

The Unexplored Assets: Religious Approach for Peace Making Among the Siltie People in Southern Ethiopia

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Abstract

This article explores the roles that faith-based dispute settlement institutions play for peace making among the Siltie in southern Ethiopia. It looks into the intertwined and multifaceted roles of faith leaders as peace makers, religious figures as well as social actors. The article argues that the inefficiency of the state and *Sharia* courts worsened by an acute shortage of staff seems to render the courts irrelevant in the eyes of many local people, who often question their legitimacy and jurisdiction. It also argues that elders and local religious actors who are conversant with grass-root level conflicts are more important figures to end face to face disputes and foster efforts to promote reconciliation than state judges and *Qadis*. This is evidenced by the seemingly higher number of people who prefer taking their cases to faith-based and customary modes of dispute settlement rather than the *Sharia* and state courts. This indicates the existence of internal power contentions between plural intra-faith dispute settlement institutions on the one hand, and the state courts on the other. I have mainly employed a qualitative data gathering method to generate the data presented in this article.

KEY WORDS: Islamic Pluralism, Grass-roots Justice, Salafi, Sufi Shrine, *Sharia* Law, *Qadi*, *Berche*

Introduction

The Siltie's legal landscape consists of at least three normative systems. Namely: the state; the customary and the religious legal systems. The religious legal system comprises of: *Sharia* courts, courts of local Mashayik/Waliyes², courts of internationally and nationally renowned Sheiks such as Abdul Qadir Jailani and Sheik Hussein of Bale.³ It was also noted that followers of Ethiopian Orthodox *Tewahedo* Church resort to Siltie customary

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² *Wali* or Meshayik refers to a human religious figure, dead or alive, popularly recognized as honorable Islamic symbols by the majority Muslims. It is usually represented by a tomb, and in some cases by a mosque, and is associated with a shrine.

³ Zerihun, "Wali Venerating Practices, Identity Politics, and Islamic Reformism among the Siltie," in *Muslim Ethiopia*, ed. Patrick Desplat and Terje Østebø. (Norges arktiske universitet, 2013). 146.

courts and the faith-based dispute settlement institutions to settle tensions among themselves and with the predominantly Muslim Siltie.

In addition, Islam and the Siltie have strong interactions, not only has religion played an important role for the identity-construction of the people⁴, but more importantly for dispute settlements as well. The role faith plays is not only witnessed in the area of dispute settlement, it is also a pivotal social control mechanism to regulate the social and moral aberrations among the Siltie and its neighbours. The *Sharia* courts which have been in place at least since the 1950s also play a paramount role as faith-based dispute settlement institutions. Nevertheless, some young Muslims accuse the *Qadis* of being acquiescent to the state agenda. My findings indicate that despite the fact that the Federal Democratic Republic of Ethiopia constitution (henceforth, FDRE) recognises both customary and religious institutions of dispute settlement⁵, the *Sharia* courts could not deliver justice due to a number of internal and external factors.⁶ With these problems at hand, another form of dispute settlement forums like the Sufi Shrines and, the Social Committee have been developed since the 1990s. The local community resorts to these centres for faith-healing and reconciliation, not only among themselves but also with Allah, since they consider the Sheiks as mediators to the Divine.⁷ This clearly indicates the existence not only of Islamic legal pluralism but also a number of plural legal systems among the Siltie.

The Geo-Political Setting

Siltie zone is located in Southern Nations, Nationalities, and People's Regional State (SNNPRS) in Ethiopia. The Siltie people mainly live in the Siltie zone⁸, while quite a large number of the people are also found in various urban centres in the country. The Siltie zone was formed in April 2001 following a referendum that separated Siltie from *Gurage*, *Hadiyya*, and *Halaba* peoples⁹. Based on the 2007 national population census, the total population of the Siltie is estimated to be more than a million in 2015/16¹⁰. Agriculture is the mainstay of the local economy. The religious composition of the area is Muslims 97.6% and 2.03% are of various denominations of Christianity.¹¹ Even if there has been some erosion of traditional cultural norms and practices due to the influence of reformist strains of Islam imported from the Gulf region over the last 25 years, the Siltie have maintained their customs, local beliefs, and values including the faith-based and customary modes of dispute settlement.

⁴ Markakis, John, *The Politics of Identity: The Case of The Gurage*, (Uppsala, Nordiska African Institute, 1998).130-3.

⁵ Federal Democratic Republic of Ethiopia Constitution (Addis Ababa, 1995), Art.34,78/5/.

⁶ Mohammed Abdo." *Legal Pluralism, Sharia Courts, and Constitutional Issues in Ethiopia*,"(Institute of Federalism and Legal Studies, ECSC, Addis Ababa, Ethiopia (2010).

