Such shrines, located in different parts of north central Ethiopia, have played an important role as centres of Islamic learning in the country (Hussein 2001:1–5).

Unlike other customary institutions of conflict resolution in Ethiopia, which take place on an ad hoc basis (Pankhurst and Getachew 2008:52), the court of the sheikh is held regularly. There is a weekly court hearing at the shrine every Monday from 9 a.m. until late afternoon – depending on the number and type of cases. There are three sheikhs who are in charge of leading the court. One of the sheikhs sitting at the court is the grandson of sheikh Siraj while two are the *deresas* (students) of sheikh Siraj. The hearings are held under a big Podocarpus tree.

The average number of cases handled at the court range from ten to twelve per week, which is an average of forty to fifty cases in a month. There was a total of forty eight cases presented at the court of the sheikhs in the month of March, 2009. Some of the case materials presented below have been taken from these cases. This number is greater by far than the number of cases handled by the state *mahbarawi fird bet* (the social court) which dealt with only seven cases in the two months of February and March.[3]

In addition to the greater quantity of cases handled by the court of the sheikhs, it can also be said that these cases may acquire an extra quality. The three main elements of the court of the sheikhs which involve the spiritual dimension are: blessing, cursing and oath taking.

2 The archival materials obtained from the shrine of Mekdessa show that this seal was also used by the sheikhs for the letters he exchanged with friends, family and others.

3 The researcher's field notes of an interview with the head of the Arba Wayu kebele, 10 June 2009, at Ataye.

2. Different types of conflicts handled by the court of the sheikhs

In the study area there are different institutions of conflict resolution. This is therefore an instance which can be described as legal pluralism.[4] Similar instances of legal pluralism have been observed elsewhere in Africa like in Guinea Bissau (Klute and Emballo 2006:1–3).

In the constitution, customary and religious institutions were given a constitutional right to handle personal and family matters if the disputants gave consent to get jurisdiction by these institutions. According to the 1995 constitution, Article 34 (5), 'This Constitution shall not preclude the adjudication of disputes relating to personal and family laws in accordance with religious or customary laws, with the consent of the parties to the dispute. Particulars shall be determined by law'.

The constitution also mentions that there is a possibility of giving legal recognition to such institutions, as stated in article 78 (5): 'Pursuant to sub-article 5 of Article 34 the House of Peoples' Representatives and State Councils can establish or give official recognition to religious and customary courts. Religious and customary courts that had state recognition and functioned prior to the adoption of the Constitution shall be organized on the basis of recognition accorded to them by this Constitution'.

As the case studies of such customary institutions of dispute resolution from different parts of Ethiopia discussed in a book by Pankhurst and Getachew (2008:8) clearly demonstrate, these institutions operate beyond the domains of family and personal matters mentioned in Article 34 (5) of the constitution. The court of the sheikhs handles conflicts of various nature, ranging from minor disputes between individuals to criminal cases like homicide and theft, as well as inter-ethnic conflicts. In May 2009, the sheikhs dealt with a conflict between two ethnic groups which arose due to a dispute over a grazing land between the neighbouring Amharas from a village called Kara Logoma in Ephrata *ina*

4 Legal anthropologists understand law as a cognitive order resulting from social structures such as ethnic groups, states and villages – so in any situation there is the possibility that various kinds of law might be used.

Gidim district and pastoralist Oromos from Arba Wayu *kebele*. Dealing with such inter-ethnic conflicts is an exclusive mandate of the federal court. Thus this case clearly showed the fact that the court of the sheikhs operates beyond the mandates given to customary institutions of conflict resolution as stated in article 34 (5) above. This was done to the extent of stepping into a case of ethnic conflict, which is described to be an entity of the federal government and not even of the regional and district courts. The shrine also serves a wide geographical area. Though the shrine is located in Oromiya zone of Amhara regional state, most clients of the shrine are Amharas from different districts in north Shewa zone, the majority of whom come from Ephrata *ina* Gidim, and Ansokiya Gamza districts of north Shewa zone.

There were cases coming from as far as Addis Ababa (300 kms south of the shrine), Arba Minch (725 kms south of the shrine) and diasporas in the Middle East. It is an institution whose service crosses ethnic and regional boundaries. Drawing from the fact that the court of the sheikhs operates beyond its 'legal mandate' and the fact that people bring in different cases from different geographical areas, it might appear necessary to raise the question: Why is it that people tend to prefer Tiru Sina to the state institution? Part three and the remaining part of the paper will present ethnographic data in order to deal in detail with this question.

3. Opting for the court of the sheikhs vis-à-vis the state legal system

In order to see what factors accounted for making the legal choice and whether people are making rational choices, it is important to observe the considerations from three perspectives. First, the stated reason for choosing the institution instead of the state legal system. Second, the way cases have been handled at the institution. And third, the extent to which the outcomes were related to the expectations of a party and provided satisfaction afterwards.

As the findings of the research show, the reasons why people tend to bring their cases to the court of the sheikhs can be grouped under four major categories:

1. The sheikhs' court focus on reconciliation and re-establishing social harmony, which the state legal systems lack
2. The clients' suspicion about the effectivity and trustworthiness of the state legal system and its mechanisms of conflict resolution
3. The state courts' non-recognition of some deep-rooted cultural elements found in the community whereas the court of the sheikhs is culturally embedded
4. The procedural flexibility of the court of the sheikhs

Each category will be dealt with in detail by presenting ethnographic examples from the court of the sheikhs. It is important to note that this categorisation is not fully discrete, as it can be seen from the cases to be discussed below that while some of them are mentioned under one category, they also fit another.

3.1 Category 1: Focus of the sheikhs' court on reconciliation and re-establishing social harmony

The issue of reconciliation is described as being at the centre of dispute settlement by customary institutions, which is not the case in the state legal system. The government's justice system does not erase from disputants' minds that there may have been a long-running feud between them (Pankhurst and Getachew 2008:107).

The court of the sheikhs is also keen to avoid the sense of grudges (tit for tat). In a way the institution also serves as a damage control institution. The case materials labelled 1–2 below best explain the issue of reconciliation and establishing social harmony.

Case 1: A murderer's family seeking reconciliation with the family of the murdered

Ali killed Abdu in December 2008, suspecting him of committing adultery with his wife. Ali and five friends of his died in Bassaso (Somaliland) while trying to travel to the Middle East by boat. The news reached the family of Ali by two young men who survived the accident and made it to their final destination, Yemen. The police gave up the case when they got this information about Ali's

death. However Ali's father brought the case to the court of the sheikhs on 23 February 2009 in order to ask the family of the victim for reconciliation. The sheikhs sent a message to the house of Nuru (Abdu's father) to inform him about the case and to call him to the shrine on 28 February to discuss the matter with the respective sheikhs running the weekly court. Upon his arrival the sheikhs briefed him about the request from the side of Ali. The sheikhs were blaming Ali and his father and they informed Nuru that God had punished Ali for the crime he committed and that his family should give up the grudge, saying: *ya iujun allh ina sheikoch satatwita inanta gomiyachihun anisu* (Allah has punished the criminal; thus there is no need to take revenge). He was emotional and it took them about an hour to convince him to accept their proposal of reconciliation. They convinced him to come to terms with the other side. Finally, they agreed that he would bring the young ones from his side to the court of the sheikhs on the next Monday (2 March).

Nuru arrived with 11 young men who are related to him. Ali's father came with 15 of his relatives. The sheikhs started the session by blessing both parties, especially the victims, for their willingness to come to the court of the sheikhs. During most of the discussion they focused on blaming Ali and appreciating the *chawanat* (decency) of the victim's side for not taking revenge so far. Ali's father and his relatives shared this idea with the sheikhs. They appreciated the victims' side for not hurting them or taking any measure so far. Finally they arrived at the conclusion of the need for compensation, as Abdu (the victim) was an active breadwinner to his family.

The sheikhs decided that Ali's side should pay 5000 birr (equivalent to US$ 350) compensation. They all agreed to the proposal. This agreement was ratified by a ritual of shaking hands while holding a carpet between the two parties as a cover to avoid eye-to-eye contact. Both parties where made to hold a spear and bury it in the ground, a ritual symbolising the end of hostility and the establishing of peace. The burying of the spear symbolises ending the enmity, and the sheikhs' holding of the spear highlights that anyone in the two parties who attempts to fight in the future will be cursed by the sheikhs. The use of the spear in reconciliation is a common phenomenon among many Ethiopian communities,

such as the Nuer (Dereje 2008:142), the Arbore (Pankhurst 2005:1), and the Gumuz (Zeleke 2010).

When Ali's father was asked why he brought the case to the *Shakoch Chilot*, especially after his son had passed away and after the government had dropped the case, he answered:

The state only chases the suspected one. When they came to know that he died, the case also died for them (the state). But it is more than that. They (the victims) also have men on their side (to take revenge). Those men will not stop their manhood (sense of retaliation). We believe that the sheikhs are the ones who can let them forget the matter. That was why we appealed to them.

From his words and from this case in general one can see four points of central importance. First, the fact that the concept of *dhirumaa* (manhood) means the obligation to revenge and safeguard one's own or one's kin's pride. Killing a member of one's kin means challenging the *dhirumaa* of the whole group. One then wants to prove his manhood by doing the same (an eye for an eye approach).

Second, one can see that the state holds to account only the accused and that there is no point in the legal system which accuses close relatives of him/her. In the community, however, the close social ties on the ground show that members who are close kin to the accused are held equally guilty, especially when the crime is related to blood (killing). The institution of the sheikhs is aware of such cultural elements and they operate according to this cultural framework. In such a complex cultural setup the role of the state is very minimal. Thus people tend to bring their cases to the institution which they think is considerate of such important cultural elements.

Third, the statement, *The sheikhs stand for those who are alive*, means that they work towards avoiding further grudge and establishing compensation where necessary. In this case, the father got compensation in consideration of the productive age of the deceased son who was a breadwinner in the family.

Finally, both parties took an oath confirming that they will not resume the conflict and will abstain from reprisals. One of the two judges from the district

state court has been interviewed to learn about the perspective of the government legal officials on this point of avoiding further damage and on the case material presented above. The judge confirmed that the government legal system deals only with the accused. He expressed this with the phrase *wanjal aywarasim*: 'Crime isn't inheritable'. So, the judge mentioned that by penalising the accused, the state legal system believes it is controlling elements of revenge as people may learn from the penalty to be incurred by the accused. From his words, we can see that the government legal system operates under an individualistic approach. As the legal system is adopted from a western operational logic it draws most of its formalities from this perspective. Kohlhagan (2008:77) has mentioned this point saying, 'Although the country knew a great variety of local legal traditions, the new legislation was almost exclusively inspired by western conceptions of law'. But facts on the ground, like the case material presented above, highlight that the social structure and context is quite different from the western 'individualistic' social structure. Penalty is not going to end the enmity and the cultural values of *guma* (revenge) or control the damages that arise due to the cultural structure. The more effective control mechanisms are the customary institutions which focus on reconciliation through compensation and symbolic penalty.

Case 2: A freed prisoner seeking reconciliation at the court of the sheikhs after serving his term

Ato (Mr) Genanaw was accused of attempted murder, for shooting at *Ato* Birhanu, and was sentenced to an imprisonment of six months. Upon his release, he went with three elders to Tiru Sina to take a paper to call *Ato* Birhanu to attend the *Shakoch Chilot* held on 2 March 2009.

On Birhanu's arrival on the day, one of the sheikhs explained to him why he was called to the *Chilot* and urged him to accept the reconciliation request proposed by *Ato* Genanaw who had regretted his act. The sheikhs informed Birhanu about the value of forgiveness.

As in the first case above, the sheikhs appreciated him for not taking any actions to hurt the family of *Ato* Genanaw and he was blessed for that. Finally, those men were made to kiss each other (*mazayarar*) and eat food from the *masob* (basket

made of straw) which *Ato* Genanaw brought. This ritual symbolised the message of ending enmity and eating from the same plate (sharing).

As it was *Ato* Genanaw who brought the case to the sheikhs, he was asked why he needed to bring it as he has been imprisoned and 'penalised' for the crime he committed. As in the first case *Ato* Genanaw also highlighted the issue of social coexistence, saying:

My imprisonment will not erase my wrongdoing and Ato Birhanu's hurt from his mind. He (Ato Birhanu) might say one day, let me kill the person who intended to kill me! He is a man and that is how men do it! That is why I came to their madad (referring to his appeal for reconciliation through the sheikhs).

The idea of manhood as a euphemistic metaphor for the norm of taking revenge can be used in a cross-cutting way among ethnic and religious groups where this norm exists. The issue of *dhirumaa* as it appeared from the Oromo Muslim informant mentioned above clearly shows that it is a cultural code that cuts across ethnic and religious background. This cultural code is based on the logic of an eye for an eye, which is called *wandinat* among the Amhara, but also exists across ethnic groups.

The institution of the state always favours the victim but that does not mean that it ends the elements of revenge. Thus, people tend to take their cases to such institutions such as the court of the sheikhs which are controlling further damages that might have arisen from such common cultural codes. They operate under the cultural norms of the community.

As case studies 1 and 2 clearly show, clients of the court of the sheikhs mention that the state institution's focus on penalty will not promote social coexistence, and thus they are challenging the operational logic of the state legal system which focuses on penalty and also on individual accountability.

3.2 Category 2: Doubt about the effectivity and trustworthiness of the state legal system

Many people coming to the court of the sheikhs raise points which highlight their dissatisfaction with the state court's mechanisms for dealing with different

cases, the expenses incurred, the long timespan to finalise a case, issues of corruption, and over-emphasis given to evidence.

The case materials presented below demonstrate some of the factors which push people away from the state legal system and pull them towards the court of the sheikhs. However the analysis of the materials at hand and the discussion with the state legal officials show that some of the factors raised here are also related to the lack of information people have about the state legal system.

Case 3: A house rent case taken to the court of the sheikhs

Waizero (Mrs) Almaz, a woman in her late 60s who lives in Kara Kore town, accused a teacher, who used to rent her house, for failing to pay her 30 birr (equivalent to US$ 2.50) monthly house rent. He left her house without paying the rent. She brought the case to the court of the sheikhs. When being questioned by the sheikhs about the accusations, the man admitted and apologised. The sheikhs made him to pay it on the spot and asked *Waizero* Almaz to forgive him.

