

Land Use Conflict and Indigenous Resolution Mechanisms Among Pastoral Communities in Ararso District, Somali Regional State, Ethiopia

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ABSTRACT

Conflict resolution encompasses strategies to fulfill human needs for security, identity, self-determination, and quality of life for those involved in a conflict. This study focuses on land use conflicts and the customary resolution mechanisms to address them. It specifically examines the causes of land use conflicts, the mechanisms utilized for resolution, and the socio-economic benefits derived from these traditional systems. Using both primary and secondary data, the research employed a qualitative approach complemented by quantitative aspects, such as demographic information and conflict causes. The findings revealed that major causes of land use conflicts include grazing land, water sources, farmland, and land enclosure issues. Customary conflict resolution was shown to save households time and money while helping to restore relationships among conflicting parties. The study concluded that traditional methods of resolution are widely accepted and preferable to modern alternatives, proving to be cost-effective and fair. To effectively tackle land use conflicts, and to resolve conflicts between livelihoods, farmers, and grazing, community meetings and open dialogue are crucial. Customary conflict resolution is cost-effective and requires stakeholder participation. The government should document customary laws for future generations, and integration with customary institutions is essential for their preservation and modernization.

Key Words: Customary Conflict Resolution, Conflict, Land, Local Elders, Socio-Economic.

1. Introduction

Land is one of the most important natural resources in the earth. Land particularly used for agricultural purposes is more valuable for the livelihood of people in general and rural people in particular besides ensuring food security as a whole. Therefore, land becomes a fundamental resource for rural areas to increase agricultural productivity and sustainable livelihoods. Today the burgeoning population throughout the world in general and African continents in particular have put more pressure on this resource. Therefore, this resource has become scarce, and optimal utilization of this resource for agricultural usage is of paramount importance

today. Conflict over land resources often has a significant negative effect on traditional, societal, moral, and environmental developments. This is especially true in developing countries and countries in transition, where land market institutions are weak, opportunities for economic gain by illegal action are widespread and many poor people lack access to land. Land conflicts can have disastrous effects on individuals as well as on groups and even entire nations. Many conflicts that are perceived to be clashes between different cultures and clans are conflicts over land and related natural resources.

(Beyene, 2007) indicated that the high success rate of elders interventions in conflict resolution was witnessed despite its revealed weaknesses than other types of third parties such as diplomats, professional mediators, and good offices from international organizations like the UN. In this connection, in a large study of mediation in international conflicts between 1945 and 1990, over half (55%) of the high-level mediation attempts were unsuccessful. Mediation can be deemed successful when it makes a considerable and positive difference to the management of a conflict and the subsequent interaction between the parties. In contrast, failure is defined as occurring when mediation has no reported impact on the disputant parties behavior. However, as society moves towards modernization and civilization, the formal methods (modern legal systems) of conflict resolution become the leading and the primary choice while the

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traditional practices hold a secondary place in comparison to the formal court system, despite their widespread utility and implication, the problem faced with indigenous mechanisms of conflict resolution is that they are not documented as contributive to peace. It usually arises when community solidarity is lost to violent conflict that the importance of such community virtues begins to get recognized. Moreover, the modernity and civilization of the western world pushed to extremely fail to appreciate fully the contribution of indigenous conflict management and peacemaking mechanisms to the maintenance of a community and society solidarity.

In the Ethiopian Somali pastoral Society, traditional structures can analytically be divided into three core elements, the traditional social structure segmentary lineage system or clan structure, the customary laws –the *xeer*; and their traditional authorities or juridical-political structure. The traditional social structure of Somali society is organized primarily around the clan. Each clan has its social structure, and each clan, and by extension, each group of clans inhabiting a certain geographical area is governed by these social structures and by the rules attached to them, and overseen by selected clan elders. The clan system is the most important constituent social factor among the nomadic-pastoralist Somalis, this lineage system can be differentiated into categories of clan, family, clan, sub-clan, primary lineage, and mag-paying group.