⁷ Dinberu et al, *Gogot: History, Culture and Language* (Welkite, 1995), Kairedin Tezera, *Serra. History, Culture*, 886-1993, (Addis Ababa,2012), Zerihun ,Wali,

⁸ Zone is the second administrative division after Regional State in the contemporary federal structure of Ethiopia.

⁹ Zerihun, "Contested Popular Islamic Practices among Ethiopian Muslims: The Case of *Warrie* among the Siltie," *Journal on Moving Communities* 7, no. 1 (2007): 73–94.

¹⁰ Central Statistical Authority, *the 2007 Population Census of Ethiopia*, (Addis Ababa, 2008).

¹¹ Kairedin, Serra; Zerihun, Wali, 141; Siltie zone Finance Abstract (Werabe, 2015).

Conceptual Frameworks: An Overview

Although it is difficult to find a universal definition of religion, various scholarly discussions on the notion of religion can be subsumed under two major approaches. These are 'Substantive' and 'Functional' approaches. The 'substantive' approach looks at the content of religion such as key scriptures, theologies, bodies of doctrine, and values and beliefs enshrined in them, while the 'functional' approach underscores what religion 'does' to people such as providing them with sources of identity, morality, law and order, or by linking them together into communities¹². Geertz, for instance, has defined religion as a system of symbols that acts to establish powerful, pervasive, and long-lasting moods and motivation in men by formulating conceptions of a general order of existence and clothing these conceptions with such an aura of factuality that the mood and motivation seem uniquely realistic.¹³ Émile Durkheim defined it as a "unified system of beliefs and practices that pertain to sacred things and which unite adherents of the system into one single moral community."¹⁴ Galtung also defines religion as a path of ultimate transformation, comprised of interconnected systems of symbols and guidelines. These shape the individual and group subconscious from which social practices and interactions are all given meaning.¹⁵ Appleby, on the other hand, defines religion as an "integral culture, capable of forming personal and social identity and influencing subsequent experience and behaviour in profound ways." He further notes that religious peace building emerges as a new form of conflict transformation.¹⁶ Religion as a "cultural system" also underpins the very fabric of group and individual identity, providing the shared normative foundation that makes harmonious social interaction possible as well as meaningful.¹⁷

Moreover, religion is also depicted as a normative institution that commands the worshipper, not to be involved in murder, theft and deviant behaviour.¹⁸ It can also play a significant role, if used constructively, to resolve disputes. If actors employ it constructively, religion can affect individual and social responses to triggering events through - (a) placing the event in a historical, goal-seeking context, (b) providing meaning for events in light of values, goals, and religious identity and (c) offering rules for dealing with conflict through appropriate, affirmative responses based on religious precepts and idealised models or precedents.¹⁹

However, even if most modern constitutions including the 1995 FDRE constitution inculcate articles that promulgate the separation of state and religion and introduce secularism, 'billions of people structure their daily routines around the spiritual practices enjoined by a religious tradition, and they often do so quite publicly.'²⁰ Scholars also

¹² Morris, Religion and Anthropology: *A Critical Introduction*, (Cambridge University Press, 2006), 1, The British Academy, The Role of Religion in Conflict and Peace building, (London, 10–11 Carlton House Terrace, 2015), 7-9.

¹³ Geertz, Clifford, *The Interpretation of Cultures*, (New York: Basic Books, 1973), 90.

¹⁴ Durkheim, Émile, *The Elementary Forms of Religious Life*, (New York: Free Press, 1995 [1915]), 47.

¹⁵ Galtung, Johan. "Conflict Life Cycles in Occident and Orient", in *Cultural Variation in Conflict Resolution*, ed D. P. Fry, and K. Bjorkqvist, (Mahwah: Lawrence Erlbaum Associates, 1997).

¹⁶ Appleby, R. Scott, *The Ambivalence of the Sacred*, (New York: Carnegie Corporation, 2008), 6-8.

¹⁷ Geertz, Interpretation, 90; Said, Abdulaziz and Funk, Nathan C, "The Role of Faith in Cross-Cultural Conflict Resolution", (The European Parliament for the European Centre for Common Ground, 2001), 3.

¹⁸ Uche, *Religion and violent conflicts in Africa*. In *Nigerian democracy* (Awka, 2007). 390.

¹⁹ Seid and Funk, *The Role of Faith*, 4.

²⁰ Appleby. *The Ambivalence*. 3.

indicate that religion in many cultures remains largely unaffected by the public-private distinction.²¹ Religion draws its strength from its potency to induce or bring about change in the attitudes of its adherents, either positively or negatively.²² The above definitions briefly explain that religion has a central place in a society and can play a constructive role in maintaining the social order of a given society. Nevertheless, religions can also be employed for waging war. There are instances whereby wars were and are waged in the name of religion.