The woman was asked why she did not report the matter to the police. She came up with three explanations. One was the economic factor: that the cost to be incurred at the state legal institution could be far more than the 30 birr. The second reason was that a state court handling such contractual issues always asks for evidence or verification for the accusation. Thirdly, she also mentioned that the chances of winning a case at the state court for somebody like her who is illiterate are minimal compared to those of her client who is educated and *mawchiya magbiywin yawikal* (who knows the ins and outs of the system).

Her answer is a good example of a lack of information about the legal rights of individuals and the procedures and mechanisms at the state court. With regard to the economic factor, the state legal system has organised a system whereby the *kebele* social court concerned can verify the income of individuals and give those with low income a support letter which will allow them to get a legal service with an arrangement of long-term pay back. With regard to the issue of evidence raised by *Waizero* Almaz, the officials at the district court explained that the civil cases which require written contractual evidence are those matters which

go beyond 500 birr, so that in this specific case no written evidence would have been required by the state court.

It can be seen from this case and others that there is an information gap regarding the legal rights of individuals as stated in the constitution and as upheld by the state legal system. Findings of the discussions with the legal officials in Senbate (the district's capital) indicate that the mechanism adopted by the *Aqabe hig (*public prosecutor) called *Niqate Hig* (legal awareness) aims at informing people of some basic legal services and rights of individuals. However, this strategy adopted by the public prosecutor takes place only once in a year when officials go to *kebeles* in turn and try to educate the community. On the basis of the latest census, the total population of the district is 102 936, but for the whole district there are only two judges and three public prosecutors.

3.3 Category 3: The state legal system's non-recognition of some cultural elements of the community

As mentioned above, the categories are not discrete and some of the cases discussed above might also fit into this category. The cases falling under this category show that the state legal system does not handle some cases which are said to be irrational or not based on logic. Cases 1 and 2 above clearly show how such cultural elements as *wandinat*, *dhirumaa* (manhood) are common in the community and how the state institutions fail to address the cultural elements by underplaying the need for reconciliation and emphasising penalty as a control mechanism.

Case 4: A case referred to the court of the sheikhs by a *Bala Wuqabi* (spirit medium)

Abarash, a woman from Chafa Robit town, was accused by Adanech for causing her misfortune by tying the *siqilat*. Pankhurst and Getachew (2008:xviii) explain this custom as follows: 'placing a cloth symbol on a tree to make the opponent come to the "court" and bind him/her till the resolution of the conflict'.

They had a disagreement five years before over land and the state court decided to give the land to Adanech. After the decision had been reached, Abarash came to the court of the shrine of Tiru Sina and had the *siqilat* tied. Since then, Adanech's

daughter died, her other daughter had a miscarriage, and both Adanech and her son became seriously ill. She went to a *Bala Wuqabi* (spirit medium) to find out what was causing her and her family so many misfortunes. The *Bala Wuqabi* told her that her neighbour with whom she fought over land had tied the *siqilat* at Tiru Sina and it is only when that woman goes and unties the *siqilat* that she and her family will be safe of further misfortunes.

Abarash was seriously ill and the sheikhs approved that her daughter Ababa could represent her mother at the court of the sheikhs. According to Ababa, Abarash seemed to be conscious of why she was called to the *Shakoch Chilot*. When Ababa was asked about her mother's reason, she said that her mother had admitted that the reason was *ilih* (grudge). When Adanech was asked why, after she had been to the spirit medium, she brought the case to Tiru Sina and did not take it to the court of the state, she explained:

The state officials do not get this right. They only deal with something observable, but there are so many things in life which are non-visible and which only those who have karama (the power to perform miracles) can see. They (the state legal officials) might ask the Bala Wuqabi: Have you seen her (Abarash) doing it? They do not understand it at all!

Unlike the cases which question the effectiveness of the state legal system and the trustworthiness of the particular institution, presented under category two above, the cases involving cultural elements are society-specific. There are the cultural beliefs and practices that are specific to some cultures. Social value, therefore, has to be taken seriously. With regard to cases where people bring health-related problems to the *Bala Wuqabi*, Aspen (2001:194) states that 'an underlying motive of clients may be the suspicion that there are identifiable supernatural powers that cause the afflictions and [the trust] that the *weqabi* may know the appropriate treatment…'. Aspen (2001:194) further explains that the society regards the causes of misfortune or sickness as being embedded in the society. As long as the cause of the misfortune is believed to be in the society, they also believe that the solution is to be found in such institutions that exist within the society. They are also conscious of the fact that a government

institution does not recognise such problems as a problem at all and rather describes them as '*yahuala ker bahil*' (backward cultural practices).

For the domains where the state institution does not operate, people prefer to bring their cases to those institutions like the court of the sheikhs – that are conscious of the cultural setting in which they are operating. In order to make themselves relevant, these institutions deal with such problems, as the case material presented above and the forthcoming case clearly highlight.

However, the issue of looking for verification that such problems have been caused by *afziz adengiz* (sorcery) causes state institutions to look for evidence to label a matter under this category. According to an informant from the state court, a case, if verified with a laboratory test or by an eye witness account, might indeed be considered as a crime.

Case 5: A case about a lent sickle

Tayach, a woman running a mini-bar in Kara Kore town, lent a sickle to a neighbour of hers, *Ato* Kabada. However, Kabada returned another sickle to Tayach. She accused him at the court of the sheikhs. She said that the sickle he gave her back was a new and expensive one while the one she lent him was an old one that had a mark.

At this point it was quite surprising that she found it necessary to travel all the way to Tiru Sina if she got the new sickle instead of the old one. In other words, why did she accuse him of stealing while he has paid it back? When Tayach was asked why she brought the case to the court of the sheikhs instead of reporting it to the state legal authorities, she explained how her fear of affliction would be underplayed in the state court:

Had I taken the case to the state legal institution, they would have told him to pay me back but what I want back is my own sickle. If I insist on accepting that, they would say a sickle is a sickle anyway! But it is more than that. My own sickle might be used against me to cause me harm. (She expressed it using a metaphor comparing the seriousness of affliction with the damage that can be caused by the sharp edge of a knife or sickle.) They (those at the state court) do not understand these things!

Kabada agreed to look for the lost sickle and return it to Tayach. After three months they came to the court of the sheikhs. Kabada brought the sickle which he found at his farm in the harvest season and returned it to Tayach. She was asked to forgive him and they were advised to maintain their relationship. Tayach seems to have been right in the remark she made about the state legal system.

According to an informant from the district court, this case is a civil and individual matter. She gave him her sickle willingly and he changed it but did not steal it or cheat her. The district judge also said that this case is not a criminal case to be addressed by the state court, but a civil matter. Had she brought the case to the court, Kabada would have been asked to pay the sickle back.

3.4 Category 4: The procedural informality and convenience of the court of the sheikhs

The issues discussed under this section mostly deal with the question of how the sheikhs deal with different cases and how both the sheikhs and the clients arrive at a compromise. Unlike studies describing court procedures, the methodology adopted was focused on the pull factors of the non-state institutions of conflict resolution, which influenced people to present their cases at the court of the sheikhs.

Factors such as the possibility of negotiation at the court of the sheikhs, and the informality of this court that gives time to clients to present their cases and defend accusations, can be identified as pull factors.

One of the reasons most informants have mentioned was that at the state court they need to be careful with what they say and how they act. *Waizero* Almaz (case 3 above) narrated her encounter at the state court in Ataye where she went as a witness as follows:

There (at the state court), if you sneeze, that will be counted as disrespect. You cannot speak out of your turn, and even when your turn comes they stop you after a while. They bombard you with questions. It is a trouble!!! Confusing a client is all they are up to!

In some of the cases handled above, and also at other occasions, clients felt that the sheikhs were not attentive and asked them to listen attentively to what they

were saying. There were cases where clients used the proverb *wag ba ayin yigabal (it is good to be observed while speaking)* to draw the attention of the sheikhs to what they were emphasising.

The informality of the court of the sheikhs also leaves some space to the clients to shape the decision-making process and turn the outcome of the decision to their best interest. An ethnographic example best explaining this point is the case of the sickle presented above. In handling this case, the sheikhs seemed to have underestimated the affliction caused by the lost sickle. Unlike the state system, which considers such a claim as irrational, the sheikhs – while objecting to this case – were indeed centring on the spiritual dimension. They realised that by bringing the case to the court of the sheikhs, Tayach has minimised the risk of affliction as a result of sorcery. However, Tayach argued against this point by drawing on some scriptural examples from the bible which showed that Satan has power to cause misfortunes. The sheikhs found this irresistible and had to agree with her accusation. They ordered the offender strictly to bring the sickle back and to give up any plans he might have of harming her. She also influenced the decision by insisting on a confirmation that he had not yet used the sickle for *digimit*. For that the sheikhs made him swear an oath.

Conclusion

Religious institutions of conflict resolution are playing a very significant role in resolving conflict. In a state which cannot provide justice at the grassroots level due to lack of capacity – resulting from a lack of legal officials and funds, as well as other reasons – the role of the traditional institutions is very significant. This inefficiency of the state legal systems makes alternative institutions of conflict resolution indispensable. The traditional institutions in the country have responded to this urgent need and are covering a wide geographical area.

They handle cases of diverse nature ranging from civil to criminal matters. Although article 34 (5) of the constitution of the Federal Democratic Republic of Ethiopia limits the right of the customary and religious institutions to handle only private and family matters, they operate in more domains than

they are mandated to. Everyday experience in Ethiopia clearly shows that such institutions are indeed handling criminal cases, including cases of homicide.

The push factors, away from the state legal system with its limited capacity and western, individualistic operational logic, do not only cause a lack of trust in the state system, but are at the same time pull factors towards the religious institutions of conflict resolution. These institutions use different procedures such as oath-taking, swearing, blessing and cursing, which are of a transcendental nature. The society has more moral ties with the religious institutions of conflict resolution than with the state legal system where one can get away with committing a crime and denying it. The verification at the faith-based institutions of conflict resolution is entrusted to the third party who is believed to be transcendental (God).

The four main reasons why people turn to the sheikhs' court are:

- the sheikhs' court's focus on re-establishing social harmony and reconciliation,
- the suspicion about the effectivity and trustworthiness of the state legal system and its mechanisms,
- the state courts' non-recognition of some deep-rooted cultural elements found in the community, and
- the procedural flexibility of the sheikhs' court.

The first and the fourth of these reasons can be categorised as institutional strengths of the court of the sheikhs vis-à-vis the state legal system, while the second and the third point to shortcomings of the state legal system.

Besides these main reasons, others are the long time-span taken at a state court for processing a case, the expenses incurred at the state court, the undue emphasis on evidence, and the possibility of corruption.

Informants highlight the element of reconciliation at the court of the sheikhs as a major pull factor. The state legal system which operates under the western legal system's logic of penalising a guilty party lacks the ability of securing sustainable peace and allowing the parties to reach reconciliation. The social value of revenge, euphemistically called 'manhood', is one of the important cultural aspects which the court of the sheikhs addresses more than the state

legal system. After completing a trial at the state court, people still tend to bring their cases to the court of the sheikhs to reach reconciliation. The strong social ties in the study area and the strong social structure of kinship strengthen the social accountability of the social group. On the contrary, the state holds only the criminal accountable for what he/she did.

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Women in conflict and indigenous conflict resolution among the Issa and Gurgura clans of Somali in Eastern Ethiopia

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Abstract

This article tries to show the impacts of conflict on women, the role of women in conflict and indigenous conflict resolution, and the participation of women in social institutions and ceremonies among the Issa and Gurgura clans of the Somali ethnic group. It explores the system of conflict resolution in these clans, and women's representation in the system. The primary role of women in the formation of social capital through marriage and blood relations between different clans or ethnic groups is assessed. The paper focuses on some of the important elements of the socio-cultural settings of the study community that are in one way or another related to conflict and indigenous conflict resolution mechanisms. It also examines the positive aspects of marriage practices in the formation of social capital which strengthens friendship and unity instead of enmity.

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1. Background

Erer district is located in the Shinle zone of the Somali region which is about 60 km from Dire-Dawa and located to the north-west of the capital Jijiga. The area is characterised by arid and semi-arid environment. The district has 23 *kebeles* (peasant associations), of which about 13 are predominantly inhabited by the Gurgura clan and the rest by the Issa clan. Based on their livelihood strategies, the population could be identified as pastoralist, agro-pastoralist and urban dweller communities. The population in the study area is characterised by homogeneous communities in terms of cultural (i.e. religion and language) as well as social practices. The Issa are mainly pastoralist communities living in the arid and semi-arid areas of Ethiopia and Djibouti, and the Gurguras are mostly agro-pastoralist communities. The Gurguras are a mixture of the Somali (Issa) and Oromo (Nolle) ethnic groups.

Furthermore, the Gurgura, Issa and Hawiya clans are Somali ethnic groups speaking the Somali language and residing in the Somali regional state while the Ittu and Nolle clans are Oromo ethnics speaking the language of Afan Oromo and residing in the Oromia regional state. Afar is an ethnic group speaking the Afar language and residing in the arid and semi-arid climates of Afar regional state. All of the above mentioned clans and ethnic groups are linguistically categorised under the Cushitic language family of Ethiopia.

Local conflicts in pastoral areas have been a common phenomenon since time immemorial. They are often characterised by competition over grazing land and water resources and by livestock raiding and looting. Such kinds of conflicts were further intensified with the declining nature of the pastoral mode of life and the type of state responses (Kandagor 2005). Resource scarcity is leading to unsustainable pressure on vital resources such as pasture and water, and thus to increasing levels of violent competition and tension between local communities. In the case of Erer, conflicts happen due to the scarcity of available natural resources (water points, farming and pasture lands). Conflicts could be intra- or inter-clan, inter-ethnic, or inter-personal (due to boundary conflicts on farm lands and problems of access

to irrigation water). The inter- and intra-clan conflicts between and among the Issa and the Gurgura clans are due to competition over scarce natural resources like water and pasture land, as well as to cattle raiding.

Besides the conflicts with a socio-economic dimension, there are also administrative boundary conflicts which have political and ethnic dimensions. Such kinds of conflicts include the ethnic conflicts between groups who consider each other as traditional enemies: the Issa clan of Somali and Afar ethnic groups, the Ittu clan of Oromo and the Hawiya clan of Somali ethnic groups, the Issa clan of Somali and the Nolle clan of Oromo ethnic groups and the Gurgura clan of Somali and their neighbouring Nolle clan of Oromo ethnic groups. According to the field work investigation, such kinds of conflicts were common around the Meiso, Bordede, Afdem and Bike areas which are located in the north-western part of the Somali regional state bordering on the Oromia and Afar regional states. These areas, situated at the confluence of the three regional states, are the most conflict-prone areas of eastern Ethiopia in which the different ethnic groups and clans are living together but in a hostile manner. The conflict in the area intensified after the decision was reached in 2003 by the federal and regional governments of Somali and Oromia regional states to conduct a referendum towards resolving their long-standing border disputes. After this decision, conflict and confrontation around the referendum issue in order to influence the referendum results were common. This kind of conflict between the Somali and Oromia regional states is also becoming common in the study area after the referendum took place in Erer district[1] in 2003 (Interview with Fetulle community elders, Erer district, 30 0ctober 2008).

