Gadaa Across Domains
A Long-Term Study of an African Democratic Institution

Marco Bassi

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A Long-Term Study of an African Democratic Institution

Marco Bassi

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***Gadaa* Across Domains**
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Marco Bassi

Abstract

Ethiopia is a multi-ethnic and multi-national state with historically complex and often contentious internal relations. This book explores the history of the *gadaa* system, hailed in the post-colonial context as a paradigmatic example of African democratic institutions and a powerful symbol of Oromo political emancipation. This customary institution has undergone a revival independent of international indigenous rights frameworks and now holds significant potential as a mechanism for protecting the common resources of communities and peoples in the Oromia region of Ethiopia. The first part of this volume is devoted to describing the *gadaa* institution among the Oromo-Borana, where it continued to operate throughout the nineteenth century, a period in which it almost disappeared in other Oromo areas. The second part outlines the history of top-down interactions with customary institutions in Oromo-Borana areas, addressing national and international development, biodiversity conservation, and especially politics and inter-ethnic conflict. The third part broadens the focus from the Borana to the wider Oromo and Ethiopian contexts.

Keywords Gadaa. Oromo. Ethiopia. Customary institutions. Customary governance.

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Introduction
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1 Key Elements of the Political History of the Oromo

Although this book is motivated by the principle of restitution, the story of *gadaa* provides a unique and well-documented case of the endogenous revaluation of customary institutions, which has occurred independently of international law on Indigenous peoples. It offers outstanding potential as a mechanism for protecting the common resources of local communities and peoples in Ethiopia. This case deserves full global and comparative attention, and it is therefore considered beneficial to provide a concise contextual overview for non-specialist readers, even at the risk of oversimplifying complex and controversial issues. Ethiopia is a multi-ethnic and multi-national state. Trustworthy evaluations have identified over 80 languages, spoken by groups with a wide range of demographic sizes, yet each is linked to identifiable and clearly defined territorial areas.

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The country is also known for its ancient tradition of writing in a South Arabian script associated with the Ge'ez language, which was probably spoken in ancient Axum. This script was inscribed on artefacts found at archaeological sites and on coins during a period from the 1st to the 7th century BC. Ge'ez belongs to the group of Semitic languages of Ethiopia. Likely starting from the 4th century AD, Coptic-Egyptian monasticism was present in the Ethiopian highlands. The Church adopted and transmitted Ge'ez as a liturgical language. Over time, the Ge'ez script was adapted for Tigrinya and Amharic, the two main Semitic languages spoken today in the northern and central parts of the Ethiopian highlands, respectively. These areas, characterised by archaeological monuments and churches and ancient state formations, have historically been referred to as Abyssinia. This term does not correspond to modern Ethiopia. The name 'Ethiopia' has been used since ancient Greek times for broad and indeterminate areas of sub-Saharan Africa and was only applied to the modern Ethiopian empire from the 19th century, concurrently built with the establishment of European colonial empires in the region.

Due to the characteristics described, in Europe, Abyssinia was regarded as a distinct region within sub-Saharan Africa, yet those same features engendered a pronounced ethnic hierarchy.

Indeed, only the Amharic and Tigrinya-speaking groups could claim the Christian tradition and the symbolic connection to ancient civilisations. This allowed them to establish diplomatic relations and alliances with the burgeoning colonial powers. Other ethnic components of the region were linked to Islam and the Arabic script, while the majority of ethnic or national groups in present-day Ethiopia remained marginalised as illiterate, passive subjects of the colonial and imperial construction process, yet politically independent until the colonial era.

The ethnic hierarchies established with the formation of the modern Ethiopian empire have significantly influenced scholarly production and narratives on the diverse peoples of Ethiopia even throughout the 20th century. This asymmetry has been depicted by Gemetchu Megerssa and Aneesa Kassam in terms of a "Euro-Abyssinian colonising structure" (Megerssa 1993; Megerssa, Kassam 2019, ch. 1).