Studies show that religion has been used as a pretext to wage war and in the name of one or another groups.²³ The empirical data indicates that religion also play a significant role in peace building in various ways. Sheik Alkesiye's²⁴ role to forge an alliance between Muslims and Christians against the Italian's strategy of divide and rule in the 1930s, for instance, is widely cited among the Siltie to show how religion can play a positive role for peace building not only in intra-faith interactions but also in the interfaith contexts as well.

Faith-Based Institutions and Dispute Settlement

As dispute settlement entails not only the material interests of disputants, but also the restoration of relationships and reintegration. Faith plays a pivotal role in achieving these goals via interconnecting disputants under one identity as well as promising them a reward of eternal peace in the hereafter apart from internal and external peace they can get in the social world. Moreover, actors also admonish disputants if they reject the peace proposal not only from divine punishment but also in the failure they will meet in the social world. Religious actors have also a social role, a particular relationship to conflicted society that affects their perspective, credibility with other parties and overall effectiveness. Perceptions of religious actors' self-image and affiliation are also crucial for forum shopping.²⁵ Religious actors have a strong ground in faith as an embodiment of religious teaching. Thus, they can become important catalysts for change. In this regard, faith leaders play a crucial role in dispute settlements among the Siltie. They employ reciprocity and social action, such as boycotting as the main strategy in settling disputes between contending groups. Religious precepts and local beliefs are also crucial factors to narrow ruptures between disputants. *Jannab* (divine reward in the hereafter), as well as *Baraka* (blessings), are factors that help mediators reconcile disputants. *Ye Gudda Tree*²⁶ as a symbol of reconciliation is also a pivotal social control mechanism which helps disputants sustain their promise and ending feuds. According to this belief, breaking the

²¹ Appleby. *The Ambivalence*, 4. Tamanaha, Brian. *Understanding Legal Pluralism: Past to Present, Local to Global*, (University of Sydney, 2008), 398.

²² A. Casmir et al, "Religion, Violence, Poverty, and Underdevelopment in West Africa: Issues and Challenges of Boko Haram," in: *Open Journal of Philosophy*. Vol.4, No.1, (2014), 60.

²³ Appleby, *The Ambivalence*, 8.

²⁴ Sheikh Alkesiye is one of the widely celebrated Siltie sheiks whose mosque is visited monthly and annually not only by Siltie, but also neighboring Gurage, Halaba, Mareqo, and Oromo people during monthly Thursday Liqa and annual Alkeso Mawlid. He is mentioned as Waliye who contributed to the expansion of Islam in the area on the one hand and dispute settlement during the 1930s on the other.

²⁵ Borszik, Anne-Kristin. *Dispute Settlement in Eastern Guinea-Bissau: Self-Presentations, Stories and Agency*, (BIGSAS, Unpublished PhD Thesis, 2013), 26-27.

²⁶ It is a symbolic tree whereby disputants go and bury the *White thread* (in which both disputants under the auspices of the neutral jury tie each other with white thread to show they are now socially tied and end disputes that usher in a new era of peace) as a testimony of burying the hitherto enmity. They also believe that anyone who violates the *Gudda* will come and tell the tree to retaliate the one who breaks the oath.

vow will be punished with calamity on the perpetrator. Faith can play a significant role in dispute settlement since it employs various values and precepts which prioritise peace over violence, forgiveness over retaliation and incline to harmonious relationships to prevail not only among human beings horizontally but also between human beings and the Divine vertically.

According to the Siltie's interpretation, dispute (*zenna*) is two-dimensional: Horizontal dispute among human beings and vertical dispute between human beings and Allah. This idea has emanated from the religious worldview of the people. The religious cosmology of a group in privileging some values and ideals over others specifies how restoration, wholeness, and healing can be achieved through distinctive paths of a resolution adopted by different cultures.²⁷ In this vein, the Siltie's faith incorporates both worlds and hence success and failure here and in the hereafter are directly associated with the presence of *hiɁd* (quarrel) or not. It also privileges peace over a dispute as a source of blessing. The Siltie thus emphasise the idea of a quarrel as a cause of losing blessings and prosperity, as they put it: *hiɁd boɁine, bereka yatefan* (i.e. disagreement/quarrels cause loss of blessing in one's life), starting from family life to business and the hereafter. According to this belief, anyone who opens the door for reconciliation receives more blessings rather than the one who refuses to do so. This point is also one of the strategies conflict mediators employ to restore relationships and the *status quo* among disputants.