The administrative boundary conflicts between regional states, which emerged with the introduction of the new federal arrangement, seem to have contributed to the rearrangement of previous local conflicts. Many of these conflicts reflect the already existing local resource competition over land resources. But the new constitutional order, particularly the disputed

1 Among the 23 *kebeles* of Erer district, the referendum took place in all 13 the *kebeles* in which the Gurguras lived. One of them, Serkama, now belongs to the Oromia regional state as a result of the referendum.

boundary between the regional states, has offered new energy by offering new legitimacy to pre-existing local conflicts and competition, whilst infusing both with an ethnic dimension. However, both the federal government of Ethiopia and the regional states have been trying to resolve these conflicts, especially those between Somali and Oromia regional state boundary areas. It has been over a decade since ethno-regional boundary disputes became persistent along the boundary between the states of Somali and Oromia, since their formation in 1992 (Ahmed 2005).

Women have minimal direct participation in indigenous institutions[2] of conflict resolution for a variety of reasons. Because women lack formal political platforms, they often draw credibility and strength from a wider social base and promote their agenda at the grassroots level (Manchanda 1999). The absence or minority presence of women in discussions about conflict resolution or the implementation of outcomes of such discussions brings about unfortunate results. Peace agreements in which their concerns and priorities have not been well addressed may be unjust and ineffective, and may lack long-term viability (Bates 2000; Burton and Dukes 1990). The invisibility of women in socio-economic and political affairs, the widespread acceptance of religious and cultural justifications for the unequal treatment of women, and the lack of regional and national significance attached to women's lives explain the marginalisation of women in all affairs. Women experience conflicts differently and in ways that men do not experience at all. Their experience must be considered in all conflict-resolving efforts of negotiations and discussions. Otherwise the peace process will only be obtained for half the population (Rosenblad 2007; Pastoralist Forum Ethiopia 2006; Somali Region Pastoral and Agro-pastoral Research Institute 2007). In Erer district, they are marginalised in several respects, including indigenous conflict resolution although they account for the majority of the population.

2 Indigenous institutions in this study are those structures that matter most in the social realm, particularly with regard to conflict resolution mechanisms (like community elders, clan and religious leaders). They are established by the communities who have common understandings of their norms, values, rules, sanctions and principles (Hodgson 2006).

2. Materials and methods

An interpreter with a wide range of kinship and social networks was recruited. In the collection of research material, several methods were employed. The main methods used were informal and semi-structured interviews, focus group discussions and case studies. Initiatives were made to meet as many residents as possible in informal discussions on some general issues relating to their modes of living and their socio-economic conditions. In due course, different categories of the Issa and Gurgura communities (old, young, men and women) were asked about their perceptions of the institutions for conflict resolution, their views about the level of women's participation and those factors that discourage them, the decisions made and their effectiveness in restoring peace and order in the area. These interviews helped me to identify key informants for the semi-structured interviews.

Key informants were selected purposively on the basis of their age and knowledge/awareness about their culture, society and environment. The semi-structured interviews were intended to access information about Gurgura and Issa socio-cultural practices (marriage, kinship relationships, descent or lineage ties, etc) that contribute to the low level of women's participation in conflict resolution. In-depth interviews with key informants were conducted in order to have their description of events. Case studies were also conducted to document the nature of dispute cases handled by institutions for dispute settlement at different levels.

Besides, secondary sources were used to obtain background information on the socio-economic conditions of the Issa and Gurgura clans of Somali. Some theoretical background information related to conflict resolution and participation of women was also gathered from secondary sources. The qualitative data were analysed based on the theoretical and methodological principles of interpretation. A descriptive case study analysis technique was employed for the ethnographic description, interpretation and analysis of qualitative data.

3. Results and discussion

3.1 The Impacts of Conflict on Women

Women and men have different access to resources, power and decision making before, during and after conflicts. The experience of women and of men in conflict situations is significantly different. While entire communities suffer the consequences of conflict, women and girls are particularly affected because of their status in society and their sex. Women are thus caught in a vicious paradox: while they are the main civilian victims of conflicts, they are often powerless to defend themselves, they are excluded from the negotiations during the resolution process, and they are confined to a marginal role in the conflict resolution and reconciliation efforts. The general exclusion of women from decision-making positions prior to, during and following conflicts reinforces their victimisation. Empowering women in conflict situations would help prevent gender-based violence such as the terrible crimes of rape, forced pregnancy, sexual slavery and others (Naraghi-Anderlini 2006).

It is increasingly recognised that conflict affects men and women differently. It has a wide range of economical, social, and psychological effects which are influenced by gender (Byrne 1996). However, it is also recognised that women are not solely victims of conflict, but that there are times when they gain from conflict, particularly from conflicts related to cattle raiding in the pastoral areas (Byrne 1996). Their gain could be in terms of livestock and/or social prestige. The livestock gain contributes to food supply and becomes a long-term asset for the family. Being a mother of a brave fighter, a woman will have high social status and prestige. While the whole community suffers from conflict, conflict has its greatest economic, social and psychological impact on women (Byrne 1996).

3.1.1 Economic impact

Conflict has its own economic impact particularly on women. Loss of livestock through raids, for instance, has a significant economic impact on pastoral households (Devereux 2006). A case in point was the loss of five

camels on one day and three cows on another by a Gurgura community. This practice is a continuing process that results in some form of retaliation. Cattle raiding affects the milk supply for which women are responsible. Fear of raids and conflicts also restricts pastoral movements to less fertile areas, which has an impact on stock productivity. This fear of insecurity has a negative impact on the whole community's development efforts, especially with regard to basic services like schools, health facilities and water resource development. Trade (in chat, milk, eggs, and other petty trade) is largely carried out by women in these areas. A 35 year old woman in Erer who has been engaged in chat trading for more than 15 years was a victim of theft. She has eight families who are totally dependent on this trading. Currently, as the conflict is in process, she has no alternative to continuing with the trading. Some women in Gurgura are also engaged in making and selling charcoal as a useful income supplement, but because of insecurities their movements are restricted. Moreover, widows will have a high economic burden when they have lost their partners, as well as the socio-psychological impact. When there is insecurity, women lose their trade opportunities.

3.1.2 Social and psychological impact

As women do not participate and are not directly involved in conflicts related to raiding, they are not armed and are not able to defend themselves when they are attacked by their enemies. They suffer more in terms of death and injury than other community members. Women also lose their husbands, sons or other family members due to conflict. Loss of a husband usually means that the woman either has to leave the pastoral sector or be inherited by her husband's brother or close relatives. Inherited wives are often of lower social status than full wives.

Women are usually vulnerable to abduction and rape in times of conflict. For instance, one group of informants said that in the current conflict between the Nolle Oromos and the Gurgura and Issa clans of Somali, those women who are engaged in chat trading are exposed to theft as well as rape. Because of security problems, women's movements are restricted, and that has both economic and social consequences on their lives. Their limited movement

because of insecurity limits their ability to maintain their social relationships within their community and their neighbouring ethnic groups. Due to the large scale of intermarriage between Gurguras and Oromos women have relatives living in these communities; but women also form relationships when they trade with neighbouring ethnic groups.

3.2 The role of women in promoting conflict or in stabilising and searching for peace

Women play double roles before, during and after conflicts. They have special skills in instigating conflicts as well as in stabilising and searching for peace (Community-based Animal health and Participatory Epidemiology Unit 2003).

3.2.1 Before conflict

Women praise victory and success as fruits of peace in order to promote peace and stability instead of enmity. Their ideological propaganda in the community to prevent conflict is important. The key informants outlined some of the traditional phrases that women are accustomed to use when conflict threatens to erupt:

> *Gobonimo waa adiqo nabad kuseexda* (If you sleep in peace, it is your victory and success.)
>
> *Nabad haday' jirin hurdo majirto* (If there is no peace, you can't sleep well.)

Although women are not allowed to sit and participate in conflict resolution formally, they have the invisible hands that play their role behind the scene. They condemn conflict with their proverbs, like these:

> *Guul lagama gaaro daqaal sokeeye* (Conflict never ends and there isn't success and prosperity through it.)
>
> *Nabad waxaad ku wayday daqaal kuma helaysid* (You can't achieve your goal through conflict instead of peace.)
>
> *Dagaal dad umbao ku baaba'ee dad kuma dhashaan* (In conflict people perish but do not reproduce/are not perpetuated.)

Dhufayskaaga adoon xaga iyo xagaba dayin ku adkayso ilaa intaad ka dhiman (Don't wander here and there and rush to conflict since it destroys you.)

Besides, women also play an important role in child rearing and instructing peace (Ntahobari and Ndayiziga 2003:18). The family and especially women are the primary agents of socialisation. Women educate their children about the norms, principles, sanctions, beliefs and values of their society. Children spend much of their time with their mothers so that they learn a lot from them. Mothers instruct and bless their children in the following ways:

Cadogwgagu kugu maashodo (I wish you not to be killed by your enemy.)

Waxaan kuurajayn hayaa inaad ka nabad gasho cudurado khatartaah (I wish you to be free from dangerous diseases.)

Ilaa hay nabad hana siiyo (God gives us peace.)

Wada jir isu difaaca (Defend yourself cooperatively.)

Waa in oadisgarab joogtiin, hakala yaacina isku tiirsonaada (Be united, don't do any thing alone.)

Hadaad kalatagtiin cadawga ayaa idinka quulasanoya (If you aren't united, you will be easily defeated.)

Garab iyo gaashaanba waa midkaliya (Be united and act together.)

3.2.2 During conflict

Women are accused of using various ways of instigating men to go to war. They praise men who join the war without hesitation and at the same time they also ridicule, nag and abuse those who are reluctant to join the war. They bless conflicts and prepare food beforehand, and welcome those who return with blessings, songs and dances. During conflicts they have the power to initiate and give moral support to their husbands, fathers, sons and brothers. Songs are sung, particularly by young women, to give courage to the men. There is a Somali saying about the role of women in times of conflict: 'An army with women cannot be easily defeated' (Mohamed 2003:85). There are

proverbs and sayings commonly used by Somali women to instigate conflicts at different stages:

> *Malihin walaalo nooga aar guda cadawgii dilay wiilashayada* (We don't have brothers to revenge our enemies who killed our sons.)
>
> *Rogu waxay noo dhiibaan goryohooda, ayaguna shqadayada ayay qabraansida lisida lo'ada* (Men, give your guns to us and do our jobs like milking cows and others.)
>
> *Walaalo malaha miya kuwaay dileen cadaw gayagu? Ragaw miyaydaan iska celin karaynin cadawgiina!* (Do those who were killed by our enemies have no brothers? You men can't defend your enemies!)

On the other hand, women play important roles in stabilising situations and searching for peace, since they are victims of conflicts (Conaway and Sen 2005). A better understanding of the role of women in the search for peace in Somali begins with a clear understanding of their status and role in their society. In a polygamous marriage, the first wife is the chief mediator of conflicts in the family. She is responsible for restoring peace and tranquility in situations of conflict between the husband and one of his wives, or among the latter. She also ensures that perfect harmony exists between the young brothers-in-law and their wives. Women are also able to persuade their husbands, sons, brothers and fathers to stop fighting and settle their cases through negotiation. Women have special skills and power in settling conflicts. There are common proverbs and sayings of Somali women about this:

> *Dagaal wiilbaa ku dhinte ee wilbaa ku dhinta* (Males will die and not be born on the battle field.)

Furthermore, women constitute a symbol of peace and cooperation. First, a woman promotes understanding between herself and her husband. Second, she bonds her family and her husband's family. And third, she builds a bridge between her clan/community and that of her husband. When building a healthy society, the first unit and building block is the family. In the process of conflict resolution there is the practice of blood money as compensation. When two clans fight and there is death, steps are taken to organise the

collection and payment of blood money. A marriage (or marriages) involving the two parties immediately follows this (Mohamed 2003:75–110). This kind of marriage occurs between a man who lost a brother or close relative and a girl from the opposite side. This means a beautiful girl will be selected and given to their rivals as a gift in the form of marriage. The main objective of the marriage is to heal the wounds and to cement the agreement/settlement reached by the two parties. She will give birth to that family in particular and the clan in general as a compensation for the dead person. 'In the Somali culture where there is bloodshed, it must be soaked with birth fluids. The point is the married woman will give birth to sons who will fill the void created by the man who perished in the battle' (Mohamed 2003:103). In their opinion the fluid that comes out first during her delivery can end and cement the bloodshed between the two rival groups forever. This implies that girls play roles for the sustainability of peacebuilding and conflict resolution systems. That is why the married woman is sometimes called *godob-reeb* which means wound-healer. She assumes this role in conflict situations, particularly when someone is killed. In addition, the marriage is designed to bond the two groups, and thus to minimise the possibility of the erupting of another conflict.

3.2.3 After conflict

Women also practice the *heerin* tradition, which means unmarried women visit the enemy clan without the permission of their parents. The enemy clan welcomes and will arrange a marriage with them. This enables the two distant and enemy clans to bring together and build sustainable peace and stability. The Somali women have always been the centre for integration through marriage that brought together and cemented two different and distant clans (Elster 1989). A Somali proverb emphasises their unique role: 'Only a woman can bring two separate clans together'. When two clans are connecting through marriage, it is the married woman who forms the backbone of the newly established community. She becomes an ambassador of her clan. Somalis say: 'A married woman is an ambassador'. They also say: 'A married woman is a leader'. The bridge she builds between the two

communities is one that brings about unity and cooperation (Mohamed 2003:101).