Somali region, Rangeland resources are scarce for different reasons (Devereux et al., 2006). As a result, conflict usually happens. Unfortunately, conflict causes loss of human life, loss of livestock, destruction of property, and more declines in rangeland resources. Unless conflicts are managed properly, the range of resources and pastoral livelihoods will continue to deteriorate. Furthermore, conflict affects the development and provision of crucial services in pastoralists' areas, by limiting access to resources; as per the researcher's view, some studies were conducted on natural resource-based conflict and the role of customary institutions in managing them (Beyene, 2007). However, the Somali customary land use conflict resolution is missing in the debate. Hence, this study tried to identify the land use conflicts and customary resolution mechanisms among pastoral households with the objectives of assessing the causes of the land use conflicts among pastoral households, examining the socio-economic advantages of customary conflict resolution mechanisms in the study area, and to identify customary mechanisms used in the resolution of land use conflicts among pastoral households in Ararso woreda.

2. Materials and Methods

2.1. Description of the Study Area

Area and Location: Ararso Woreda is located and bounded between north and east (Fig 1)

The woreda is a new found in the Jarar zone of the Somali Regional State covering a total area of square borders in the north Kabribayah, in the east Harshin, and south & south-west D/Bour and D/Madaw woredas respectively, in the west

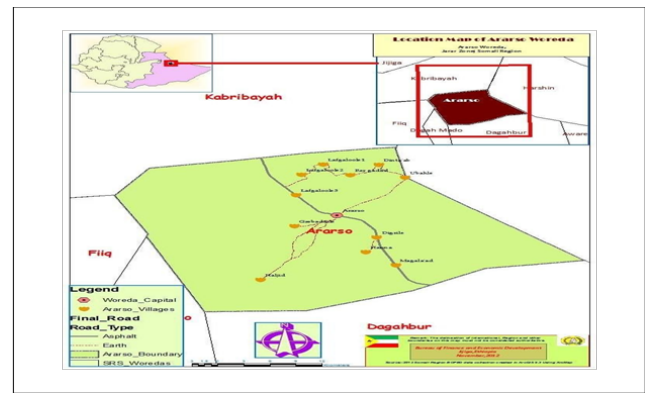


Figure 1: Study Area.

Source : Somali region bureau of finance and economic development

Fik woreda. Ararso town, which is the woreda capital, is Km away from the regional capital Jijiga towards the East direction. Ararso administrative woreda is divided into ten Kebele with 18 villages.

2.1.1. Agriculture

The agricultural facility of Ararso woreda includes a Vet Post. The total livestock population comprises goats, cattle, camels, sheep, and donkeys. Cattle represent a significant portion, with the highest numbers found in Haljid and the lowest in Ararso2 Kebeles. Goats also make up a notable percentage, with the most in Garbodinle and the least in Ararso2. The largest sheep populations are in Magala'ad and Haljid, while Ararso1 and Ararso2 have the fewest. Camels, important for transport in less accessible areas, are mainly found in Haljid and Magala'ad, with populations of 5,200 and 3,100, respectively. The highest donkey population is in Ararso1 kebele.

2.2. Research Design

The study used a cross-sectional exploratory design with a primarily qualitative approach, supplemented by quantitative aspects such as demographic data and causes of land-use conflict. The qualitative method allowed respondents to share their insights freely, while questionnaires collected numerical data on household demographics and conflict causes. The gathered information was analyzed quantitatively, facilitating interpretation and discussion of the results.

2.3. Methods of Data Collection

This study utilized both qualitative and quantitative data, with qualitative being the primary focus. Quantitative data gathered information on common conflict types and causes, as well as the socio-economic benefits of customary conflict resolution through a semi-structured questionnaire. Qualitative data was collected via focus group discussions and interviews to address the study's specific objectives. Both primary and secondary data sources were used.

2.3.1. Primary data

In this research basically, primary data sources are employed to gather first-hand information to achieve the research objectives. Primary data sources were household heads, local elders, religious leaders, and individuals from the Woreda and Kabelle administrations.

2.3.2. Secondary data

Secondary sources of data were employed such as research reports, different reports found in the police, justice, and other departments of the Ararso administration office as well as those found in the NGO offices, journal articles, and thesis/dissertations that are relevant to the study.

2.4. Sampling Techniques and Sample Size

Accurate information about a population is typically obtained through a census study, but financial and time constraints often hinder complete coverage. A larger sample size is advantageous as it reduces the variability of the sampling distribution and approaches a normal distribution (Gupta et al., 2002). The necessary sample size depends on factors such as time, cost, and accuracy (Gupta et al., 2002).