Therefore, someone may lose or be deprived of blessings in their life if s/he is in conflict either with human beings or the divine. The ruptures experienced in conflict situations often require symbolic or other social exchanges found within collective cosmologies. *Bereka/Blessing* and peace as well as becoming productive are associated with resolving disputes either through the involvement of conflict mediators or forgiveness, while failures in resolving *hiɁd* and rejecting reconciliation are tied up with non-productive or failure in this as well as the other world. In this way, conflict resolution strategies manifest distinctive conceptions of peace, which illuminate the terms and conditions necessary for social harmony to be both understood and experienced. As I observed in the field, religious actors mention various success and failure stories to their court attendants on the basis of the conformity and deviant behaviour of individuals. Narration of stories as a means of ending feuds, is also an integral part of the courts of Sheiks and elders among the Siltie people. Therefore, even if Islam's concept of peace is universal, Siltie faith leaders adopt their own paths for peace making. This idea goes with Abu-Nimer's assertion that, "The religious cosmology of a group, in privileging some values and ideals over others, specifies how restoration, wholeness, and healing can be achieved through distinctive paths of a resolution adopted by different cultures."²⁸

On the other hand, dispute settlement does more than address material clashes of interest; it speaks to social reintegration, restoration and redemption, existential security, personal transcendence and transformation. These concepts are drawn from the backdrop of the sacred, which may be defined as any process that explicitly connects us to the largest possible context to which we belong.²⁹ The role of community leaders in

²⁷ Abu-Nimer, Mohammad, "Conflict Resolution in an Islamic Context," Vol. 21, No. 1. January (1996), 22-40.

²⁸ Abu-Nimer, Conflict Resolution.

²⁹ Seid and Funk, The Role of Faith.

achieving historically and communally acceptable solutions is also particularly evident in Islamic approaches to conflict resolution.³⁰

Faith is a crucial factor in peace building among the Siltie since actors employ various ideas and precepts to reconcile disputants. For instance, by enjoining a broad collection of models of desirable behaviour in situations of dispute while specifically reproaching others, faith leaders implicitly influence the desirability and likelihood of certain courses of action over others.³¹ In this vein, the Siltie also believe that *boze yashe/Tur yawete, boze gize yijejebiyane*. This literally means, "Anyone who intends or does bad actions like attacking some other, either by tongue or hand, or takes other's property, s/he will face the consequence in this world and the hereafter. He may lose his/her life as well "...*behalige Tur atawetu/ Awefe lebale Allah yadeginiyane.*"

One should not disregard the activities of conflict mediators who constantly strive for settling disputes for the peace of the country." "Anyone who forgives, Allah may forgive his/her wrong-doings," are some of the religious teachings faith-based dispute settlers employ to end disputes. This idea seems also to be derived from the various Islamic values and traditions of the local community. Culture can also play an important role in conflict and peace-making, and has affirmed the potential contribution of diverse religious institutions and principles for conflict resolution within divided societies.³² It is observed that the faith-based dimensions of Siltie culture also play an important role in dispute settlement. Thus, faith-based conflict mediators employ various values and local norms as strategies to diffuse tension. Moreover, the Siltie's faith-based dispute settlement and peace making techniques are strongly attached to Islamic precepts from which they derive their context. Restoring relationships is not only crucial among human beings but also vital to link humans with the Divine as the ultimate peace.

Local Religious Practices

The genesis of faith-based dispute settlement institutions goes back to the ancestors of the Siltie sometime in the 9th century. Nevertheless, the significance of local religious practices has strengthened since the late 19th century with the conquest of the Siltie land by the expanding forces of Menilik II. According to Zerihun, two factors are working in the formation and significance of Wali venerating as an important element of local religious practices for the Siltie. First, he noted that they are formed as a result of the Siltie's responses to the formation of the modern Ethiopian Empire in the last decade of the nineteenth century. Second, he noted that the Islamisation process was spearheaded by the Sheiks themselves, whose shrines then played a significant role in the expansion and consolidation of Islam in the area.³³ As I observed in the various parts of Siltie, the Sheiks and their shrines still enjoy legitimacy among the Siltie people and other communities as important sites of pilgrimage and forums for dispute settlement.

The ways contemporary religious figures present themselves as well as how stories of the *Waliye* are narrated contributes to the significance of religious centres and the *Mesbayik*. Self-presentation also affects the forum shopping tendency of members of the

³⁰ Seid and Funk, The Role of Faith.

³¹ Seid and Funk, The Role of Faith, p.5.

³² Avruch, Kevin. Culture and Conflict Resolution. (Washington, DC: United States Institute of Peace Press, 1998).

³³ Zerihun, Wali, 144.

Siltie. Respecting as well as venerating the religious figures constitutes one of the central religious and communal practices of the Siltie.