3.3 Marriage practices and its contribution to social capital formation

Colson (1953:199–212), Gluckman (1959) and Divale (1976 cited in Ferguson 1984) explored conflict and warfare in relation to the social structure, with particular reference to patterns of decent, marriage, and post-marital residence rules. The essence of their argument is that war is a cooperative male activity. Increased loyalties of men to different social institutions within their society may reduce the possibility that men will use force to resolve conflicts (Ferguson 1984). In other words, relationships established as a result of intermarriage and social integration restrict people from using violent means of resolving differences. Marriage is one way of bonding two rival groups in the process of peacebuilding and conflict resolution. Through marriage, kinship relationships can be established between clans as well as ethnic groups (Pretty and Ward 2001). Thus, women are the primary agents in the process of building social capital. Social capital is the feature of social organisations (such as social networks, interactions, norms, trust, and reciprocity) that facilitate coordination and cooperation and that enable people to act collectively for mutual benefits (Putnam 1993). However, social capital mechanisms have some limits, and are not always effective in resolving some types of conflicts. For such conflicts, people rely on formal mechanisms for arbitration and adjudication (Sanginga et al. 2007).

In the Gurgura tradition, marriage within the clan was not allowed. For example, someone who is a member of the Galwaq (a Gurgura sub-clan) was not allowed to marry a Galwaq partner. These marriage practices between clans and most importantly with their neighbouring Oromos strengthened their bonds and helped them to live together peacefully. The Gurgura men usually married Oromo girls. As a result the Gurgura are a mixture of the two ethnic groups, Somali and Oromo. They speak both the Somali and Afan Oromo languages. Nowadays, this marriage system has gradually changed into a new type of marriage practice, i.e. intra-clan marriage. This happens due

to the eruption of conflicts between the two ethnic groups. The informants added that it is also the strategy to avoid the loneliness of their girls who will marry outside of their communities. This is because their residence rule after marriage is patrilocal. They believed that marriage outside of their clan and even in distant places is respected and well considered, which is not the case with marriage within the clan. In the previous times unlike today, there was a bride price/wealth in cattle or in kind. According to the key informants, the previous types of marriage were honoured and respected – unlike the recent ones. The recent marriage practice limits the bonding attained within people's kinship relationships. The decrease in kinship relationship between the different clans or ethnic groups may lead to the eruption of hostilities. That is why the current conflict between the Nolle Oromos and the Gurguras as well as the Issas has erupted.

As a marriage alliance can strengthen friendship, it can also instigate conflict if someone marries the fiancée of another. Such a kind of conflict will be resolved on the basis of the traditional conflict resolution mechanism: that the man who marries the fiancée of another should pay a compensation of 15 camels for the loser. Conflict will also erupt when a girl refuses to marry someone after her parents have already decided on and arranged such a marriage. Based on their system of conflict resolution her parents will either return all the expenses including the dowries or substitute her younger sister as his wife. In Somali culture intense and bloody conflicts will erupt when marriage plans are disrupted. Some of the factors that lead to intense conflicts are the following. First, if there is a murder of a woman. Second, if the wife of an individual is raped or if there is any other kind of rape. This is because rape in Somali culture is strictly forbidden. If someone violates the deeply embedded norms and traditions of the culture, he will be punished. Third, if an engaged or married woman is forced into a new marriage, and fourth, if there is verbal abuse or insulting of women (Interview with Qanteras community elders, Erer district, 10 Dec 2008).

3.4 Social institutions

According to the theory of structural functionalists, social institutions are functionally integrated to form a stable system, and a change in one institution will precipitate a change in other institutions. Societies are seen as coherent, bounded and fundamentally relational constructs that function like organisms, with their various parts (social institutions) working together to maintain and reproduce them. The various parts of society are assumed to work in an unconscious and automatic fashion towards the maintenance of the overall social equilibrium (Etzioni 1995). The Somali societies are therefore structured in a system of clans and sub-clans that bind them together. The Issa as well as the Gurgura communities are traditionally organised through their indigenous method of social organisation and cohesion. There are hierarchical structures in their system of social organisations. At the top, the community is headed by the Ugaz[3] who is considered as king of the Issa. The same applies for the Gurgura community. Next, there is the council of elders named the *Damina* (representatives for each clan), the ordinary pastoralists and lastly the *Tumella* (artisans in iron working) and *Midgan* (spearmen who were hunters). The Ugaz has ultimate power over all aspects. He is considered as the peacemaker and mediator between the society and their 'God'. If there is problem like drought, disease or famine, he appeals to his God and comes with a solution. He is considered as having special skill and power endowed to him at birth. If there are conflicts between clans or ethnic groups, he is the one to mediate and negotiate with the rival clan. No one can open an attack on him on his journey to the opposite clan. The council of elders is working in close contact for the smooth functioning of the Ugaz's administration. The clan representatives (clan leaders) act as agents of the Ugaz in their locality.

Furthermore, the clan system forms the basis for most of the core social institutions, norms, sanctions and principles of the society, including

3 Ugaz is considered as king of each of these communities. It is used as a title equivalent to a king and also the administrative or governance system of Issa and Gurgura clans of Somali ethnic groups.

personal identity, rights of access to local resources, customary law (*xeer*[4]), blood payment groups, and social support systems (Shivakumar 2003). Both the *Tumella* and the *Midgan* are social outcasts and inferior members of the communities. They intermarry with each other and not with the other clans. They are the minorities in Somali society. When there is inter-clan conflict, the mediator who acts as a third party is the one that has no kinship relation (through marriage or blood) with the disputing parties. Even if both the *Tumella* and the *Midgan* are not allowed to be elected as elders for conflict resolution, they used to stand between the disputant parties to stop their fighting and deal with their cases through negotiation. In this case, they act as mediators for an immediate cease-fire between the disputants.

In addition, an indigenous social support mechanism in the Gurgura area is named by the title *Boku* (the village leader), who is responsible for organising and collecting of compensation payments (i.e. blood money/cattle from the clan members). The Boku is accountable immediately to the *Damina* who is the representative/clan leader. Each sub-clan has their own *Daminas*. The *Damina* in turn is accountable to the Ugaz. He receives orders from the Ugaz and acts accordingly. All of them play great roles in the systems of indigenous social support mechanisms. However, all the positions including the kingship (Ugaz) are only held by men. Women by no means have any position in these formal structures of social institutions so that their issues and concerns may not be well addressed.

3.5 Social gatherings and ceremonies

Formalities observed on ceremonial occasions are regarded as etiquettes and are formulated in a code of manners describing how one should move about, behave and act in any particular situation. Different scholars are arguing about the ability of dispute settlement mechanisms in restoring harmony in the community. Gluckman (1965) stated that judges were primarily interested in establishing reconciliation between contenders by creating an

4 *Xeer* is the Somali customary law that encompasses the rules, regulations, principles and sanctions of the various social, political, cultural and economic aspects to which communities strictly adhere.

opportunity for friendship rather than bringing the guilty party to justice or reaching some other outcome. There are ritual practices and ceremonies observed by the community, especially when there are *abbar* (drought conditions), war catastrophes, epidemic diseases, or other natural or man-made calamities in their environs. For such cases they have gatherings near rivers. From different areas, they assemble at a place called *mewula* (a place where water and shade are available and where it looks green) to appeal to their God. In this ceremony they pray to and beg their God by slaughtering cattle and chewing chat (a stimulating leaf). In these social gatherings the disputants forgive each other and unite as one. According to Turner (1969), rituals are aimed at maintaining social homogeneity or what he termed as 'communitas'. When ruptured social relationships are repaired, it creates a sense of oneness among the disputants. They have only one agenda, which is to communicate with their God. Each and every sub-clan of Issa will bring a different type and amount of items for such a ceremony at a *mewula* (like cattle, camels, goats, sheep, butter, milk, chat, etc). Women and children are not allowed to participate. However, if the *mewula* is near their village, they do have their own ceremony at a distance from that of the men. Only those women who have problems such as sickness or infertility are allowed to participate in order to have a blessing from the elders and get solutions for their problems. In this ceremony, if there are disputing parties or groups, they should forgive each other because forgiveness offered in a large crowd of people has the blessing of the elders. This procedure of organising the community in a wider context is termed as *diqo*[5] for the common goal. At the end of the ceremony, they will decide the date and place of their next social gathering.

What women contribute to such social gatherings and ritual ceremonies which are celebrated once or twice a year is the extensions of their domestic work. The Somalis have a culture of ritual ceremonies which strengthen their

5 *Diqo* means organising a ceremony or ritual practice in a wider context if there are disputing parties or groups in a community. It has its own advantages in maintaining and strengthening their unity and identity as long as they remain committed.

social unity and identity. For instance, *siyaro* is observed one or two times a year by all members of the community/clan if there is drought, famine, war or other natural or man-made catastrophes in their locality. It is also celebrated in times of peace for happiness and prosperity. The cost of *siyaro* is covered by all community members and some of the well-to-do clan members may contribute extra money or gifts in kind like sheep and goats. Another similar ceremony is that of *aleberi* which is smaller in size than that of s*iyaro*. Its procedure is the same, but its cost is covered by an individual or family member who faces problems like sickness or infertility. The family members invite their neighbours to bless the sick person and pray to their God in mass. Males and females celebrate these ceremonies in different places. In the Somali culture, men and women are not allowed to sit together and/or chat to each other.

Among the Somali, indigenous conflict resolution is mostly practised during the rainy season (Osamba 2001). This is because of the fact that those animals (cattle, camels, and others) that are collected from clan members for compensation must be well fed and fat rather than thin. This happens when the pasture land becomes green. The resolution practices and ceremonies mostly take place near river basins. If the conflict occurs during the dry season, the resolution proceedings will be postponed for half a year or up to two years until the rainy season is coming. If there is murder during a conflict, compensation (blood money) will follow. The council of elders will have their own share of animals (in principle it is about 25) from the total amount of compensation contributed by the clan members. This share will be used for running the resolution process. Some of these animals will be slaughtered on the spot for the ceremony. Besides this, the murderer will bring a sheep and slaughter it. Its meat will not be eaten by them but rather given to wild animals as *sedeqa*[6] for the soul of the deceased. This happens at the end of the whole ceremony. The ceremony will take place near the village of the clan who is going to pay the compensation. All clan members should

6 *Sedeqa* is a practice of feeding the needy (humans and animals) in several situations, according to Somali culture. This has probably been derived from Muslim culture.

contribute for the collection of animals for the compensation. Its procedure is that 15 cattle/camels will be handed over via the elders during the first stage of compensation transfers. Then, those who pay the compensation will ask the elders to give them time until the next rain is coming so that all clan members will be back at their homesteads, which will enable them to contribute animals for the compensation. With this procedure of elapsed time all of the decided compensations will eventually be transferred. Compensation may not have to be implemented fully if the offender shows his willingness and actually starts to pay.

The Ugaz has his own enforcing mechanisms or sanctions in the process of conflict resolution and payment of compensation. First, the Ugaz will ask the *Damina* (representative of Ugaz, for each sub-clan) of the culprit. The Ugaz then punishes the offender twice: for his initial mistake and for his refusal of the elders' decision. His refusal is considered as an insult to the remaining sub-clan members. Second, there is a social control mechanism of social exclusion. Social control is the way in which the entire social order coheres and maintains itself, operating as a whole in a changing equilibrium. The informal means of social control mechanisms (beliefs, customs, folkways, mores, etc) are important here. For defiant cases there will be social exclusion. This means, the man will be socially excluded from all social activities. For example, someone may not get support from the community if he has a problem (like losing his cattle for a variety of reasons). This means that there is no social guarantee/insurance if someone is totally excluded by his clan members.

3.6 Judicial procedures in dealing with disputes

For an intra/inter-clan conflict case the judges (*gudis*, sometimes called *guurties*)[7] representing the twelve sub-clans of Issa will be summoned by the Ugaz. The *gudis* have a secretary (*qore*) who is chosen from the twelve judges as the one with the best skill of memorising and recording all the cases of the disputants orally. First the plaintiff (*dewoye*) will narrate his case

7 *Gudis* or *guurties* are traditional legislators representing the 12 sub-clans of Issa. They are considered as judges as well as law makers in the Issa community.

in front of the judges. Then the defendant (*ledewoye*) will respond to the charge against him. The two parties will also be ordered to present their cases for the second time in front of the judges. The judges listen to them carefully to determine whether there are differences between their first and second presentations. If there are different ideas or points in their presentations, the *qore* will cross-check their cases one by one. The judges will then listen to three witnesses (*merkatee*). The *merkatee* will be examined and challenged by the judges, and especially by the *qore*, in order to identify the truth. After a thorough examination of both presentations, the judges will finalise their decision. The accused will deliver the compensation decided upon in front of the judges within three to four days. Audiences are allowed to participate in this procedure.

The judges (*gudis*) also have the responsibility to settle dispute cases related to injuries to some parts of the human body. According to the Issa customary law, the injured one should first slaughter a sheep 'to heal the wound'. This is to check whether he is really injured or not. It is assumed that for false cases he may not slaughter his sheep. Then the offender should pay a compensation of one sheep for the injured. This is repeated from time to time (approximately every two months) until the injury is completely cured. The judges then check whether this is indeed the case. They request him to tell them the truth and take the compensation. If he takes an oath falsely, it is believed that what he eats and drinks will hurt him as if it was poisoned. If the injured one is not yet married, he will not marry until the judge checks the wound and gives his approval. He will not be recruited as a soldier in his clan or participate in cattle raiding. This is because of the fear that if he were to die in these combats, it will be linked to the first injury and his clan may ask *boqole* (blood money). On the other hand, if the judges checked and approved him, his clan may not ask *boqole* if he dies in such combats. An individual who is not satisfied by the elders' decision has the right to appeal to another court. Almost every individual of the Issa community is accustomed to the Issa customary law so that the judges can take no chances of passing unfair decisions through corruption.

There is the *Ergeda* tradition of choosing and sending a group of people as a peace envoy to the rival clan/group for negotiation towards a peace agreement. Its basic mission is to promote and strengthen societal stability and cohesion. The Somalis are careful as to whom they would choose as a peace envoy. The would-be *Ergeda* members are required to possess a wide range of qualities and competencies, including a sense of responsibility, patience, good personality, oratory abilities and decency. The well-known and experienced community elders who never lie or cheat others and are therefore trusted by their community, will be chosen as peace envoys. They are expected to be well-versed in customary law and are required to know exactly what the problem is and what is at stake. They are a select group of individuals with rare qualities. That is why the Somali customary law urges people not to harass or harm the peace emissaries. The *Ergeda* can be dispatched by one of the warring parties or by a neutral community/clan like that of the *Midgan* and *Tumella* (Mohamed 2003:103).