For this study, a multi-stage sampling procedure was used. In the first stage, Ararso woreda was purposively selected due to ongoing land use conflicts. In the second stage, four kebeles (Digirile, Magala'ad, Waryogle, Gola'nod) known for frequent land conflicts were chosen. Finally, respondents were selected using simple random sampling. To determine the number of sample respondents, Yamane's (1967) formula was used.

$$n = \frac{N}{1 + N(e^2)} \quad (1)$$

Where; n = Sample Size N = Total number of targeted populations e = level of precision (sampling error) at 8% (0.08) significance level, the margin of error Level of confidence is 98%; this will be a convenient method to reduce the possibility of nonresponse drastically.

Accordingly, the sample first will be determined from a total of 4 Kebeles households out of 10 Kebeles of Ararso Woreda by the formula of Yamane as follows:

$n = \frac{N}{1 + N(e^2)} = 153$ consequently, 153 household heads will be used as representative

2.5. Methods of Data Analysis

The qualitative data was analyzed using narrative analysis techniques, sometimes incorporating verbatim quotes from respondents. Information was collected through focus group discussions and key informant interviews, and was checked for completeness and accuracy before analysis. The data included interviews and audio recordings, which were transcribed into a single format to facilitate organization. Categorizations of information helped shape the thesis sections and guided further data collection. Quantitative data was analyzed using descriptive statistics, including frequency, standard deviation, mean, and mode

Table 1: Demographic Characteristics of the Respondents

| Sex of the HH | Frequency | Percent |
|---------------------|------------|--------------|
| Male | 145 | 94.8 |
| Female | 8 | 5.2 |
| Total | 153 | 100.0 |
| Education of the HH | Frequency | Percent |
| Illiterate | 83 | 54.2 |
| 1-4 | 8 | 5.2 |
| 5-8 | 2 | 1.3 |
| Quranic | 60 | 39.2 |
| Total | 153 | 100.0 |

3. Results and Discussion

This chapter discusses the outcomes of the collected information from the field, the interpretation of the analysis and the presentation of the findings.

3.1. Demographic Characteristics of the Respondents

This table indicates the sex of the respondents. Here it shows that 145 (94.8%) of the total respondents were male and the remaining 8 (5.2%) were female. (Table 1) The majority of the respondents were men. And that means the matters related to land uses and its resolution mechanisms are mostly in the hands of the men. Like most African cultures, the Somali community in particular the study area does not see any reason as to why women should be included in weighty matters of community interest such as land issues and customary conflict resolution mechanisms. Convergent to this (Burton and Dukes, 1990) found that 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.

The educational status of the respondents was categorized into four: illiterate (those who can't read and write), 1-4, 5-8, and Qur'anic (those who can read and write the Qur'an and have better knowledge about Islamic sharia). It indicates that 83(54.2%) of the respondents are illiterate, 8(5.2%) have reached grade 1-4 level, 2(1.3%) reached grade 5-8 level and 60(39.2%) are Quranic. (Table 1) The findings illustrated that the majority of respondents were illiterate and therefore this might be one of the most common reasons for these repeated land use conflicts among pastoralists in Ararso woreda. Convergent to this Damas and Rayhan (2004) found that illiteracy is a very serious problem that delays efforts toward improving livelihood and is the main cause of underdevelopment and conflict among societies. Those with Qur'anic education use their knowledge to strengthen the indigenous means or give alternative mechanisms that may conform to the Islamic sharia about matters of land use and conflict resolution.

(Table 2) shows that the respondents had a maximum age of 65 and a minimum age of 31. With an average age of 48.96, it can be inferred that most participants were in

Table 2: The Age of the Respondents

| | Minimum | | Maximum | Mean | Std. Deviation |
|----------------------|------------|----|---------|-------|----------------|
| Age of the household | 153 | 31 | 65 | 48.96 | 7.920 |
| Total | 153 | | | | |

Table 3: The Occupation and Ownership of the Land of the Households Involved in the Study

| Occupation of The Households | Frequency | Percent |
|------------------------------|--------------|--------------|
| Farming | 60.0 | 39.2 |
| Livestock keeping | 93.0 | 60.8 |
| Total | 153.0 | 100.0 |
| Ownership of the land | Frequency | Percent |
| Family owned | 51 | 33.3 |
| Individual owned | 7 | 4.6 |
| Communal land | 95 | 62.1 |
| Total | 153 | 100.0 |

their late forties, highlighting that the typical respondent was approximately 49 years old. This demographic information provides valuable context for understanding the perspectives and experiences of this group.