The religious centres, mainly of Sufi Shrines, face challenges from Islamic reformists, yet they have existed so far.³⁴ They are also places of festivity, where the local community strengthens the Islamic identity and exchange various ideas about the social and natural environments. This is also potentially important for averting intra and inter-ethnic conflicts in the area and its environs.

Nevertheless, following the attempted introduction of the "Abbash ideology"³⁵ in the last five years, there seems to have been negotiations between the Sufi Sheiks and young educated Muslims on the role of revered religious figures. This is due to the fact that both consider the "Abbash" as a new sect which can challenge the practices of Islam. In this vein, the reformists accept the historical roles of the *Walīyes* and their *Mawlid*s for the expansion of Islam in the area. The Sheiks, on the other hand, began to consider the youths' criticisms as emanated from a lack of experience rather than disregard for their roles. However, this negotiation seems temporary as the reformists will not accept the various local Islamic practices as "Islamic", for they regard the local practices as "bi'daa" or innovative. Nevertheless, both groups seem to accept the roles of faith-based modes of conflict mediation for diffusing tensions in the area.

On the other hand, it is observed that local Islamic practices such as *Warrie*, *Liqā*³⁶ and local *Mawlid*s have persisted so far using a number of strategies, *albeit* growing criticism from reformists at least since the 1990s. Previously, the local community resisted the intervention of local officials who considered *Warrie* as "anti-development"³⁷, using strategies like refusing to attend government meetings as a weapon of the weak³⁸, and at times even resorting to violence.³⁹ For the past five years, these practices have revived as a result of the government's change of tack, as it was concerned about the growing influence of the Islamic reformist movements in the country. Due to its proximity to the Middle East, the dynamics of Islamic movements in Ethiopia has been followed closely by Western strategists.

Alkeso Shrine has been given attention by academics who saw the promotion of Sufi movements as a counter strategy to the development of Islamic Reform Movements⁴⁰ which may come to oppose Western interests in the region. The other factor that contributes to the rise of faith-based dispute settlement institutions can be related to the decline of the state legal system owing partly to its inefficiency and incapacity to deliver justice as a result of bad governance, shortage of trained judges

³⁴ Zerihun, Wali, 139; Kairedin, Serra

³⁵ A religious teaching or an Islamic sect whose origin is mainly attributed to Sheik Abdalla al-Harari teachings that follows *Asberīya and Maturdiyya* Sufi creeds. Mustafa Kabha and Haggai Erlich. "Al-Abbash and Wahhabiyya: Interpretations of Islam", *International Journal of Middle East Studies*, Vol. 38, No. 4 (Nov., 2006) 519-538.

³⁶ *Warrie* and *Liqā* are local religious practices the Siltie and neighboring people perform in memory of religious figures.

³⁷ Zerihun, Weli, 50.

³⁸ Scott, James, *Weapons of the Weak: Everyday Forms of Peasant Resistance*. (Yale University Press, New Haven and London, 1985).

³⁹ Zerihun, Weli, 50

⁴⁰ Erlich, Haggai. *Saudi Arabia and Ethiopia: Islam, Christianity and Politics Entwined*. (Boulder, Colo and London: Line Rienner Publishers, 2007).

(thirty judges for more than a million population⁴¹) and interference from the political system leading to a lack of legitimacy in the eyes of the local community⁴². Studies show that saints and pilgrimages to their shrines can be taken as an “integrative force” and have integrative roles.⁴³

The *Mashayik*, as the local community call local religious scholars, have extensive roles among the Siltie, not only for the expansion of Islam, but also as important actors who interpret Islamic teaching and teach morality as well as intervene for blessings from Allah . I observed⁴⁴ that the local community resorts to these religious figures for *Du'aa*/prayer during drought and other natural calamities. It is believed among the local community that the *Mashayiks'* *Du'aa* is acceptable, for they are the beloved of Allah in their locality. Thus, faith-based institutions serve as avenues for dispute settlement horizontally among human beings on the one hand, and areas of channelling interactions vertically between human beings and the Divine on the other hand. This is, however, now changing as active, young, educated Salafi religious leaders are becoming more prominent than elders.



A sick woman was brought to the Alkeso Shrine for Faith-Healing (July, 2015).

⁴¹ Annual Report of Siltie Zone High Court, Worabe, July 2016.

⁴²Baker, Bruce. "Where Formal and Informal Justice Meet: Ethiopia's Justice Pluralism," *African Journal of International and Comparative Law* 21.2 (2013): 202–218.

⁴³ Pankhurst, Alula "Reflections on Pilgrimages in Ethiopia," In *New Trends in Ethiopian Studies*. Articles of the 12th International Conference of Ethiopian Studies (1994).

⁴⁴ I attended annual Alkeso and *Baydi Mawlid*s since 2009 for subsequent seven years. I also observed that the Siltie, mainly lowlanders, went to Alkeso Sheiks for prayer to ask Allah for rain during drought times.