Case study on conflict resolution

There was a conflict between two individuals on the issue of the possession of a baby camel. This conflict happened after the two camels gave birth on the same day and at the same place. During the night a hyena came and ate the baby of one of the camels. The next day the two mother camels were standing and looking after the remaining one. When the owners of the two camels came and saw what had happened, each of them claimed the kid which was alive. This created conflict between the two. Both men then appealed to the modern court to resolve their conflict. The court asked them whether they had eye witnesses or not. They replied that they had no eye witnesses since the kid disappeared during the night time. The court was challenged and unable to solve their problem, so it then referred the matter to the elders' court for traditional resolution. The elders asked to have time until the dry rivers become full. Traditionally conflicts are mostly resolved during the rainy season near rivers when animals have become relatively fat. Based on their request, the resolution was postponed to the rainy season. The elders' court went to the nearby river and started their judicial procedures. They ordered a man to carry the kid camel and cross the river. While the kid was crying as it was taken from its mother, the camel which was

the mother immediately tried to jump into the river in order to save the life of its baby. The second camel which was not the mother stayed on the bank of the river. The elders' court then identified the baby camel as belonging to the one that tried to get into the river. They sent their method of resolution as well as their decision to the modern court. The modern court admired their method of resolution and accepted their decision. From that time onwards, said the community elders, the modern court used this method for similar cases. (Interview at Fetulle Kebele, Erer district, 17 September 2008)

3.7 Compensation

There is the tradition of blood money as compensation for different kinds of offenses. The type and amount of compensation are different for different conflict cases. It is stated in the Ugaz's constitution that for killing a man it will be 100 camels and for killing a woman 50 camels. This is unequal treatment but the tradition is still accepted in this way. In each case, fifteen camels are given to the family of the deceased while the rest are distributed to the clan members according to the share they contributed during the collection of blood money. It is considered as their insurance. If a girl is raped by someone from another clan, intense conflict will follow between the clans. In such a case, the compensation is 450 birr in cash or 15 cattle in kind. If some part of the human body is broken during conflict, the compensation is clearly defined. For instance, for each left part of the human body, the compensation is 16 fertile female camels and for the right part it is 15 fertile female camels. The total amount of compensation for all parts of the human body is equal to 100 camels. It is assumed that the left part of the human body is the most important part, since the left hand and shoulder are strong and carry heavy loads like the shield or gun. Compensation for killing animals is also clearly stated in the Ugaz's constitution. For example, 12 and 6 fertile female sheep for a camel and a cow respectively and one goat for a dog. For each kind of conflict and its resolution, methods, rules and principles of compensation are clearly outlined in the Ugaz constitution.

When a conflict has to be resolved, the Ugaz of Gurgura will call the eight sub-clans. One of the members of the Sanchille sub-clan will put a crown

named *imameta* on the head of the Ugaz. In this assembly, women are not allowed to participate formally for cultural reasons. The amount and type of compensation in the Gurgura society differ according to the nature of the incident. If it was not deliberate, and therefore not intensely violent, the compensation will only be partial.

The following are some examples of compensation in cases of rape, according to an interview with Fetulle community elders, Erer district, 30 0ctober 2008:

- Uncircumcised young girl: 15 camels[8]
- A mature girl not yet engaged: 5 camels (less than in the case of a young girl, because of her maturity)
- Someone's fiancée: 15 camels (the compensation being given to her fiancé, who will then marry her sister)
- A woman carrying her male baby on her back: 18 camels (on the assumption that the boy was also raped)
- Widow within her mourning period (4 months and 10 days): 15 camels
- An old woman who uses a stick for walking: 16 camels

In the same interview, a special case of compensation was also explained. If someone is murdered during an inter/intra-clan conflict, an immediate compensation during the burial ceremony can lead to a cease-fire and avoid revenge. Such compensation comes in the form of a camel, which is then slaughtered before the deceased is buried. An amount of 1000 birr is added to cover the expenses of the burial ceremony, and the murder weapon is handed over to the close relatives of the deceased.

4. Conclusion and Recommendations

4.1 Conclusion

The paper has examined the system of indigenous conflict resolution mechanisms among the Issa and Gurgura communities of Somali. Women

8 When these compensations were determined by the elders, a camel was rated at 30 birr for payments in cash, but this is no longer a realistic value.

play double roles in times of conflicts, i.e. they have skills of promoting conflict as well as of stabilising situations and searching for peace. They play roles in the formation of social capital through marriage and kinship relations. Women have always been the centre for integration – through marriages that brought together and cemented two different and distant clans. They play vital roles for the sustainability of peacebuilding and conflict resolution.

However, their role in stabilising conflict situations and searching for peace is always an informal one. Due to the patriarchal nature of the Issa and Gurgura communities, women are not allowed to participate in formal conflict resolution mechanisms. They are not present during deliberations even if they are the majority of the victims of the conflict. They are represented by men in all the important public decision-making events. As a result, their issues are not well addressed. The blood-price of a woman is less by half than that of a man. She is not allowed to pay or receive compensation. It is rather the clan of her father or husband that will take over on her behalf. Therefore, in order to have a fair system of conflict resolution mechanisms, there should be the representation of all sections of the society that are involved in one way or another in an ongoing conflict. This needs a fundamental shift in the cultural forms that sanction gender-discriminating actions, as in the patriarchally organised Issa and Gurgura communities.

4.2 Recommendations

- In line with conflict theory, where there is scarcity of resources there is always competition which leads to conflicts. That means poverty is a major cause of conflict. Women are, therefore, the primary victims of poverty and conflict. The inclusion of gender perspectives into conflict analyses can be beneficial not only to ensure better understanding of conflict dynamics, but also to highlight the linkages with development and poverty issues (Naraghi-Anderlini 2006).
- In order to enhance women's participation in peacebuilding and conflict resolution, there should be a focus on the eradication of poverty. In order to encourage women to participate fully in decision-making events, different

programs like the training of women in income-generating activities and micro-credit undertakings should be designed and implemented.

- According to the community elders, the position of the Ugaz is currently not held by any one and is not fully functional. Due to the influence of modernisation, younger generations are not willing to accept it as an institution. They consider it as backward and primitive. Therefore, there should be the revitalisation and appreciation of the indigenous community institutions like the Ugaz which is responsible for all aspects of societal problems like conflict resolution. This could be possible through institutional socialisation of the younger generations within their indigenous cultures. Such socialisation should include the preservation of positive moral and cultural values, and the identifying of elderly resource persons who have ample experience in their traditional customary law so as to document and transfer it to the next generation.

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Explaining inter-ethnic harmony in Enugu city, South-eastern Nigeria, 1970–2003

*Akachi Odoemene and Olufemi B. Olaoba**

Abstract

Ethnicity is a prominent feature in Nigeria's socio-economic environment and is fervently exhibited within the context of the 'indigene-settler dichotomy'. As this encourages exclusivism, it has been a major factor responsible for violent conflicts across the country. While many urban spaces in the country have witnessed such conflicts, a few have not. This study examines the indigene-settler inter-relations in Enugu to determine why and how the city sustained ethnic coexistence, cooperation and harmony since the end of the civil war (1967–1970). It demonstrates how, while ethnic attachment appeared to be strong, and while conflicts and occasional tensions did occur in the city, inter-ethnic relationships were cordial and symbiotic. It further identifies and interrogates cogent factors responsible for this trend. The paper argues that the constructive

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management of ethnic conflicts, as demonstrated in the city, could be efficient and productive. Despite optimism in Enugu's peaceful condition, however, it concludes that potential complications could emanate, as the factors responsible for Enugu's condition are amenable to change. Both primary and secondary sources (eighty-six in-person interviews, twelve focus group discussions, archival and secondary materials) were used within a multi-disciplinary framework.

Introduction

Relations between people of different ethno-cultural backgrounds are crucial concerns in the world, as conflicts, which naturally emanate from such relations, are important issues that impede effective interactions and social harmony. Ethnicity is a very powerful force in the socio-economic politics of Nigeria, and is more fervently exhibited within the 'indigene-settler dichotomy' (Odoemene 2008). This sharp division results both from the awareness of indigenes (hosts) and settlers (strangers) that they are different, and from the labelling of 'settlers' by 'indigenes' (Ibeanu and Onu 2001). Indeed, the indigene-settler question in Nigeria remains a contentious issue in accessing land, education, employment, political prospects and other socio-economic opportunities. Due to its exclusionary nature, it has been the root of many conflicts in the country.

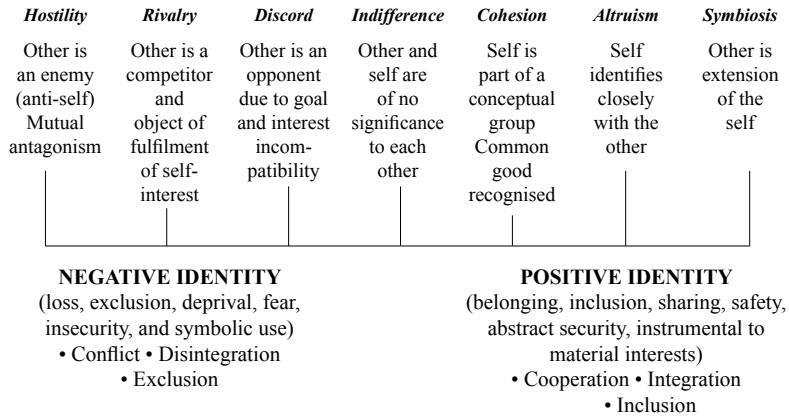
Consequently, ethnic identity in Nigeria has profound consequences for the bearer's physical safety, political status and economic prospects (Agbese 2001; Albert 1993a; International IDEA 2000; Nnoli 1978; Otite 2000; Osaghae 1994; Ukiwo 2005). This is especially so for many millions of Nigerian citizens who have to live and work in inter-ethnic contexts. Obviously, a major social and political problem Nigeria faced in the preceding century and will continue to face in this twenty-first century is ethnicity (Agbese 2001).

The indigene-settler dichotomy, which is a nationwide phenomenon, has largely acquired acceptability all over Nigeria. The concept of 'indigeneship' remains very strong and viable in the country, as social spaces, even cities, are identified as 'belonging to' particular ethnic groups. As Plotnicov (1972:1–2) notes, '*Owners of the land*' is a phrase widely employed in Nigeria to designate the 'indigenes' (natives) of an area, even when they are politically subordinate

there; while 'strangers' (settlers), the paired contrasting term, covers people of alien origin who are permanently settled among these 'indigenes'. An attempt to clarify any of the two concepts, however, implies a simultaneous engagement with the other. Mamdani (1998:1) aptly captures this relationship: 'The settler-native question is a political question. It is also a historical question. Settlers and natives belong together. You cannot have one without the other for it is the relationship between them that makes one a settler and the other a native'.

The question concerning who 'indigenes' or 'settlers' are falls within the ambit of identity. This is a domain of exclusion and permanent contestation. This is so because the distinction between these groups is used for exclusionary purposes: 'indigenes' seek the exclusion of those categorised as 'settlers', while those being excluded on the ground of 'settlership' seek equity and contest their exclusion on grounds of citizenship of the Nigerian State (Egwu 2005:12). Thus, the 'indigene' and 'settler' syndrome in Nigeria is fast hardening into a theory of ethnic exclusiveness and exclusion. Nonetheless, apart from being a constitutive component of inter-group politics, ethnicity also has transformative tendencies, which could produce conflict as well as cooperative outcomes (Du Plessis 2001). In other words, depending on utilisation, ethnicity could either be dysfunctional/destructive or functional/constructive. This duality of identity is best illustrated by a measurement of ethnic identity on a spectrum ranging between hostility and symbiosis (see figure 1). Despite the widespread occurrence of violence of varying degrees in many Nigerian urban settings owing to tense conflictual relations between indigenes and settlers, a few urban social spaces have been uniquely marked by a history of productive inter-ethnic relations (cooperation, coexistence and harmony) between the diverse groups in the area.

Figure 1: Measurement of Identity



Source: Adapted from Cronin 1999:13

This paper explores the historical sociology of inter-ethnic (indigene-settler) relations in Enugu city, south-eastern Nigeria, since the end of the civil war. The idea is to identify, interrogate and explain the factors responsible for cooperation, coexistence and harmony in inter-ethnic relations between the Igbo (indigenes) and the 'settlers' in the city, and to underline the significances of their experiences in ethnic conflict management. This achievement is even more noteworthy in the post-civil war period, due to the negative effects of the civil war on ethnic relations in the country, especially between the Igbo and the current settlers in the city.

Setting and scope of the study

Enugu city has been a major and well-known urban, coal-mining and commercial centre since its foundation in 1915. 'Enugu', which means 'Hill Top' (or 'top of the hill'), indicates the topography of the city – about 763 feet above sea level (Ministry of Information and Home Affairs 1972; Udo 1981). It is also euphemistically referred to as the 'Coal city' due to the significance of Coal for the city's foundation and development. Enugu was the administrative headquarters of Nigeria's Southern Provinces in 1929, and that of the defunct secessionist state of the Republic of Biafra in 1967. Enugu city had a population of about 138 500 in

1963, some 342 800 in 1986, an estimate of about 465 000 in 1991, and a projected estimate of 557 584 in 1996 (National Population Commission 1991; Odoemene 2008).

The time scope of the study is from 1970 to 2003. The Nigerian civil war, which sharpened and reinforced ethnic divisions and mistrust in the country, ended in 1970. That conflict was, indeed, a significant watershed in the socio-political and conflict history of Nigeria and its end marked a 'new dawn' in the country's ethnic relations, especially between the Igbo and other ethnic groups. Thus, how Enugu's ethnic Igbo were able to achieve peaceful coexistence with their visitors after the 30-month vituperative civil war between them is of significance. Additionally, 2003 marked the successful end of Nigeria's second civil rule period since the end of the civil war in 1970. It is important to the study because of the significance of the civilian dispensation on ethnic relations after fifteen consecutive years of divisive military dictatorship, which highly polarised Nigerians along ethnic lines.

The peopling of Enugu

The rise of Enugu as a modern city began with the active penetration of the area that later became Nigeria by the British colonialists in the first quarter of the twentieth century. A geological exploration commissioned in 1903 under the auspices and direction of the Imperial Institute, London, was led by Mr Albert Ernest Kitson, a British mining engineer and scientist (Imperial Institute 1941:36; Akpala 1965:241). In 1909, the exploration team came across extensive deposits of real sub-bituminous coal in Udi Ridge and Okoga areas, east of Ngwo village (Akpala 1965; Hair 1954; Ogbuagu 1961). By 1915 the colonial administration had started negotiating with the indigenes on the acquisition of lands for the establishment of a colliery and a railway, and the development of a large part of what has become the Enugu Township (Akpala 1965:336).