In the field of historical studies, written sources, produced in the Abyssinian context, carried a biased view of events, and very negative representations of both the Islamic and Oromo components (Jalata 1996; Ta'a 2004). The strong dominance of Abyssinian intellectuals in Addis Ababa University prevented the adoption of the new historical methodologies based on oral sources, which since the 1960s in other parts of Africa had enabled the recovery of the history of the various peoples with an oral culture (Vansina 1985; Triulzi 1977). Equally absent was archaeological research designed to supplement the absence of written sources, focused on the recent past and sites

of low visual or symbolic impact. The classical approach of research on monumental sites has continued to be privileged.

Despite lacking a writing tradition, the Oromo are the largest nation in Eastern Africa. They speak a language from the Eastern Cushitic group. They are mainly concentrated in central, western, eastern, and southern Ethiopia, with extensions into the Kenyan lowlands and north-central Ethiopia. In the absence of solid archaeological research, the ancient history of the Oromo remains contentious. For Abyssinian historians, the challenge was to explain how, at the dawn of the colonial period in the early 19th century, there was such an extensive and compact presence of Oromo across large parts of the highlands, which were supposed to be the territory of a strong and long-established state formation. The mainstream reconstruction of the ancient history of the Oromo is based on Ge'ez sources and can be described as Euro-Amhara-centric. The Oromo – then called 'Galla' by Abyssinians – are depicted as 'hordes' that, from the 16th century, began invading from the south and southeast the Christian areas of the central and then western Ethiopian highlands, where the Christian kingdoms had been severely weakened by prolonged wars with the Adal Sultanate. These sources cite two elements to explain the military success of the Oromo and the dilemma of the Christian defeat: the use of formidable cavalry and the military mobilisation capacity achieved through the *gadaa* system.

This reconstruction has been contested by Oromo historians and intellectuals. Utilising various combinations of historical methods, including oral sources, toponymy, and written sources in Arabic, they concur with the view that the Oromo were already present on the highlands several centuries before the 16th, but had been displaced at various stages by the Abyssinian expansion. From this perspective, the military efficacy of the *gadaa* institution, as reported in Ge'ez sources, would be the result of a reorganisation, or re-foundation, occurring in the 16th century to reclaim lost territories, where, however, the population already spoke Oromo or other non-Semitic languages (Bulcha 2011; Hassan 2015).

Several variants can be identified about the reconquest model. One of these refers to the existence of a single *gadaa* centre for all the Oromo, at least at the time of the 16th century expansion or reconquest (Melbaa 1980, 1999; Jalata 1993; Baissa 2004; Jalata 2012). It was only from the end of the 17th century, with the fragmentation due to the vastness of the territories, that several *gadaa* centres were established. A second perspective is provided by the anthropologists Megerssa and Kassam, who concur with several other sources in designating North Ethiopia as the ancestral land of the Oromo people. They portray the ancient Oromo as constituting a 'proto-federal' state, where legitimacy is derived from the *Abbaa Muudaa* ('Father of the Pilgrimage'), a hereditary figure who acts as the guardian of the

'cardinal laws'. The *Abbaa Muudaa*'s residence, *Yaa'a Bal'oo*, serves as the political-religious centre of the entire Oromo polity (Megerssa, Kassam 2019, 56). "Self-governing" territorial groups take on the implementation of these cardinal laws, through "a series of nested assemblies that fall under the institution of the Gadaa and its law-making conventions" (Megerssa, Kassam 2019, 55). A ritual pilgrimage to the religious leader, which includes the delivery of a 'tribute', marks the connection to the religious centre. This pilgrimage symbolises inclusion in the Peace of the Oromo. Megerssa and Kassam suggest that the location of the ritual centre has changed several times. They propose that its establishment near Lake Tana and the Blue Nile dates back to the 6th century AD. Between the 6th and 10th centuries, the Christians' early expansion forced the Oromo to move it to the sacred spring of Finfinne (within the current capital city of Ethiopia, Addis Ababa), only for them to be displaced again around the 12th century due to Christian and Muslim military pressures. After a hiatus, they re-established it in the southeast at *Odaa Robaa*, and then, from the mid-1450s, at *Maddaa Walaabuu*, where it stayed until Menelik II's 19th-century conquest (Megerssa, Kassam 2019, 56, 252). According to the two anthropologists the Oromo have also repeatedly redesigned the territorial sections, each with its own *gadaa* organisation, in response to contingencies, engaging in "processes of fission and fusion, assimilation of other Cushitic-speaking groups, and forming alliances with non-Cushitic groups" (Megerssa, Kassam 2019, 54). According to the authors, before annexation to the Ethiopian empire, the Oromo were organised into five *gadaa* territorial groups (*gadaa* shanan, the 'five *gadaa*'), rotating the responsibility "of hosting and protecting the political-religious centre" among different sections at each change of *jaatama* (Megerssa, Kassam 2019, 221).