3.2. Household Possessions

The occupation of the respondents is categorized into two; farming (crop production) and livestock keeping (herding different types of livestock). It indicates that 93(60.8%) are livestock herders where 60(39.2%) are farmers. (Table 3). The finding points out that the majority of the respondents were livestock keepers. This has caused conflicts between farm landholders and livestock herders.

The result indicates that 95(62.1%) of the communal land while 51(33.3%) is family owned and the remaining 7(4.6%) is individually owned. the land is communally owned and everyone has free access.(Table 3) But recently such free access to land has started to change. Land enclosures and crop cultivation are gaining momentum. It shows that land is predominantly in the hands of the community. Land value is often a reflection of its direct usefulness to humans. On the one hand, land provides resources for meeting human demand.

3.3. Land Use Changes, Common Types, and Causes of Conflict

(Table 4) shows that the finding indicates 134(87.6%) of the respondents said that they experienced land-use changes while the remaining 19 (12.4%) responded with No change. that means frequent land use changes occur in the study area. In the study area, there have been substantial and increasing rates of land use for the last decades. There have been persistent changes, both spatially and temporally. Supporting the above idea, the FGD and KII held in the study area confirmed the expansion of cultivation and settlement and the loss of indigenous grassland species. FGD and KIIs mentioned that the land use change affected the livelihood of the pastoral community in the study area in many ways, like causing immigration to households, livestock distinction,

and adopting a new environment to sustain the livelihood of their household will take a long time.

As the result indicates 57(37%), 32(21%), 17(11%), and 47(31%) of the total respondents mentioned that grazing land, farmland, land enclosure, and water source are the common causes of land use conflicts respectively. (Table 4) as the result find out the most land conflict occurs conflicts over grazing lands. Land conflict in the study area exists for a variety of causes, according to the FGD participants. Many people lack land due to these major causes of land conflict, particularly grazing space for their cattle and camels. Due to a scarcity of grazing land, many people become involved in conflict to prevent their land from being stolen by another entity. The land is owned by the Ethiopian government, according to the country's constitution and land policy. However, according to the community under study, land is communally held, although it is split into clans and sub-clans. The clan that initially settles in a certain place is said to be the landowner. As a result, each clan, sub-clan, and compensation-paying group has its own designated territory. The customary communal (clan) tenure system, on the other hand, permits clan members to own farms within the clan's territorial bounds. These families are patrilineal inheritors of the farmlands, which they have maintained for many centuries.

The table points out that a considerable majority 86 (56.2%) of respondents interviewed said they face conflict only once per year, 53 (34.6%) said they face it two times in a year, 8 (5.2%) said three times while 6 (3.9%) said more than three times in a year. (Table 4).As indicated above majority of the respondents said that they face conflict only once a year and that is the spring season when they usually get enough rainfall for that reason, they conflict with each other because of the farm and grazing lands and the following group said they encounter conflicts two times a year (the spring and the autumn seasons) and the reason is similarly with the above group.

To understand the respondents preference of who should be responsible for bringing peace and resolving the land use conflict cases, the researcher asked questions of who they prefer to solve and take measures to minimize the land use conflict. Respondents answers are presented below. In terms of the people's level of confidence in those responsible for bringing about lasting peace on land use conflict, the table shows 151(98.7%) While the remaining 2 (1.3%) indicated they prefer to take to the court to minimize the conflicts. finding revealed that the majority of the respondents in the study area prefer more on local elders to minimize the conflicts between them(Table 4). The FGD finding indicated that public confidence is highest for Local elders because the local elders are the most respected and trusted once in the community and they can handle the cases and resolve them in a better way.