As soon as the land grants were secured, Mr W.J. Leck, in the company of a few other Europeans and some indigenous peoples, came to stay. These indigenous peoples were led by a certain Alfred Inoma and had come from Onitsha as labourers for the colliery (Hair 1954; Prince of Peace Volunteers 1966). Mr Leck and his group set up their abode in the area presently known as 'Coal Camp' and

these were the very first structures set up in what later became Enugu. Coal mining started by mid-1915 and a railway line linking Enugu with the coast at what later became Port Harcourt was completed by the end of 1915. This was primarily for the transport of mined coal.

A significant point to note about the development of Enugu's coal and railway industries is that they were essentially colonial projects. Again, they were developed immediately after the period when the northern and southern protectorates were amalgamated into one entity called Nigeria. Thus, the colonialists necessarily employed 'Nigerians' from a diversity of ethnic groups for work in these industries. Many more drifted to the new town in search of livelihood, as urbanism was a primary demographic pull factor at the time. Consequently, Enugu started witnessing unprecedented waves of migrants from diverse racial and ethnic origins, as well as occupational backgrounds. The stimulation this plural population gave to the town's socio-economic life engendered development and growth, and transformed the town into the only significant coal mining district in West Africa (Prince of Peace Volunteers 1966). Over time, Enugu town continued to widen in scope and became more accommodating to people from far and near (Enugu State Department of Information and Culture 1993).

The dramatic upsurge in the town's population also meant the gradual constellation and emergence of a permanent cosmopolitan and multi-cultural society. This trend was significantly altered, though, from the mid-1960s with the political crisis that engulfed Nigeria and snowballed into the 30-month ethnic-based civil war. This crisis period saw the drastic halting of Enugu's population growth; instead it witnessed the mass exit of non-Igbo persons who either fled to safer abodes or were expelled from the region by the then Biafran leadership. However, the town at the same time played host to thousands of Igbo people who had escaped the Igbo pogrom in the northern and western parts of Nigeria. For this group of urban-dwelling Igbo, Enugu town was, naturally, the preferred choice destination.

The civil war period also witnessed unsteady migrations into and out of Enugu – a situation that was to continue until the end of the war in early 1970. With the end of the civil strife, the town witnessed yet another round of dramatic migration, this time mainly by dislodged peoples wanting to resettle after the dislocating civil

war (Odoemene 2008). Though this movement naturally involved Nigerians from diverse ethnic groups, it was noted as being largely an Igbo affair (Udo 1981), unlike in previous times. Many members of the other ethnic groups were reluctant to venture into the post-civil war Igbo homeland. Again, the two industries on which the town thrived – the colliery and the railway – had literally died out, making Enugu town very unattractive for many non-Igbo migrants.

Ethnic provenance of Enugu's population

Though Enugu city tended to be communally heterogeneous right from its inception, the bulk of its population has been drawn from Igboland. As in the case of Port Harcourt, the Igbo responded enthusiastically to the new economic opportunities and alluring fascinations offered by the new city more than any other group (Wolpe 1974:25–26). They, more than any other group, found it easier – more convenient, accommodating and expedient – to migrate to Enugu city. This was for obvious reasons: same language, traditions and very similar climatic conditions. Apart from the Igbo, the next significant group in Enugu has always been the Hausa, together with their close associates (in the Nigerian context), the Fulani. These were followed by the Yoruba who were also quite substantial in the city (Okwudiba Nnoli 2005: personal communication (PC)). Members of other ethnic minorities, especially from Nigeria's Middle belt and Niger Delta regions, were equally represented in the city, though not substantially.

In 1929, ethnic groups (according to geo-political regions) in Enugu town were represented in the following proportions:

From Northern Nigeria: 2%
From Western Nigeria: 10%
From Eastern Nigeria: 87% (Coastal tribes, such as Calabar, etc. – 2%; Igbo – 85%) (Hair 1954:3).

Hair (1954) also reports that though a 1945 one-man count in Enugu (the 'Dewhurst Census') did not inquire into ethnic provenances, such figures (according to geo-political regions) were calculated by the Local Authority from tax returns. The proportions were distributed as follows:

> From Northern Nigeria: 3%
> From Western Nigeria: 5%
> Form Eastern Nigeria: 91% (coastal tribes, Calabar etc., 4%; Igbo tribes 63%; south Iboland [sic], Owerri, etc., 24%) (Hair 1954:5).

The next census (the 1953 general census) agreed fairly well with the 1945 one-man count in finding that 87% of the inhabitants were of Igbo stock, while other regions were represented in the same distributions (Hair 1954:5).

Ethnic provenance of the city's population in the early post-independence era (up to the later part of 1966) still had the distribution trends stated above as there were no major or radical alterations in this regard. However, this distribution was altered in the crisis and post-war periods, allowing for the settlement of more Igbo people in the city, in a proportion hitherto unknown (Okwudiba Nnoli 2005: PC). Though the official figures for each group in the city were not known, as subsequent national census exercises in Nigeria clearly avoided questions of ethnicity, most opinion and community leaders in the city attested to this remarkable shift in ethnic provenances of Enugu's population.

Indigene-settler relations in Enugu city

With the end of the civil war, one would have expected that the relations between the Igbo in Enugu city and the other groups who were on the 'Federal side' during the war would be anything but good. But on the contrary, the reverse was the case: Enugu has witnessed a history of enduring inter-ethnic harmony among the many diverse ethno-cultural groups in the city. This does not mean that issues of ethnic conflict and tension did not occur among the groups' members, but they were carefully managed and handled to have productive ends for the overall benefit of the city and its inhabitants, indigenes and settlers alike. This achievement has, however, not been without enormous challenges for the people.

In the social life of Enugu, ethnic origins were often of great importance in everyday life, though these were, sometimes, not taken into deep consideration. In ordinary conversation, one was often apostrophised as 'Yoruba', 'Bini', 'Igbo', 'Hausa', 'Fulani'

and so on, and ethnic origin was often cited in describing personality in the city. Similarly, a large proportion of the quips in conversation between and/or among Enugu residents turned on the qualities and defects attributed to each person by reason of his/her ethnic origin. Though there were no violent conflicts among the ethnic groups in the city, this is not to suggest that there were no moments of upset or provocation. Indeed, provocations were easily stirred up among the groups by derogatory stereotypes and mindsets about one another.

Responses from members of diverse ethnic groups in the city to questions relating to thoughts about one's group and 'the others' showed that ethnic stereotypes remained very strong. The responses from each group's members were closely similar because they reflected not varying individual experiences, but age-long stereotypes – sometimes disparaging stories, sayings and notions – which have been passed down over the years. Most of these stereotypes about 'the other' were found to be historically inaccurate, but have been kept 'alive' over the years and moved on to different generations like oral traditions. Similarly, each ethnic group member interviewed had a belief in the intrinsic superiority of his/her own group over others. This is not surprising. As Byaruhanga (1999) observes, it is assumed by the members of an ethnic group that their values, achievements, goals, organisation or even physical structures are better, while at the same time they are holding others' ethnic qualities to be inferior and not to be preferred. This sometimes informs the dislike (or hatred in some extreme cases) and contempt for the other group(s), and is the root of prejudices, and eventually, stereotypes.

Generally, it was also observed that the non-Igbo ethnic groups were somewhat less critical of one another, as though their aggressiveness was essentially crystallised around the Igbo. This could be as a result of the over-bearing Igbo dominance in almost all affairs in Enugu city, which could have made the other groups more critical of them, while being lenient to one another. Another point to note is the effect of religion on ethnic relations in the city. As has been observed elsewhere, 'religious unity causes ethnic differences to disappear' (UNESCO 1974:99). In Enugu city, Islam, in particular, weakened the spate of ethnic antagonism among the Hausa, the Fulani and most of the Yoruba settlers. Similarly, marriages between people of these ethnic groups, unlike with the Igbo, were all the easier since Islam included them all.

In terms of ethnic violence, there were very few instances of aggression, and only one major case of overt violence in the city since 1970. Surprisingly, it was one in which a Hausa man (a settler) killed an Igbo man (an indigene) at the 'Artisan Market' in late 2003. As one would ordinarily expect, violence by the Igbo against the Hausa was to ensue, but was prevented by the timely intervention of the state and the social networks of the ethnic associations, whose members were affected (Baba Ali; Haruna Sule; Okwudiba Nnoli 2005: PC). Indeed, there were other intermittent, but not frequent, cases of bitter conflicts between Fulani herdsmen and local farmers living in the outskirts of the city. None of these, however, resulted in hostilities, as they were always amicably resolved by the authorities and networks of the ethnic associations affected (Umar Sambo; Yesuf Sambo 2005: PC).

In all, despite the challenges of interrelations that confronted indigenes and settlers in the city, they learnt to, and did, coexist and cooperate in many spheres of endeavour. Almost all the respondents, including settlers in the city, attested to the positive inter-ethnic relations between the two segments. These candid expressions by one of the groups' leaders are revealing and representative of the general opinion of the city's diverse residents:

> We do not have any problems with the people [hosts] except minor issues… We all work together; whether Yoruba, Igbo, Fulani or Hausa… We attend each other's festivals and occasions when invited. We also intermarry… We monitor situations closely and manage conflicts that arise. They [indigenes] have their leaders who are committed to peace, so we work hand-in-hand with them to ensure peace in the town… If there is any kind of problem [with one of us], they [the indigenes] come to us to report the problem and we call our people to order, and vice versa. Since I came back here in 1970 till date, there has never been any case of violence between us [settlers] and the hosts, or any other group. We are very happy with the situation here in Enugu (Baba Ali 2005: PC).

In summary, this is not to say that inter-ethnic conflicts did not exist in Enugu city within the period of study. However, the point to note here is that the residents

went out of their way in order to maintain peaceful coexistence among themselves, despite all conflicts, tensions and provocations. In essence, the settlers lived, worked, shared, celebrated, mourned and progressed in common with their Igbo hosts. This could be better understood against the backdrop of the Igbo traditional liking for social exclusiveness, which is based on their village-oriented political institutions, but which, uncharacteristically, did not adversely affect the indigene-settler relations in Enugu city.

Ethnic harmony in Enugu city: Some explanations

The question, thus, is: what are the factors responsible for Enugu's remarkable history of enduring peace since the end of the civil war? What explains this enduring legacy of ethnic harmony in the city's history? This study was able to identify some critical factors that explain this trend, and they are here presented and argued.

Insignificant number of immigrants/settlers/non-indigenes

The number of non-Igbo immigrants in post-civil war Enugu city was too 'insignificant', unlike in the past, to warrant the feeling of socio-economic threat or dominance among the Igbo hosts. This fact removes the desire by the host to discriminate against or victimise the settlers, since they (the settlers) do not really pose a problem due to their sheer number. This 'insignificant immigrants' situation in the city was particularly so because of two basic factors. The first was the 'dying out' of the colliery and the railways – two important establishments that underlined the growth of the city – leading to the city's loss of locational importance. This sudden dwindling status of Enugu city made it seemingly 'unattractive' to immigrants (Okwudiba Nnoli 2005: PC). The second factor was the civil war experiences, which had very negative effects on the city and its social relations. Non-Igbo immigrants were, thus, weary of further migrations to Enugu due to the strained relations between the Igbo and 'the others' (Haruna Sule 2005: PC). Further buttressing this point, Abubarkar Sadiq (2005: PC) notes that:

> The relationship between us [indigenes and settlers] since after the civil war has not been the same. Not that it is not cordial, but it has not been as cordial

> as it used to be then [before the civil war]. The issue is that there have been lots of differences…simply because of the war… This [the war] was the problem that brought about changes in our relationship with the indigenes. And this is very regrettable.

Okwudiba Nnoli (2005: PC) also notes that:

> The [Enugu's] borders are continually 'freezing up' since after the civil war… Before the war it used to be more flexible and open… When we were younger, there used to be more Hausa and many more Yoruba people. So it was really a multi-cultural and multi-ethnic community we had here then. People were moving back and front at that time… But since after the war everything got polarised. People now migrate into the city in lesser numbers, and only do so when it is absolutely necessary…

Basically, the argument here is that it is, most times, possible to disregard the relative influence and activities of a minority (or minorities) within a given spatial location, as its (or their) numerical strength would not pose a threat to the majority group, or undermine its dominative system. In other words, when the minority/minorities is/are too small and very easy to 'contain', threats of possible socio-economic dominance – the key source of livelihood and wealth – of the majority are reduced. Thus, coexistence and stability are enhanced.

Groups' trade specialisations and 'non-exclusivist' competition

The non-exclusivist nature of ethnic group competitions and the near lack of a zero-sum conflict situation among them were major factors of ethnic harmony in the Enugu polity. These have been made possible due to 'narrow specialisations' in distinct trades along ethnic lines, thus negating the need for destructive trade competitions and exclusivist conflicts. As trade and markets are meeting points for diverse ethnic and social groups, there is strong potential for a range of trade-related issues to lead to conflict. Struggles over trade control and market power, access and space also occur along commodity chains. These are particularly likely to contribute to the sparking or escalation of conflicts where underlying tensions related to structural factors were also present.

However, despite the potential for trade to become a locus of conflict, trade specialisations along ethnic lines, non-exclusivist market relations and trading relationships have facilitated coexistence and harmony among ethnic groups. These have also helped in the reconciliation of conflicting groups and facilitation of social networks among these groups, on another level. Noting the nature of this trend, Okwudiba Nnoli (2005: PC) asserts that:

> They [diverse groups] seem to have carved out different economic niches for themselves. Each group doesn't seem to be competing with others in their areas of specialty. For instance, the Igbo and Yoruba don't seem to be competing with the Hausa in the cattle trade and all its smaller units, like the making of '*Suya*'[1] and all that, you know. And the Hausa, on their part, don't seem to be going into any other businesses that are the area of specialty of the Igbo, and so on.

Elaborating further on trade specialisations of his people, Haruna Sule (2005: PC) notes that:

> The Hausa strictly face their business. The only way we [Hausa] could have problems with them [indigenes] is by trying to drag things with them. All Hausa people in Enugu do not seek employment in any place. They are all self-employed. Seeking for job is another way whereby conflict will arise… All the products we sell come from the north. So there is no problem with the indigenes. The same goes for the Fulani here in Enugu. There is no competition between us and the indigenes. Not at all.

Furthermore, without prejudice to other ethnic groups existing in the city, a close survey and examination of the main pre-occupations of the major ethnic groups' members in Enugu (see Table 1) lays credence to this fact of group specialisations.

1 *Suya* is a popular Nigerian meat snack and cuisine which originated from the Hausa people of northern Nigeria. It is often made of skewered and grilled beef coated with spicy peanut rub. *Suya* is usually served with ground pepper and onion.