Megerssa and Kassam make large use of Oromo oral sources, drawing time references from the Oromo's complex system of time and history reckoning. Chikage Oba-Smith (2016) suggests that the cyclical conception of time among the Oromo provides an outstanding mnemonic device for transmitting historical events, going far beyond the period previously considered reasonable for deeming the content of oral historical traditions as reliable. Gufu Oba, Waktole Tiki and TerjeTvedt have successfully compared the content of oral history based on the *gadaa* periodisation with environmental proxy indicators for East Africa over the last 600 years (Oba, Tiki, Tvedt 2013; Oba 2017, 125-36; Oba 2024, 33-4, 53-8).

The eight-year *gadaa* period serves as the basic unit of historical record, corresponding to the time a specific generational class undertakes the responsibilities associated with the *gadaa* grade, consisting of conducting rituals and fulfilling other duties for the wellbeing of the whole community. Currently, among the Guji, the Karrayyuu, the Borana, and the Gabra Oromo the generational class's main leader

is called *abbaa gadaa*, literally the 'father' of the *gadaa* period. Oral historians remember each *gadaa* period by the name of the *abbaa gadaa* in charge. At birth, each individual joins the fifth generational class after his father's, resulting in the formation of five lines of generational classes, known as *gogeessa*, rotating one after the other in the *gadaa* grade, every eight years. The same patriline regains power after five *gadaa* periods, making a 40-year historical cycle. The generational classes also follow seven cyclical names, *maqaabaasa*. A *maqaabaasa* name returns to power after seven *gadaa* periods or 56 years. These two cycles combine to mark the return of the same patriline to power with the same *maqaabaasa* name after the 40-year *gogeessa* cycle has elapsed seven times, equating to 280 years (Legesse 1973). Moreover, Megerssa and Kassam identify the *jaatama* cycle, consisting of nine repetitions of the 40-year *gogeessa* cycle, totalling 360 years. This corresponds to an historical era, whose transition is marked by social and political crises (Megerssa, Kassam 2019, 155).

Megerssa and Kassam diverge from previous interpretations by emphasising the a*bbaa muudaa* as the unifying symbol across the entire Oromo polity, in contrast to the *abbaa gadaa* (Megerssa, Kassam 2019, 220), or the *abbaa bokkuu* (father of the 'sceptre'), as this leader is known in other Oromo territorial sections of the Oromo. This distinction is noteworthy since the model appears to have been replicated on a smaller scale after the annexation of the Oromo into the Ethiopian modern empire and the inherent collapse of the long-distance Oromo pilgrimage. Among the contemporary Guji and Borana Oromo in southern Ethiopia, the *muudaa* (pilgrimage) to the *qaalluu* (hereditary dignitaries) is still practised.[1] The Guji maintain three *gadaa* centres, each with its officers elected to oversee different territorial divisions, under the guidance of a single *qaalluu* (Hinnant 1978; Berisso 2004). In each *gadaa* period, the three *abbaa gadaa* embark on an internal pilgrimage (*muudaa*) to the *qaalluu* (Van De Loo 1991, 53-61). As discussed in Chapters 1.5 and 6.2 of this book, the Borana present a slight variation, operating a single *gadaa* system that spans the entire territory, with two main *qaalluu*, one for each Borana moiety. The *abbaa gadaa* are three to accommodate relative autonomy by two of the clans that share the same territory as the other Borana. During every *gadaa* period, the Borana's three *abbaa gadaa*, alongside other officials from the *gadaa* centre, undertake the internal *muudaa* to their respective moiety's *qaalluu*. These pilgrimages have historically symbolised inclusion into the *Nagaa Booranaa* (Peace of the Borana), extended to non-Oromo groups, fostering alliances (Schlee 2007).