Table 4: Land Use Changes, Conflict Causes, Frequency, and Mitigation Measures in the Study Area

| Land Use Changes | Frequency | Percent |
|---|------------|--------------|
| Yes | 134 | 87.6 |
| No | 19 | 12.4 |
| Total | 153 | 100.0 |
| Causes of Land Use Conflict | Frequency | Percent |
| Grazing land | 57 | 37 |
| Farmland | 32 | 21 |
| Land enclosure | 17 | 11 |
| Water source | 47 | 31 |
| Total | 153 | 100.0 |
| Frequency of Land Conflict | Frequency | Percent |
| Only once | 86 | 56.2 |
| Two times | 53 | 34.6 |
| Three times | 8 | 5.2 |
| More than | 6 | 3.9 |
| Total | 153 | 100.0 |
| Measures Taken to Minimize Land Use Conflicts | Frequency | Percent |
| Taking the case to the court | 2 | 1.3 |
| Solving using local elders | 151 | 98.7 |
| Total | 153 | 100.0 |

3.4. Socio-Economic Advantage of Customary Conflict Resolution Mechanism

Conflict is an inevitable phenomenon since human beings exist on earth. The cost of conflict also varied on the systems that the conflicting parties use to settle their dispute. The table also shows, that from the total household respondents engaged in conflicts, 152 (99.3%) of them tried to settle their conflict through indigenous conflict resolution mechanisms. From the total 68 (44.4 %) (Table 5) of them solved their disputes through local conflict mediators. The rest used different types of local conflict resolution systems at different times. Many of the household respondents used local conflict resolution systems more than three times. The majority of the local community uses local elders to tackle issues, according to the FGD participants. Locally recognized elders are the primary actors in resolving local conflict, and society accepts these elders as well. It suggests that in the study area, local conflict mediators are preferred to formal mediators or the courts for resolving disputes. Customary conflict resolution is more beneficial for pastoralists, as it minimizes costs associated with conflict resolution systems. A significant majority of household respondents (93.5%) reported that these customary systems are low-cost and efficient. (Table 5) This approach facilitates quicker resolutions by requiring the consent of involved parties, avoiding complex structures and high expenses (Bendeman, 2007). Because decisions are mutual rather than imposed, there is greater satisfaction and compliance with outcomes.

In contrast, formal conflict resolution is often expensive and time-consuming, leading to concerns about corruption and inefficiency. Most respondents (78.4%) noted that formal systems can result in economic crises and significant

delays, (Table 5) while customary methods offer quick, cost-effective resolutions. Discussions emphasize that local elders are crucial in advising the community to favor customary resolutions over formal ones, as the latter can harm social relationships and provoke retaliation.

3.5. Social Advantage of Customary Conflict Resolution System

Conflict is not only affecting the economic cost of the community but also affects the social relationship. The impact of conflict on the social relationships of society depends on the type of conflict resolution system.

The table gives detailed information about social termination and the occurrence of physical harm and crime as a result of conflict. Overall, all household respondents agree that dispute because of different reasons leads termination of the social interaction of the community. Moreover, 148 (96.7%) of household respondents agree that conflict is accompanied by physical harm and crime and this happens one to three times per year 50 (32.7%) while the remaining said that it happens more than ten times. (Table 6) Furthermore, the interview and all FGD participants explain that as a result of conflict, disputants miss a lot of advantages which are benefits from social interaction. FGD participants further explain that even though conflict terminates and affects the social relationships of individuals, different social organizations restore the relationship of the community. From these organizations, Hagbad, Jamac., and, labor organizations like the religious associations and Guus (Goob) have been mentioned. More than this, the contribution of local conflict mediators becomes the most significant one to restoring and consolidating the relationship of the community in the study area.

As the (Table 6) shows, 76 (49.7%) of all household respondents have a strong relationship with the community 41 (26.8%) said they have a very strong relationship. Whereas the rest of the household respondents said that they have a weak and very weak relationship with the community. According to the FGD and KII, local elders have notable capacity and ability to contribute to the peace-building process and the consolidation of social relationships in the study area by increasing social harmony, addressing common societal problems, and increasing support for one another and tolerance.