Table 1: Groups' pre-occupations and trade specialisations in Enugu city.

Hausa and Fulani	Dealers in live cattle, sheep and goats; meat sellers (including '*Suya*'); dealers in various perishable vegetables (from the north); itinerant traders of assorted items; leather work and sales; house guards and night watchmen; mobile shoemakers; money changers [*Bureau de Change*]; truck/trailer drivers; tailors (mainly of ethnic Hausa and other northern wears); fresh milk hawkers (by maidens); water fetchers (by males).
Igbo	State civil servants (including parastatals); Federal civil servants (including parastatals); primary, secondary and tertiary school teachers; workers in corporate establishments (Banks, Multi-nationals, Insurance, etc); general products and produce traders (in markets); motor spare parts dealers; dealers in assorted electronics; builders; taxi drivers; tailors (mainly of ethnic Igbo and general wear); hoteliers and restaurant operators; farmers.
Yoruba	Federal civil servants (including parastatals); workers in corporate establishments (Banks, Multi-nationals, Insurance, etc); 'ethnic Yoruba restaurant' operators; builders; tailors (mainly of ethnic Yoruba wear); computer accessories and allied materials dealers.

From Table 1 above, one could decipher that apart from a few of these ethnic group members, especially the Yoruba that sought and got 'white collar jobs' in the government or corporate establishments, the majority of non-Igbo immigrants in Enugu were self-employed. Additionally, those who took up these 'white collar jobs' were still in negligible minority, when compared to the Igbo in the same occupational area. Again, the different group members almost wholly took to businesses that were not often the regular pre-occupation of the Igbo in the city. These conditions made for the non-existence of the often divisive and deadly exclusivist competition among the groups in a city.

This position is further buttressed by Barth's (1968) observation, that plural societies are most stable and enduring when the ethnic groups existing in them occupy different ecological niches, in other words, are making their living in different ways and are not competing. Jha's (2007) perspective on economic 'complementarity' between 'locals' and 'non-locals' further supports this

argument. As Jha (2007:3–4) puts it, when ethnic groups provide complementary goods or services to one another (rather than competition between the groups), the incentive for aggression against non-locals diminishes. Thus, the greater the inter-group 'complementarity', the less incentives for ethnic violence.

In addition to this, there was the fact that most of Enugu's non-Igbo immigrants, especially the most dominant group (the Hausa), did not possess an economic aggressiveness in the pursuit of their affairs in the city. Shack (1979:6) points out that economic aggressiveness of strangers '…is often responsible for hostility to them by members of their host communities'. This has, interestingly, been amply demonstrated by the cases of Igbo economic aggressiveness in Kano (Osaghae 1994) and also the Jos situation (Plotnicov 1971; Danfulani n.d.).

Lack of upward socio-economic mobility among dominant settlers

The visible lack of upward socio-economic mobility among most of the migrant settlers in Enugu was yet another considerable contributor to ethnic harmony. Upward socio-economic mobility among strangers (immigrants) in many societies poses a great threat to the host population (indigenes) of the locality. According to Jha (2007:4), 'the resulting wealth inequalities between locals and non-locals lead to incentives by strong locals to target non-locals with violence to seize wealth and property'. In fact, the lack of upward socio-economic mobility which is often exhibited by the ways of life of these settlers, was alluded to by most of the immigrant respondents for this study. Again, this has often been the experience in many Nigerian urban spaces over the years. However, the kind of jobs that were taken up by most dominant settlers in Enugu city (as could be seen in Table 1 above) at most times accrued meagre profits which did not permit a show of affluence. Therefore, this was positively crucial to social stability in inter-ethnic relations in the city.

Roles of ethnic unions as elixir in urban violence

The roles of well-structured ethnic unions in the organisation and control of their group members was also identified as one other factor of enduring ethnic harmony in the city. Enugu has a plethora of such ethnic-based unions, most of which are efficiently administered (Odoemene 2008). Their contribution towards peace

and stability in the city was primarily through their conflict management and peacebuilding efforts. This is especially so since they were essentially 'a response to a conflictual situation' (Eleazu 1977:99) that existed in the urban setting. As a platform used for ensuring the socio-economic and psychological wellbeing of their various members (Osaghae 1994; Mabogunje 1976), ethnic associations usually had a large measure of control and influence on their members.

Complaints and petitions against persons of other ethnic groups were channelled to their ethnic union(s) by the aggrieved through his/her (their) own union leaders or authorities. Furthermore, the protagonist in any conflict was cautioned or punished by his/her union's leaders, while compensations (where necessary) were collectively discussed, agreed on and duly paid to victims. Most of the respondents pointed out that the invitation of the Police into inter-ethnic affairs seldom happened, as these ethnic unions were very competent to handle any kind of conflict affecting them. Haruna Sule (2005: PC) takes important notice of this:

> If the Fulani (in the bush) have problems where they are, they come to me or their leader [to report] and we will send some people to go and find out what the problem is. Or we will invite the people involved through letters. For example, the type of problem they usually have is with their cattle grazing. If the cattle destroy people's farms, they [the indigenes] will complain and protest about such things and what we do is to go and meet with the Igwe [Traditional Ruler] of the affected people to settle it there outrightly.

Alhaji Ade Adeyelu (2005: PC) further buttresses this position:

> Our form of peace committee is this: when we have little conflict, we come together as an association, to meet with the indigenes to settle our differences. That's what we do… Any person who causes a breach of the harmonious co-existence of the members of this city is made to make up for it, irrespective of his tribe [sic] or status through just reparation or restitution, depending on the offence committed. This is done here through his or her town union. Every tribal union [sic] here does this. And it works for us, as you can see.

Varshney's (2002) thesis on the roles of civil society social networks in ethnic conflicts readily comes to mind here. According to Olaniyi (2003), ethnic associations and their networks fall into the category of organised civil networks. Hence, the political dynamics by which these associations mobilised their social networks, the ends they sought to advance and the means by which they pursued these ends, contributed towards ensuring peaceful coexistence between/among diverse ethnic groups in Enugu city.

Non-segregated accommodation structure

Research has shown that segregated ethnic accommodation, whether self-imposed or brought about by legislation, is a social and cultural context which elicits some kind of discrimination in actions and/or practices. Such accommodation has been shown to be conducive to marked social distancing, qualification of 'others' by means of negative determiners, and ethnic intolerance (Zaharijevski 2006:37; Adeboye 2003:304). It causes the strongest social resentment, encourages the stressing of negative qualities and the cherishing of negative stereotypes of others. Therefore, housing segregation is related to negative ethnicity and stereotypes, and often brings about bad feelings, mutual mistrust, suspicion, unhealthy rivalry and resentment (sometimes outright hatred) of 'the other' (Odoemene 2008). Indeed, residential segregation has had diverse and deep-rooted implications for ethnic relations in Nigeria. Not only did it enhance conflicts, but also accentuated the differences among diverse groups in societies where they existed. Of course, the results have always been distasteful and undesirable (Bako 1990; Albert 1993a/b; Osaghae 1994; Adeboye 2003; Olaniyi 2003).

In respect of Enugu city, settlers largely lived 'ordinarily' among their hosts (indigenes). Those who lived in what may be referred to as 'ethnic enclaves' (mainly the Hausa and some Fulani) did so in 'un-segregated neighbourhoods', strictly speaking. These enclaves were located amongst their hosts (the Igbo) and were not separate 'stranger quarters', as was the case elsewhere in the country. Thus, the ills associated with segregated neighbourhoods were largely eliminated. This arrangement in Enugu allayed the palpable suspicion and fear among hosts and strangers of what the other party was up to, or, indeed, planning for them. It

also enhanced and encouraged interaction between the groups and made for the gradual integration of strangers with the host populations.

Igbo worldview on strangers, and the influence of Christianity

The Igbo worldview on the status and treatment of strangers and the shedding of their blood on Igbo soil is another factor of ethnic harmony in Enugu. This is also intrinsically tied to the influence of Christianity, the dominant religion in Enugu area, which reinforced this worldview. Of all the breaches of social and cosmic harmony in traditional Igbo society, interrupting human life, whether one's own or another's, was about the most grave. To the Igbo, *life is sacred* and comes only from God. Thus, God alone has the right to interrupt it at any stage. Consequently, the society promotes social harmony among its people and its visitors/settlers, as the spilling of human blood defiles not only the murderer, but also the land on which the act was committed (Amaechi Ofodile 2005: PC). In Igbo traditional religion and cosmology, *Àlà* (the earth goddess) is a revered deity, whose anger could bring untold pain and anguish on the people that defile her.

Furthermore, the Igbo believe that all human beings are children of the same one big God, *Chi-Ukwu*. Thus, the so-called 'stranger' or 'settler' was regarded as an 'unknown relative' (Chimezie Ugbaja 2005: PC). Again, given the Igbo traditional belief that divinities often take human forms to bring some important messages to humankind, the Igbo were generally careful not to harm strangers for fear of unknowingly harming a divinity, with all the consequences that came in its trail (Amaechi Ofodile 2005: PC). Based on the foregoing, it seems, therefore, to be a widespread moral norm in Igboland that one had to be hospitable to strangers, especially when they came and stayed peacefully.

The Igbo philosophical worldview on strangers could be summarised in the following Igbo aphorisms: '*Ọ bịara nga m, ya abịagbule m; Ya lawa, Ọgwụ akpọla ya*' (He who comes to my place, may his coming not kill me; whenever he leaves, may he not encounter obstacles). Another very popular one says: '*Egbe bere, Ugo bere; nke sị ibe-ya ebela, nku kwa ya*' (Let the Kite perch, let the Eagle perch; any that does not allow the other to perch, let its wings break). These time-honoured Igbo traditional philosophies of 'Live and let live' essentially recognise the utmost importance of tolerance and peace in all human relations and as

important ingredients for any stable political arrangement. They underscore the need for cooperation and harmony in human dealings and constrain selfish and unsympathetic relations among diverse peoples (Ndiokwere 1998:227).

It is a truism that owing to culture contacts and disruptive social change, the Igbo worldview of strangers has had some transformation in perception, meaning and practice over the years. However, it is argued that this is most likely the case for the migrant Igbo who are more affected by the vagaries of urban life, rather than those still living within Igboland and clinging to traditional Igbo lifestyle. For example, there have been instances of violent challenges by the Igbo which led to the loss of human lives. Two recent significant cases would suffice. Firstly, in 1991, there was a violent attack on the ethnic Igbo resident in Kano city by the Hausa (Kanawa) indigenes, which led to the death of several Igbo people and the displacement of several thousands. A repetition of such conflict some weeks later saw the Igbo reactionary agency violently challenging the situation, and killing several hundreds of the city's indigenes.

Secondly, in the wake of the 1999 '*Sharia* conflicts' in Kaduna state, some thousands of Igbo men and women were massacred by Muslim zealots in the state. As it is uncustomary for the Igbo to be buried outside of Igboland, these corpses were brought back to Igboland in trailer loads, and the spectacle triggered off violent reprisals from Igbo indigenes resident in some Igbo cities – Umuahia, Owerri, Aba, and Okigwe (but not in Enugu). In the process, a few thousands of northerners (Muslims and Christians alike) resident in these towns were killed. In other words, the argument being made from these two scenarios is that the Igbo worldview of strangers was jettisoned and the blood of strangers, which ordinarily would have been spared, was violently spilled. This happened both in the strangers' land and also in Igboland, but it was arguably triggered by the exigencies of the moment, rather than the wilful initiation of violence by the ethnic Igbo.

Christianity, the main religion practiced by the Igbo, further strengthened these traditional philosophies. In Christendom, the shedding of human blood, for whatever reason, is condemned. Revenge is also highly discouraged by the religion. Thus, the wilful killing of strangers by the Igbo is totally abhorred by their religion, while their capacity to avenge ills committed against them was also greatly

hampered by the religion. Going against these biblical injunctions would mean departing from God's presence and his favours, a much unwanted and detestable condition for the average Igbo Christian. One could very comfortably state that the southeast geo-political zone of Nigeria, the core of Igboland, has been the most peaceful in terms of inter-ethnic relations and the initiation of violence against the other since the end of the civil war. Indeed, cases of wilful initiation of violence against strangers in Igboland are rare, if they exist at all. This situation is rooted in the Igbo worldview on the status and treatment of strangers, and reinforced by their Christian beliefs.

State intervention in inter-ethnic conflicts and military presence

Since the end of the civil war, inter-ethnic conflicts in Enugu city have been carefully managed by the Enugu State government. Indeed, any ensuing ethnic conflict, or seriously publicised discriminatory treatment of strangers on ethnic grounds was treated as a matter of state security (Festus Adedayo 2005: PC). By the same token, in the only case of violence that occurred in the history of the city since the end of the civil war, the 'Artisan Market' brawl of late 2003, the Enugu State government, alongside the ethnic unions affected, acted swiftly (Festus Adedayo; Okwudiba Nnoli; Musa Abubarkar Sadiq 2005: PC). The quick intervention of these stakeholders in this matter saw the averting of imminent violence, which would have mainly targeted the Hausa and Fulani settlers in the city. This view, one of the many such opinions given, vividly captures this general perception:

> …our safety in this place [Enugu city] is partly because of the concern and intervention of the government in Enugu State. Since this governor[2] came to power, he has always taken our safety as of paramount concern, you understand? His agents and assistants come regularly to make sure we were safe. You see? This is also the way it has been since I came here in 1971, that is, after the war... Any time we got into problems with the indigenes, they would come to settle the problem fast... Even when there is problem in the north,

2 According to the Nigerian constitution and related decrees, a state governor, whether civilian or military, either directly or through representatives, monitors and regulates conflicts, especially ethnic conflicts, within his/her state.

> like in Kano or Bauchi, they always reassure us of our safety…and protect us (Nura Baba 2005: PC).

Another factor of social stability in Enugu city, though not popularly alluded to, or corroborated by respondents, was the presence of the military in the town. Indeed, one finds it plausible to argue so. The military estate was established in Enugu town in 1933, and by 1967 when the civil war broke out, the population of ethnic Igbo members of this estate was appreciably high when compared with those of other major ethnic groups in the country. However, the fortunes of the Igbo in the military were negatively altered with their defeat in the civil war, as the post-civil war government policies ensured their systematic marginalisation in the military (Omoruyi 1999:25, citing Ojukwu 2002:348).