1 On occasion of the ritual pilgrimages the *qaalluu* is called *abbaa muudaa*.

1.1 The Construction of Modern Ethiopia

Irrespective of its more ancient phases, modern Ethiopia has emerged from a military expansion undertaken by Menelik II in the second half of the 19th century. This expansion occurred concurrently with the construction of European colonial empires in Africa (Holcomb, Ibssa 1990). By the early 19th century, Abyssinia was divided into several small kingdoms whose rulers (*negus*) competed for the title of *Negus Neghesti* (King of Kings). This title symbolically sought to re-establish Abyssinia's continuity with the ancient kingdom of Axum. The rivalry was particularly intense between the Tigrinya monarchs in the north and the Amhara monarchs further south.

The transformations that swept across the African continent during the 19th century were profound, affecting the region extensively. By the early part of the century, small Oromo kingdoms had begun to emerge in the region surrounding the Gibe River, situated to the southwest of the Ethiopian Highlands. These kingdoms replaced the traditional *gadaa* system within these delimited territories (H. Lewis 1965; Gemeda 1996).

Menelik II, the Amhara king of Shewa since 1866, was highly effective in acquiring significant quantities of firearms through the traditional practice of engaging in the slave trade, but also by establishing diplomatic relations with various regional powers, including the Italians (Bulcha 1988). The latter were hoping to exploit internal Abyssinian rivalry for their colonial aspirations in the Tigrean-dominated areas. Following his coronation, Menelik II leveraged the advantage provided by the availability of firearms to secure the support of Oromo kings and Oromo leaders in the western and southwestern highlands, including some former *gadaa* leaders (Gemeda 1996; Bassi, Gemerssa 2008; Ta'a 2004). Through a strategy of alliances and conquest, he gained control over large portions of the highland territories inhabited by the Oromo. The combination of material and human resources mobilised in these new territories (Tegenu 1996), alongside modern military support from the French and Russians, was crucial in countering Italian colonial ambitions in Ethiopia and in defeating them at the Battle of Adwa in 1896. The Battle of Adwa and the claim to an ancient tradition of literacy and Christianity earned Menelik II full recognition among the European colonial powers to govern a sovereign state in Africa. Thanks to the powerful army assembled for the Battle of Adwa, he was able to initiate military campaigns that, in the last years of the 19th century and the early years of the 20th, allowed him to expand into the southwest, east, and south of the country, and to negotiate the borders of the new imperial formation with other expanding European powers.

1.2 Domestic Colonialism and the Decline of *Gadaa*

The construction of modern Ethiopia is thus closely linked to the broader process of European colonial expansion. However, it is primarily the ethnic hierarchies that characterised imperial Ethiopia that have retrospectively led Ethiopian intellectuals in the diaspora to adopt the concept of 'domestic', 'internal', 'dependent', 'feudal', or 'settler' colonialism by (Bulcha 1988; Holcomb, Ibssa 1990; Jalata 1991; Jalata 1993; Zitelmann 2009, 281). The territorial expansion was accompanied by the imposition of a system of land expropriation and the relegation of local peasants to servile conditions, known as *gabbar*. This rearrangement particularly impacted the most fertile agricultural regions, namely the Oromo-speaking highlands. Until then, the *gadaa* institution had served principally as a governance system for natural resources, regulating land access among the various segments of the Oromo (H. Lewis 1965, 29; Blackhurst 1978, 255-7).[2] The usurpation of land control from the Oromo rendered the institution obsolete. It is perhaps this process that, more than the overt prohibition of the system – which indeed occurred in certain Oromo areas – was the main cause for the decline of the *gadaa* institution in the Oromo highlands throughout the 20th century (Holcomb, Ibssa 1990, 114-16).