3.6. Conflict, Social Interaction Loss, and Its Consequences

From the whole household respondents, 146 (95.4%) household respondents invited their conflicting party to different religious ceremonies and other social interactions. This indicates that customary conflict resolution has a great contribution to restoring the relationship of the community. Some household respondents 7(4.6%) did not invite their conflicting party in any religious ceremony or any social activity. (Table 7) The table also indicates that 148 (96.7%) of the respondents miss their social interactions sometimes. The data obtained from FGD participants supports the above

Table 5: Individual Involvement, Dispute Settlement, and Economic Benefits of Customary Conflict Resolution

| Individual Involvement and Dispute Settlement | Cases | Frequency | Percent |
|---|--------------------------------------|------------|-------------|
| Try to settle conflict using customary resolution mechanisms before coming to court | Yes | 152 | 99.3 |
| | No | 1 | 0.7 |
| | Total | 153 | 100 |
| If yes, what ways do you use to settle disputes in the local area | Local conflict mediators Negotiation | 68 | 44.4 |
| | Religious leaders | 26 | 17.0 |
| | All at different times | 10 | 6.6 |
| | Total | 49 | 32.0 |
| How many times have you used the customary conflict resolution system | Total | 153 | 100 |
| | Only once times | 4 | 2.6 |
| | Two times | 34 | 22.2 |
| | Three times | 17 | 11.1 |
| | More than | 98 | 64.1 |
| | Total | 153 | 100 |
| Economic Advantage of Customary Conflict Resolution Mechanism | Cases | Frequency | Percent |
| Cost of customary conflict resolution system | High | 10 | 6.5 |
| | Low | 143 | 93.5 |
| | Total | 153 | 100 |
| Cost of formal conflict resolution system | High | 120 | 78.4 |
| | Low | 33 | 21.6 |
| | Total | 153 | 100 |

Table 6: Social Impacts and Benefits of Customary Conflict Resolution Mechanisms

| Termination of social interaction and physical harm because of conflict | Cases | Frequency | Percent |
|---|--|------------|-------------|
| Does conflict terminate social interactions in your area? | Yes | 153 | 100 |
| | No | 0 | 0 |
| | Total | 153 | 100 |
| Does conflict involve physical harm | Yes | 148 | 96.7 |
| | No | 5 | 3.3 |
| | Total | 153 | 100 |
| If yes, how many times per year | One-three times | 50 | 32.7 |
| | Four- six times | 21 | 13.7 |
| | Seven-ten times | 34 | 22.2 |
| | More than ten times | 43 | 28.1 |
| | Total | 148 | 96.7 |
| Advantage of Customary Conflict Resolution Mechanism to Consolidate Social Relationship | Cases | Frequency | Percent |
| Relationship with the community | Very strong | 41 | 26.8 |
| | Strong | 76 | 49.7 |
| | Weak | 28 | 18.3 |
| | Very weak | 8 | 5.2 |
| | Total | 153 | 100 |
| Advantage of customary conflict resolution system for social relations | Increase social harmony | 15 | 9.8 |
| | Address the common problems in the corporation | 48 | 31.4 |
| | Increase the tolerance All | 21 | 13.7 |
| | Total | 69 | 45.1 |
| | Total | 153 | 100 |

result. According to the participants, many household respondents in their local area utilize customary methods of dispute resolution, which allows them to recover their relationships. According to the FGD, some individuals have difficulty inviting their former conflicting party because the conflicting party is located far away from them, and others claim that they do not have a good relationship even though their conflict was resolved through customary conflict resolution. Individuals who have used customary conflict resolution mechanisms have the opportunity to strengthen their bonds with the community in general and their adversary in particular, as the ultimate goal is to restore positive ties.

Again the (Table 7) indicates that local conflict finally creates missing of social interaction and demolishes the

relationship of the community. From all houses hold respondents, almost all 82 (53.6%) of respondents said that following the existence of conflict in their local area many people faced social crises. According to FGD participants, there are various types of problems that individuals suffer as a result of conflict, such as missing out on social engagement, which leads to a lack of community support, societal neglect, and the termination of general social interaction.

3.7. Customary mechanisms used in the resolution of land use conflicts

Pastoral communities have two conflict resolution options: the formal (modern) and informal (indigenous) systems. The modern system of conflict resolution is conducted in court through litigation with strict procedures. However,