Although the religious significance of the “traditional” *Sheiks* or *Waliyes* and their veneration sites are not totally rejected, the young, educated Muslims have an influential role in changing the perception of the way Islam was traditionally practised and represented among the majority of Muslims.⁴⁵ However, not all *Mesbayiks'* sites fall under criticism by Islamic reformists. As mentioned above, the approbation of some Sufi practices by the reformists are witnessed especially since 2011 following the attempted introduction of the Ahbash sect in the area.

Local Dispute Settlement Institutions

Below I will shed some light on local religious institutions that have a bearing on dispute settlement processes. I will look into the plurality of intra-faith-based institutions of dispute settlement and how plural faith-based dispute settlement institutions interact and compete over dispute cases. They are broadly categorised as nationally recognised religious institutions like *Sharia* courts and locally employed ones such as *Mawlids*, *Liqas*, Sufi Shrines and youth dispute settlement institutions.

The Sharia Courts

The Siltie High *Sharia* court considers cases not only from the six First Instance *Sharia* courts in the zone, but also from *Hadiyya*, and Gurage zones. Despite the fact that these areas are administratively categorised under *Hadiyya* and Gurage zones respectively, the Siltie High *Sharia* court serves as an appellate court for neighbouring areas as well. The proximity of these administrative areas, as well as the cost-effectiveness of delivering the service, become the main factors for this. The *Sharia* court considers such issues as *Nikah* (marriage contract), inheritance and divorce cases. It also considers civil cases up to 5000Birr, wills (*Wesiya*), gifts (*hadiya*), endowments (*Waqf*), and family sustenance cases.

According to my informants, the establishment of the *Sharia* court was attributed to the political agenda of the state rather than the commitment to Shari'a law. The court did not have the mandate to enforce its rulings since the *Sharia* courts are not empowered by the constitution apart from overseeing some private cases provided that both parties want to refer the case to the court⁴⁶. As a result, the *Sharia* court is not chosen by the Muslim community. The local community also mentions the following factors for the decline of the legitimacy of *Sharia* courts. To begin with, the young Salafis consider the Qadis as *Jabil* (ignorant). Second, the court is seen as disloyal to Islamic values. Rather it is considered more loyal to the policies of the state. Some of the *Qadis* themselves stress that they are frustrated by their jobs, for they are not practising the *Sharia* in its true spirit. They also explain that even those rights which have been granted to the court are not fully implemented due to its low level of regard from the government that is manifested by its low allocated budget, which is too small to allow the purchase of office equipment such as computers and copy machines. These circumstances influence the roles of religious actors for conflict transformation.⁴⁷

The empirical data also show that the Siltie *Sharia* courts are very much occupied with *Nikah* (marriage contracts) more than other dispute cases. Nevertheless, I observed

⁴⁵ Zerihun, “Weli ”, 151.

⁴⁶ FDRE, constitution, Art. 34(4), 78(5).

⁴⁷ Appleby, *The Ambivalence*, 222.

from the various courts' files, that the courts consider divorce as well as inheritance cases. The files also indicate that more than 8000 cases have been considered by the courts between 2010-2015. More than 70% of cases are related to *Nikah* contracts, while 20% of cases relate to marital disputes. According to the Siltie zone *Sharia* court report⁴⁸, 10% of the cases are related with *Waqf* (endowments) or dispute claims on Mosques and other minor civil cases.

Based on my *Qadi* informants, the number of cases referred to *Sharia* courts has decreased since the introduction of the revised southern region family law in 2008. This is because of the newly revised law that does not allow the *Sharia* courts to consider inheritance cases. Before this time, the *Sharia* courts were considering divorce and inheritance cases.

Sufi Shrines

Studies show that the *Waliye* venerating practice occupies a central place in the religious as well as communal lives of the Siltie⁴⁹. Zerihun notes that there are three forms of *Waliye* veneration practices among the Siltie. These are: *Mawlid*, *Liqā* and *Warrie*. *Mawlid* is categorised into two: *Mawlid-un-Nabi* and *Mawlid al-Meshayik*, which are the Prophet Mohammed's *Mawlid* and *Meshayik's* *Mawlids* respectively. Since much research has been carried out in this area, I will not go through the first *Mawlid*. The Siltie revere the *Meshayik* and their mosques due to the various roles the *Waliyes* have played for the social order of the area, on the one hand, and the expansion of Islam on the other. Among the most celebrated Sufi Shrines are *Alkeso*, *Dangeye* and *Hajji Aliye*. The local community goes daily, weekly, monthly and annually for prayer, strengthening social solidarity, resolving disputes, blessings, wealth and faith-healing. These areas mainly serve to resolve interfaith, inter-ethnic as well as minor disputes which do not involve blood cases.