A second aspect, also related to the process of internal colonisation, is religious conversion. Since *gadaa* is an institution linked with worldviews, cosmology, and life cycle rituals, it is closely connected to the religious sphere. In the western and central highlands, inhabited by the Macha and Tulama Oromo respectively, the synergistic policy between state and church in imperial Ethiopia favoured conversion to Ethiopian Orthodox Christianity. Conversely, among the Arsi Oromo of the eastern highlands and the pastoral zones to the southeast, resistance against the imperial state facilitated a predominance of Islamic conversion (Gnamo 2014). Nonetheless, scholars have highlighted the religious pluralism of contemporary Oromos, that is, their ability to convert while still retaining certain elements of the traditional religion, also in response to the need to maintain the Oromo identity in changing social and political settings (Tablino 1996; Aguilar 1996; Aguilar 2009). In many areas of the Oromo-inhabited highlands, the *gadaa* institution has indeed survived as a residual ritual practice, often clandestine (Bassi, Megerssa 2008).

In the more arid, pastoral, and agro-pastoral zones, the extraction of resources by the Ethiopian state mainly took the indirect form of cattle taxation (Oba 2013) rather than the reorganisation of land relations. In such areas, both land expropriation and the phenomenon

2 See also ch. 8.5 in this book.

of conversion were less significant. This is why Oromo groups like the Borana in southern Ethiopia and northern Kenya, the Karrayu living west of Addis Ababa in Abadir and Merti area in the Awash Valley (Gebre 2001), an area that forms an arid niche in the highlands, and also the Gabra of southern Ethiopia and northern Kenya (Tablino 1999; Torry 1978) have maintained the effectiveness of the *gadaa* system, with relevance in both governance of natural resource and life cycle rituals. In areas characterised by a mixed agro-pastoral economy, such as among the Guji Oromo, the *gabbar* system was partially implemented (Berisso 2004, 18), with partial effects on the maintenance of the institution, fully operational in the ritual field but less effective in politics (Hinnant 1978; Berisso 2004, 14, 23).

1.3 Ethno-National Conflicts in the Second Half of the 20th Century

Imperial Ethiopia adopted the symbols of the ethnic group that built the empire, primarily the Amhara language and a political culture founded on the dynastic principle, enforced through a strong centralism. Peripheral elites from the Cushitic-speaking regions[3] could be co-opted into the ruling groups, but only on the condition of completely abandoning their own identity, a process known in the country as Amharisation (Bulcha 1988, 1994), taken to the extent of having to adopt Amhara names instead of Oromo ones. Until 1991, it was not possible to speak Oromo in schools and administrative offices.

Already at the beginning of the 1960s, ethno-national claims began to emerge. Based on their different colonial history, Eritreans initiated the war for independence with the Eritrean Liberation Front (ELF). In the 1970s, the Eritrean People's Liberation Front (EPLF) became the dominant force and remained militarily active. The irredentist movement of Ethiopian Somalis also began in the 1960s, with some involvement of Muslim Oromo.

In the same decade, the Western Oromo were rather involved in a peaceful struggle for identity. From the beginning of the 1960s, the Macha-Tulama Association started to organise mass meetings in the Oromo language, complaining about the exploitation of the peasants and campaigning for Oromo literacy and Oromo culture. In 1966 the association was banned; more than a hundred of its members were arrested and two leaders were sentenced to death (Bulcha 1994, 105-6).

3 The Oromo, the Somali and the Afar are the three largest Cushitic speaking nationalities in Ethiopia.

The widespread dissatisfaction in the country with the huge inequalities and the issue of land grabbed from the peoples annexed to the Empire manifested itself in the student movement, especially in terms of Marxist ideology. The 1974 revolution led to the removal of Emperor Haile Selassie and, with it, the end of the imperial phase and the establishment of the socialist and military junta of the Derg. The Derg nationalised land but maintained strong centralism and the policy of Amharisation, thus perpetuating pre-existing ethnic hierarchies (Bulcha 1994, 107-8; Berisso 2004, 21).