Table 7: Conflict, Social Interaction Loss, and It's Consequences

| Conflict and missing social interactions | Cases | Frequency | Percent |
|---|-------------------------------|------------|-------------|
| Inviting your conflicting party to festivals | Yes | 146 | 95.4 |
| | No | 7 | 4.6 |
| | Total | 153 | 100 |
| Missing of social interaction because of conflict | Yes | 148 | 96.7 |
| | No | 5 | 3.3 |
| | Total | 153 | 100 |
| If yes, how many times missed | Always | 3 | 2.0 |
| | Usually | 6 | 3.9 |
| | Sometimes | 100 | 65.4 |
| | Rarely | 41 | 26.8 |
| | Total | 150 | 98.0 |
| Consequences of missing social interactions because of conflict | Cases | Frequency | Percent |
| Consequences of missing social interaction | No support from the community | 28 | 18.3 |
| | Neglect from society | 18 | 11.8 |
| | Break the interaction | 25 | 16.3 |
| | All | 82 | 53.6 |
| | Total | 153 | 100 |

One of the key informants of the study said "When compared to modern institutions, customary systems for avoiding conflict and resolution are less complex and save time, and asserted that customary conflict settlements are time-tested and effective in dealing with conflicts in general and land use disputes in particular."

The conflict resolutions in the pastoral community by local elders and mediators may take the form of negotiation or arbitration and generally reach an agreement with reference to Somali people's norms, values, and traditions.

- *Key informants stated that "Customary conflict resolution is extensively utilized and popular in the pastoral community and has various advantages, including responding rapidly to crises, contributing to the decrease of normal court caseload, contributing to the saving of time or resources, Many people who do not find the current system of dispute resolution comfortable, affordable, or appropriate to their needs have access to customary conflict resolution processes, which satisfy disputants with their functioning and are considered as fair. This is because, in contrast to the present legal system, these procedures allow parties to actively participate in the management of their issues."*

FGD participants indicated that the pastoral community prefers customary conflict resolution over legal systems, viewing courts as sources of dissatisfaction due to win-lose outcomes that harm future interactions and involve time-consuming, corrupt processes. Customary conflict resolution institutions have long been effective, with 90% of disputes settled on the first attempt through these methods; only 10% require legislative action or return to elders for resolution. Elders are trusted figures in the community, enforcing the unwritten Xeer (customary law) and mediating disputes through their knowledge and experience.

- *According to key informants, "The process of customary dispute resolution focuses on consultation and*

open conversation between the disputant parties. Mediation is usually carried out by someone of great social status, such as elders, religious fathers, or clan leaders, who use their trustworthiness and facilitative skills. Elders are the important participants in the process of dispute resolution, according to Somali custom."

FGD Participants noted that resolving violent conflict involves several stages. Initially, the elders' council instructs the disputing parties to calm down. After hearing both sides, a council member summarizes the main issues. The process ends with the council asking the parties to leave temporarily so that evidence can be evaluated and a verdict made public. If the accused group accepts the elders' judgment, the conflict is resolved. If not, they can request additional time for reconsideration. Interview participants stated that Offenses against another member of the community are frequently handled by the provision of compensation in livestock or cash. In this case, a whole clan or sub-clan is held accountable for the crimes of one or more of its members. Clan members, regardless of where they live, usually contribute the money and livestock to be paid as compensation. For example, if a member of one clan murders a member of another clan, it is not an individual who defends him; rather, it is any other members of his clan who appear in the customary conflict resolution system.

Under normal conditions, blood money compensation is set at 100 camels for male victims and 50 camels for female victims. If someone kills another due to a minor dispute, the compensation is 120 camels. In violent land disputes, the clan with more deaths receives compensation for the excess, with the equal figures canceling out. If more than ten men are killed, each gets 50 camels and a young female, fostering intermarriage and easing financial burdens. Additionally, the injurer's family cares for the injured until recovery to maintain good relations.

3.8. Challenges and weaknesses of customary conflict resolution mechanisms

3.8.1. Challenges of Customary Conflict Resolution Mechanism

Customary conflict resolution holds socio-economic advantages but faces significant challenges. Key issues include a lack of clear legal mandates, limited financial support from governments, and insufficient capacity for oversight, which jeopardize its effectiveness in enhancing access to justice highlights that modern constitutions often conflict with traditional structures. Additionally, there is minimal collaboration between customary institutions and the government, which fails to recognize and support traditional dispute resolution methods, undermining the effectiveness of these institutions.

Another point expressed by group discussion participants was that local elders' decisions are not always accepted as binding by the government. This means that after local elders made a judgment on dispute parties, the government continued to punish the disputants by disregarding

the elders' decision. As a result, the findings suggested that the government does not give adequate assistance for the community's customary conflict resolution mechanisms to be integrated with the formal judicial system.