This situation led to the overwhelming dominance of the military by northerners, especially the Hausa and Fulani peoples (Ojukwu 2002:347–348). The resultant effect has been the over-concentration of northerners in every military facility across the country, including the various army outposts in Enugu city. This imbalance had grave implications for conflictual ethnic relations in the city, because the bias of this outfit in conflict situations cannot be in great doubt. This is so when one takes into cognisance the establishment's configuration and ethnic provenance, especially as the military has often been indicted for complicity in inter-ethnic conflicts in the country. Thus, the realisation of the fact of such imbalances and the likelihood of bias by the army, especially when the Hausa and Fulani were affected/attacked, might have been a source of caution to Igbo indigenes in Enugu city.

Memories of such 'punitive expeditions' by the army in very recent times would only reinforce this caution. Such army campaigns in places like Odi (Bayelsa State) in November 1999 and Zakibiam and Gbagi (Benue State) in October 2001, were still very fresh and unpleasant. Of course, no sane society would want to be caught up in such an imminent military debacle, should the situation arise. Thus, the mere existence of the heavily Hausa/Fulani-dominated army estate in Enugu city was a notable factor of harmonious inter-ethnic relations in the city.

Conclusion

Though Enugu's case might not be a very perfect example of ethnic harmony and coexistence, it is, nonetheless, good enough for reference purposes. It proves that, though conflicts were ubiquitous in plural societies, their constructive management could be functional, rather than dysfunctional. This achievement of peaceful ethnic relations in the city has been, to say the least, remarkable and significant. This was not only due to its comparative dimensions, but also because of the nature of the reasons for the existence of such an atmosphere in the city. These have been diverse, simple and engagingly novel. In all these, however, one underlying factor had been the earnest 'will and desire' of members of the diverse groups, here broken down into two – 'indigenes' and 'settlers' – to coexist and cooperate, and contain their differences and conflicts without recourse to violence. Enugu, however, still faced some major challenges in terms of ethnic relations. One main area of concern was the spate of violent ethno-religious conflicts in the northern parts of the country, mainly targeting the ethnic Igbo. The introduction of 'reprisal killings' in reaction to the northern situation is a point at hand. Though there have not been such reprisals in Enugu city, its further patience should not be tested, especially as it is very strategic to both the Igbo as an ethnic group and inter-ethnic relations in south-eastern Nigeria. A case in point is the recent violent ethno-religious conflicts in Jos city, Nigeria, which also underline the complexities of the indigene-settler dichotomy in the country. Indeed, Enugu city has all the socio-demographic characteristics of Jos city: colonial origins,[3] cosmopolitanism and ethnic diversity, contested indigene-settler dichotomy, contested ownership of the city,[4] and marked religious differences between the indigenes and the most significant settler group. Thus, Enugu city is not immune to such violent explosions as witnessed in Jos city, especially in the face of continuous provocations.

3 Indeed, both Enugu and Jos cities share some unique similarities: both were founded in 1915 by the colonialists; the former's foundation and development was based on the coal mining industry and economy, while that of the latter was based on the tin mining industry and economy.

4 Though a remote possibility in present-day Enugu city, this has been a prominent case in Jos city and could be in any other Nigerian city, including Enugu, with colonial origins and age-long histories of migrations.

The intermittent violent skirmishes, in which the Igbo get killed, if not stemmed, could compromise Enugu's tradition of ethnic tolerance, harmony and goodwill. This situation is even more charged with the activities of the neo-Biafran Igbo mass movement and the Movement for the Actualisation of the Sovereign State of Biafra (MASSOB). This movement has been engaging with the Nigerian State in its secessionist agenda for the ethnic Igbo. With MASSOB's diverse network, mass membership and followership, ethnic colouration and locations, sentiments could be easily mobilised for reprisals against perceived ethnic enemies. These hard facts must have to be borne in mind constantly, consciously and cautiously.

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Book review

From soldiers to citizens: Demilitarization of conflict and society

João Gomes Porto, Chris Alden and Imogen Parsons 2007

Aldershot. Ashgate, 192 pp.
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The focus of this book falls into the greater discussions of peacebuilding and post-conflict reconstruction. This book provides an in-depth analysis of the Disarmament, Demobilisation and Reintegration (DDR) process and delves into an even deeper conversation about the concept and practice of Reintegration. The authors use empirical research on the Angolan DDR process to assess the merits and challenges of our understanding of the process of reintegration.

The authors base the arguments of this book on the assertion that demilitarisation of any conflict is the key to building sustainable peace in post-conflict states. This book makes a crucial argument that if this process is to lead to sustainable peace, then it must enjoy a deep commitment from individuals and communities. The authors adopt an earlier argument that when an ex-combatant returns and surrenders from war the agreement he makes with the Government can be seen as a social contract (Knight and Ozerdem 2004). The DDR process, therefore, is not only a mechanism to establish good governance but it is also a commitment by any recipient government to assist returning ex-combatants in their transition to citizenry.

DDR programmes have received significant attention from academics and policy makers because of the rising numbers of programmes all over the world and the involvement of the international community in supporting these activities. This process has involved incumbent governments, non-state armed groups and third parties that act as mediators. In this book the contributors argue that it is important – if these processes are to be effective – to include them in the long-term development agenda of a State (Ball and Van de Goor 2006). This position has been opposed by those who do not think that military issues should be included in the process of development. The authors have, however, argued that these issues require appropriate responses from development practitioners and therefore security problems need to be integrated into the development conversation. According to the authors, it is the long-term nature of this process and the different complexities involved that must not be underestimated if reintegration is to be successful.

An insightful contribution made by this book is the fact that the DDR processes are often administered in environments in which the political, social and economic structures have been seriously devastated. Most states emerging from war are characterised by weakness, poverty and underdevelopment, which limit the possibilities for achieving the objectives of DDR programmes (Gomes Porto and Parsons 2003). The authors then contend that this environment is critical to the success and failure of the process (Douma and Klem 2008).

A significant contribution of this text is discussion about the place of the receiving society in the process of reintegration. The authors make the case that where DDR only targets the returning combatants, this could greatly inhibit their reintegration into the society. A better approach would be to treat ex-combatants no differently from any other vulnerable group – such as the internally displaced persons (IDPs). The authors make a clear assertion that the process of DDR involves more people than simply the ex-combatants and, as such, there must be equity in the treatment offered to both the communities and the returnees. It is the authors' belief that such involvement of the communities would enable better support for, and reception of ex-combatants.

This book brings a wealth of information to the field of peace and conflict studies. The empirical research base on which the arguments about DDR practice depend gives the reader an opportunity to better understand the practice and the critical challenges of implementing the DDR programmes in weak post-conflict states. The presentation of the empirical research in qualitative discussions and quantitative representations enable the reader to question some of the assumptions frequently made about reintegration. A good example of this is the notion that returnees are always rejected by their communities. The authors in this text argue that this is not always the case and their empirical research establishes that 90% of the returnees reported that they were received positively.

Another useful contribution made in this book is the analysis of the relationship between ex-soldiers and the internally displaced population. The authors contend that the experiences and struggles of this group are not significantly different from those of the returning soldiers, and that the recognition of the disadvantages of preferential treatment of ex-combatants in weak and poor societies is also a vital aspect of reintegration.

The analysis shows how identity and the transformation of identity play a crucial role in successful reintegration, and this is an essential contribution of this text. The identity of an individual forms the basis of his/her citizenship and loyalty. As such the authors' analysis of the political life of ex-combatants is a necessary aspect of DDR.

In conclusion the authors have successfully communicated the importance of a properly effected DDR in securing a post-conflict state. The use of Angola as a case study makes it easier for the reader to understand the theoretical assertions and arguments of the authors. The discussions that marry the theory and practice of reintegration gives this text some objective basis from which practitioners and academics can draw a wealth of understanding of post-conflict peacebuilding practices. This book provides a detailed analysis of the practice, challenges and opportunity of the DDR process in transforming ex-soldiers into citizens.

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Book review

Peace: A world history

Adolf, Antony 2009

Cambridge, Polity Press, 272 pp.
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In *Peace: A world history* Antony Adolf challenges the assumption that peace is solely the absence of war, and aims to provide a history of peace as an independent and self-sufficient concept. The author undertook the work

> … in the belief that coming closer to terms with how and why the world's peaces came or ceased to be what they are is a first and necessary step in renewed directions towards world peace – only to discover that, of necessity, there is no last.

Adolf contends that peace is not a state to be achieved but rather a process to be maintained, and that a better understanding of the history of peace will improve its prospects in the future. Hoping to contribute to this objective, Adolf has compiled an overview of peace from prehistory to the 21st century and beyond.

The book is primarily a historical account rather than an analytical or argumentative work. However, Adolf's central thesis is that peace is a diverse concept, impacted by history and culture, and constantly evolving. Even at one point in history, there will be many different 'peaces' [sic] due to cultural and

other specificities. Nonetheless, Adolf argues that peace is a social imperative for the survival of the human race, and thus we must continue to strive for the appropriate 'peace' in each context. While this thesis is valid, it is also so broad that one questions its utility as a uniting framework for a book of such breadth. The reader senses that Adolf may have liked to contribute a more concrete thesis and analysis to the field, but having surveyed the history of peace and finding it lacking, has published a solely historical account.

Peace: A world history is broad and comprehensive in its scope, not only temporally but also substantively, examining both historical efforts to make and sustain peace, and the relevant literature analysing and envisaging peace. The book is structured chronologically, spanning millennia from prehistory to the 'presents of peace' [sic], devoting only two of its eleven chapters to history post-World War II. While the broad scope of the book underscores Adolf's contribution to the field, it also limits its readability. Readers find themselves engaged by sections with which they have some previous familiarity or understanding, but overwhelmed by detail. One senses the book would be better appreciated after multiple reads. Nonetheless, Adolf has done an admirable job of synthesising a broad field of practice and literature within a coherent framework.

The book opens with the question of whether peace can even be said to have a world history, given its relatively rare occurrence throughout the history of time. In response to a quote contending that war appears to be a 'normal attribute of human life' and thus that the history of peace is irrelevant, Adolf challenges the common conceptualisation of peace as exclusively the absence of war. Rather, he introduces his audience to the 'many other meanings of peace proposed and practiced throughout world history'. He provides three basic categories of peace which he utilises throughout the book: individual peace (or inner peace), social peace (peace within groups) and collective peace (peace between groups). Adolf warns his readers from the outset that his historical account is more a series of signposts than guidelines; that he does not intend to prescribe *how* to do something but rather to let you know 'that you are on the way to somewhere'. This is a fair comment about his work, but readers are still likely to feel exasperated at some points along the journey and desire the signposts to be a little clearer.

The body of the historical account begins with the pre-human period, demonstrating that the basic characteristics of peace can be traced to primates.

While one may question the relevance of primate behaviour to modern international peace, Adolf contends that it is relevant because 'whatever else we are, we are also primates'. He argues that peace has biological and social imperatives for the survival of any species and thus, even in humanity's infancy, violence and war were evolutionary mutations, directly countering the argument that war is a natural state of being.

While there are a number of interesting facts in the chapter on prehistorical times, the reader is relieved as the book moves ahead to the early civilisations of Mesopotamia, Egypt, Greece and Rome, marking the beginnings of international statecraft. During this period, Adolf argues that peace and peacemaking develop from the bare survival strategies of the prehistoric period to create a basis for prosperous and unified states and civilisations.

The review of ancient civilisations is followed by an objective and unbiased survey of polytheistic 'peaces' in Ancient India, China and Japan and monotheistic 'peaces' in Judaism, Christianity and Islam. Adolf skilfully draws out the commonalities in the world's major religions with respect to peace and peacemaking, from Confucius' passive Silver Rule to Jesus' prescriptive Golden Rule. The history of the development of monotheistic religions is thorough and accurate, and the author adeptly demonstrates the common thread that runs throughout the religions, as well as their points of difference, and how each religion conceptualises peace.

The author provides a particularly comprehensive review of the Medieval, Renaissance and Reformative periods, arguing that the Middle Ages, more than any other period in history, has shaped modern peace principles and practices, particularly by innovations in treaty-making. He picks up the commonly accepted turning point for modern peace as the Peace of Westphalia among Europe's major powers in 1648 and the consequent rise of the nation state as the primary vehicle of social and collective peace. Adolf devotes significant attention to a paradigm shift during the Colonial/Imperialist period, typically hailed as a period of violence, atrocities and oppression. Interestingly, Adolf argues that this period played a vital role, in both productive and counterproductive ways, of shaping modern peace and peacemaking, due to the innovative forms of peacemaking practised by colonisers, the colonised, imperial powers and their subjects.

The section on the modern economics of peace and peacemaking provides a succinct and thorough literature review of the predominant schools of thought

– mercantilism (which Adolf argues is 'the least conducive [economic system] to peace'), capitalism and socialism. While the book gives a detailed analysis of the dynamics pre- and post-World War I, it is relatively scant on detail when it comes to World War II. The account of the Cold War period is thorough and authoritative, and particularly useful given many of the institutions that still serve as guarantors of peace were developed in this period.

In the end, Adolf argues that the concept of 'one world, one peace' is fatally flawed because 'peace and peacemaking are contingent on conditions and participants that are perpetually evolving'. In his concluding chapter, Adolf adapts Maslow's pyramid of human needs and motives into a pyramid of peace principles, to summarise the lessons learned throughout the world history of peace. Adolf elaborates on the achievement and maintenance of a peaceful society as beginning with Corporeal Peace (the wellbeing of bodies and minds) and moves up the pyramid through Sancturial Peace (the belief that intentional harm is unlikely to be done to us as individuals and groups) to Socio-Economic Peace, Inner Peace and finally, World Peace. Each of these states of peace must be achieved to some degree before the next state can be properly attained. While the pyramid is a helpful analytical tool to propagate a broad theory of peace, such a dense treatise on the history of peace might cause readers to wish for a more pragmatic analysis –which could more directly influence the achievement and maintenance of peace in the future.

Peace: A world history provides a comprehensive survey of the history of peace, providing a valuable reference point for students, scholars and general readers of peace. Its breadth and detail makes it a strong contender for resource room bookshelves, but perhaps it will have less appeal for practitioners and those interested in a more popular historical overview. In addition to its breadth and detail, other merits of the book include accuracy, objectivity, detailed literature review and a wealth of interesting facts about peace and history. However, the detail is overwhelming in parts and the writing style, at times accomplished, can also be unnecessarily complex. Although not touted as an analytical work, the analysis undertaken is insightful and one feels more analysis would have resulted in a more interesting work. Unfortunately, the density of historical detail may make it inaccessible for many readers. In his first book, Adolf can be admired for canvassing such a vast amount of material in one volume.