Nevertheless, another group of informants⁵⁰ said that local religious practices do not consider dispute cases. Rather, they play a potential role in peace building, since faith leaders advise their followers to give priority to forgiveness and peace rather than retaliation. Moreover, actors of local religious institutions sort out causes of disputes or disputants and hand over the cases to the customary court for dispute settlement. The local community also resorts to these centres during natural calamities like drought and earthquakes perceiving that these disasters can be averted by the intercession of the *Waliyes*, whose *Du'aa*/prayer is believed to be accepted by the Almighty. On the other hand, when disputants feel that their cases have not been resolved by the village or customary court elders, they also resort to the *Meshayiks* for intervention.

Liqā Institution

The second form of *Waliye* venerating practice is *Liqā*. *Liqā* is an Arabic word, which means get-together. According to Zerihun, the institution of *Liqā* is associated with a popular Sufi *Sheik* of the Gurage known as *Qatbarie Shaykh*, Shaykh Isa Hamza (1866–1948).⁵¹ There are three major categories of *Liqā* among the Siltie. These are *Yenebi*

⁴⁸ Siltie Zone Sharia High Court report (Werabe, July 2016).

⁴⁹ Zerihun "Weli" 139, Kairedin, Serra, Erlich, Saudi Arabia and Ethiopia.

⁵⁰ Interview with Sheik Mohammed, and Ato Usman on 23 February 2016 in Werabe Town.

⁵¹ Zerihun, "Weli" 146.

(Prophet Mohammed's, *Geweselazem* (Sheik Abdul Qadir Jaylani of Baghdad), and *Ye Seidina Khedir's Liqa*.

Nevertheless, *Liqa* is mainly practised in Silti Wereda more than other Siltie areas. There are two forms of *Liqa* among the Siltie. The first refers to a social situation at household level where individuals sit together and chew *Khat*, perform prayer, and other social practices as an expressions of Islamic piety. This kind of *Liqa* can be taken as a religious practice for Muslims who aim to become a kind of spiritual client of a *Waliye* of their choice.⁵² The second form of *Liqa*, which the local community calls *Summu Senga Liqa*, is performed at the village level. All the three major *Liqas* are performed twice a month in this context. The participants come mainly from Siltie, Gurage, and Mareqo ethnic groups. Except in Yenebi Liqa, Orthodox Christians also attend the *Liqas*.⁵³ It is important to note that even if the participant's emphasise on the spiritual aspects of the *Liqa* institution, they also engage with issues like dispute cases, local and national development affairs. As the participants gather from various socio-cultural backgrounds, *Liqa* helps the Siltie develop solidarity with other groups. Moreover, *Yebad Baliqe* (the Siltie, *Mareqo*, and *Mesqan Gurage* Elders) are selected during *Liqa* gatherings. These individuals serve the community to oversee inter-ethnic conflicts. A good case in point was the post-Siltie zone boundary demarcation in early 2000s. Following the establishment of the Siltie zone, elders who were chosen by *Liqa* members from the Siltie and its environs played pivotal roles in the smooth Siltie-Gurage boundary demarcation process. Moreover, the *Liqa* leaders always pass various messages aimed at peaceful coexistence and forgiveness among members of the community.

Warrie Institution

The third local religious practice which is celebrated twice a month in memory of Sheik Hussein of Bale is called *Warrie*. According to informants, *Warrie*, which is derived from the Mareqo word, means let us come and sit together, mainly serves as a saint venerating practice. The local community also uses it for dispute settlement. The Siltie, Gurage, and Mareqo communities take part in the *Warrie* ritual. Thus, it helps the people strengthen inter-ethnic solidarity with other peoples. The leaders of the *Warrie*, called Imams, give messages to the participants about peaceful coexistence. They also extradite the suspected culprits who flee from various areas, especially after committing murder. The *Warrie* leader disseminates information about local development, and mobilise the community on behalf of the local government.

Salafi Social Committee

The new dispute settlement forum, which has been developed since the 1990s, is the youth's Social Committee. The youths formed their own fora to consider disputes among their own socio-religious group, which was partially in response to the rejection of the customary courts and Sufi-oriented social gatherings on the one hand, and the perceived failure of the *Sharia* courts on the other. Informants said that the precipitating factor behind the genesis of this informal institution is that the *Sharia* court is not working adequately due to its limited constitutional rights, the interference of the political system and inefficiency of the *Qadis*. The group sets up the Social Committee that informally

⁵² Zerihun "Weli" 147.