Another challenge is the proliferation of elders as a result of population growth, which has occurred at a faster rate than expected, resulting in a greater need to break compensation groupings into two or more as they become too large for single older to supervise. As a result, many new elders were elected, some of whom may not have a thorough understanding of traditional conflict resolution terms like the Xeer.

Somali customary law is unwritten and passed down by elders, creating a knowledge gap with the younger, urbanized generation. This divide leads young people to view their parents' traditions as outdated, resulting in a decline of customary law and institutions. Additionally, training provided by the woreda government for local elders often suffers from unequal participant selection, favoring the Kebele administrator's friends and family. Consequently, locally respected leaders miss opportunities to enhance their skills. Furthermore, the government frequently disregards decisions made by local elders in dispute resolutions, undermining the customary conflict resolution mechanisms in the area.

3.8.2. *Weakness of Customary Conflict Resolution Mechanism*

The exclusion of women from conflict resolution is a significant flaw in the process. Male elders firmly believe women should not participate, dismissing it as a problem despite women being the most affected by violence and lack of peace. They are underrepresented in traditional resolution platforms and are denied a voice in decision-making. In Somali culture, elders meet under trees to discuss conflicts, deliberately distancing themselves from women, who are seen as supporting roles. Justifications for this exclusion include the idea that women do not contribute to compensation payments, are not involved in fighting, are deemed emotional, and are expected to fulfill reproductive roles. As in many patriarchal societies, gender roles are strictly defined, relegating conflict resolution solely to men.

Women's role is to ensure that elders are supplied with all the required food supplies. Women play a better role in promoting conflict. They follow the fighters to the battle fields nursing the wounded and singing for the fighters to raise their confidence, courage and morale. On the contrary, they abuse men who hesitate to join the fighters. One of the informants said "if a son, brother, husband or any man closely related to a woman is killed by someone belonging to another clan, she will only ask for revenge. She does not care if the clans resolve the conflict or not. For her there is no peace as long as the late is avenged for" have also found that women's role in conflict resolution is not always positive. Ethio- Somali women are known to "sing songs that talk ill of other sub-clans and the offended sub-clan retaliate by singing back" and to harshly ridicule men when they are

perceived to be cowards. In themselves these habits are not drivers of conflict but they can contribute to rapid escalation.

The role of young people in dispute resolution is largely limited to enforcing the decisions of elders, who rely on them to persuade those resistant to agreements. A study in Somalia (Gundel, 2006) shows that while youth recognize the importance of traditional elders in fostering peace and inter-clan relations, they also criticize traditional structures for excluding them from decision-making and failing to adapt to social change. Additionally, customary institutions practice collective punishment, which leads to two significant issues: it encourages a lack of personal accountability among wrongdoers and can foster frustration and potential violence from aggrieved clans who see criminals protected.

4. Conclusion and Recommendations

The study area faces ongoing challenges related to conflict, primarily driven by land disputes, as agriculture is the main source of income for most rural residents. The increasing demand for farming and grazing land exacerbates these conflicts. To resolve disputes, locals prefer customary conflict resolution methods, particularly "xeer," over formal legal channels. This preference highlights the advantages of local mediators, such as lower costs, quicker resolutions, and the ability to navigate complex social dynamics without the formalities associated with court systems. Customary conflict resolution fosters social harmony and encourages community support. Through these methods, conflicting parties can rebuild relationships and participate in community events, reinforcing the role of tradition in reconciliation. However, challenges persist in the form of limited support from government and non-governmental organizations, including issues related to corruption in training programs for local elders and a lack of financial resources. While local elders hold significant decision-making power, the participation of youth and women remains limited, although women continue to contribute to peace-building in alternative ways. Customary conflict resolution is deeply integrated into the local culture without disrupting traditional societal frameworks. To effectively address conflicts between farmers and herders, community meetings and open dialogue are crucial. The approach is cost-effective, and stakeholder involvement is vital. For future sustainability, the government should focus on documenting customary laws and facilitating the integration of these traditional practices with governmental institutions to modernize and preserve them for future generations.

Conflict of Interest

Authors declare that there is no conflict of interest involved in publishing this research paper.

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