⁵³ Interview with Imam Yirdawe Juhar Hajji Sultan Hamza/Yenebi Liqa coordinator/, Silti wereda and Werabe town on 16, 17 January, 2016.

considers on *Nikab* contracts, disputes between husband and wife, supports the needy. The group does not have its own structure, yet gathers whenever the need arises. It is led by youths who are university graduates and civil servants. The group does not have a name, yet it is widely preferred by those youths who are now becoming emerging Siltie elites.

Faith Actors' Approaches to Peace Building

Despite the fact that various religious traditions have been used to justify conflict and violence throughout history, it is also observed that the same religious ideas are employed for peace building processes by religious actors.⁵⁴ The Siltie faith actors and customary court judges, for instance, always say, "*ladege yaadiginijane*" (for one who forgives, Allah will forgive him) as a strategy to reconcile disputants. They also frequently said that the divine reward will be multiplied for the one who forgives earlier. Mystic construct, and changing the negative perceptions of the disputants or the "other", and constructing positive relationships by interpreting the dispute positively, rather than exacerbating enmity or revenge are also approaches dispute settlers employ for peace building among the local community.

Berbe, defined as an unresolved dispute or hidden wrongdoing, among disputants of the past, is also taken seriously as a factor for one to resort to violence. Actors also associate the various calamities and accidents including environmental ones, such as the delay of rain, or personal ones, such as car accidents, illness or failure in business, to *Berbe*, and the failure to implement the decisions of elders or faith leaders in the dispute settlement process. They first look for crimes or any wrongdoing in the family of the accuser, for it is believed among the Siltie that anyone can perpetrate a crime or become a victim owing to an unaddressed *Berbe* in his family, relatives or lineage up to his ancestors. This is also one of the strategies conflict mediators employ to reinforce their legitimacy. Added to this, religious precepts like forgiveness and divine reward have been used as tools to end disputes among parties. Studies show that irrespective of how they are used or abused, most religious systems incorporate ideals of peace and promise peace as the outcome of their application.⁵⁵

Religious actors employ various techniques to resolve disputes. To begin with, religious leaders instruct the followers about peace and forgiveness during religious sermons (such as Friday sermon) emphasising forgiveness and developing harmonious relationships, both among human beings and humans with the Divine, as a source of blessings and reward in the hereafter.

Here, faith leaders emphasise nonviolence over violence, and forgiveness (*afn*) over retribution to receive the blessings of both worlds. Second, dispute settlers also employ local religious institutions like Liqas and Sufi Shrines as dispute settlement forums for transferring messages of peace and cooperation among the members of the belief and beyond. Third, both religious and customary court dispute settlers employ religious precepts as a strategy for restructuring relationships between disputants focusing on maintaining the *status quo* rather than sanctioning norms. Fourth, dispute settlers also narrate mythologies which embody the failures and success of individuals by linking the

⁵⁴ Appleby, 2000.

⁵⁵ Seid and Funk, The Role of Faith 31.

episodes with those individuals who could not stick to the faith's values and decisions of conflict mediators and abide by them respectively. Actors also employ faith-based institutions not only as instruments of dispute settlements, but also tools for political mobilisation during inter-ethnic dispute between the Siltie and Gurage.⁵⁶



The Siltie elders at a *village* level session, *Alichu Wuriro*, while making blessings before commencing dispute settlement.

On the other hand, I have learned from the daily activities of local legal experts' *Raga*/ narrations that the local legal actors consider and portray their jobs (mediating work) as having been bestowed upon them by Allah as a trustee. This can be considered as a strategy to strengthen the conflict mediator's power. Conflict mediators also employ narrating religious myths, and stories as strategies to reinforce their legitimacy. These stories help them justify their job and generate local power.

Conclusion

Ethiopia has witnessed the revival of popular Islamic practices including the Sheiks' shrines and *Mawlids* as places of social solidarity and centres of dispute settlements since the 1990s. The *Sharia* courts judges face challenges from a number of actors such as the constitution, the officials, the state court judges, and the community.

It is also worth recalling that religious ideas and values are the most important factors mediators use to build peace in the community. Exploiting the institutional inability of the state legal system to deliver justice, faith-based modes of disputes settlement have manoeuvred the opportunity to play a significant role in delivering justice at the grassroots level. The Salafists, on the other hand, make use of the failure of the *Sharia* and the state courts to deliver justice to the community indicating the existence of

⁵⁶ Zerihun, Weli, 149.

generational conflict between the old and the young. The religious precepts and traditions play a pivotal role in maintaining social and moral deviations. This scenario boosts the legitimacy of actors of faith-based and customary institutions of dispute settlements *vis a vis* other legal systems. Local dispute settlers employ both religious and cultural legal perceptions not only to end disputes but also, to contend for more legitimacy. Thus, hybridisation of the legal sphere seems to be an emerging socio-legal practice among the local community.

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