In 1977 and 1978, Somali irredentism escalated into a war between Ethiopia and Somalia, soon accompanied by various other ethnic-based armed movements. In Tigray, the ethno-national struggle was initially started by the Tigray Liberation Front (TLF), followed by the Tigray People's Liberation Front (TPLF) in the 1980s. Among the Oromo, the Oromo Liberation Front (OLF) was founded in 1974. By the 1980s the OLF had become the most significant Oromo political organisation. In the Somali region, from the 1980s, the Ogaden National Liberation Front (ONLF) emerged as a force capable of supplanting the movements more directly tied to the influence of the Somali state.

The 1980s witnessed significant growth in ethno-national organisations engaged in armed conflict. Some of them were capable of controlling territories for extended periods. These conflicts, at least until their latest stages, transcended the Cold War's binary logic. Active against the socialist Derg junta, these movements drew ideological inspiration from the student movement that preceded the revolution, which was predominantly Marxist. Operationally, they were inspired by Mao Tse Tung's peasant-based insurgency – a tactic well-suited to Ethiopia's predominantly agrarian context.

1.4 The Oromo Diaspora and the Celebration of *Gadaa* as a Political Symbol

Already from the 1970s, the Ethiopian government's harsh repression of any form of identity expression had forced thousands of Oromos to migrate. In Western countries, especially in Northern Europe, the USA, and Canada, Oromo refugees gained access to educational opportunities, and some were employed in the academic system and by research centres.

During the 1970s and 1980s, various Oromo associations were established by the diaspora, students, academicians, and individuals active in the humanitarian and political fields. The Union of Oromo Students in Europe (TBOA), the Union of Oromo in North America (UONA), the Oromo Studies Association (OSA), the Oromo Relief Association (ORA), the Oromia Support Group (OSG), and the Oromo

Liberation Front (OLF) were among the largest ones (Holcomb 1999; Bulcha 2002). This rich associational life served as a forum for reflection and debate, thereby nurturing political identity and national awareness. On the whole, the diaspora associations formed the core or heart of the national movement, within which organisations with political objectives related to the liberation struggle in Ethiopia operated. For example, from the outset, the OLF operated with a distinction between the political wing based in the diaspora, where public dialogue was possible, and a military wing active in Ethiopia, the Oromo Liberation Army (OLA). Ethnographic research conducted by Thomas Zitelmann (1994) highlights the importance of the diaspora for this organisation, both based in Western countries and countries bordering Ethiopia.

Among academic associations, the OSA (Oromo Studies Association) has been central to the development of a 'decolonising' academic discourse on the Oromo (Jalata 1996). Through the organisation of regular international conferences and the publication of the *Journal of Oromo Studies* in 1993 (Hassen 2019), the OSA has been instrumental in shaping a distinct academic field. Indeed, studies in the humanities in those years have remained highly polarised between 'Ethiopian Studies' and 'Oromo Studies', the latter being built around the OSA, especially in the United States. The *Journal of Oromo Studies* was censored in Ethiopia. Until the development of digital media, it was very difficult for Oromo scholars in Ethiopia to follow the debates promoted by the OSA (Ta'a 2004, 8-9). International scholars also tended to gravitate towards one field or the other, as they struggled to find spaces to propose countertheses in the opposite camp.

The diaspora's promotion of national consciousness had two recurrent themes. The first, echoing the demands of the Macha-Tulama Association, is the dignity of the Oromo language, underpinned by the goal of achieving widespread literacy for the Oromo. The diaspora adopted a transcription system called *qubee*, based on the phonological characteristics of the Oromo language (Gamta 1993; Demie 1995). The use of the Latin script rather than the Ethiopian script placed it in clear ideological opposition to the Amhara cultural domination (Zitelmann 2009, 275; Tegegne 2022). Oromo, transcribed into *qubee*, became the language of communication between the various organisations in the diaspora, and OLA fighters were required to be literate in *qubee* (Bulcha 1994, 110).

The second theme concerns the assertion of a distinct political culture, democratic rather than autocratic. From this point of view, from the 1980s the *gadaa* institution, with its features of distributed and circular power, started serving as a collective symbol for the Oromo movement (Baxter 1978; Zitelmann 2009, 283). Zitelmann describes it as a *mythomoteur* for the emerging Oromo nation. Although this is a central concept of primordialism in studies of ethnicity, Zitelmann

uses it in a constructivist way, in terms of 'reinvented tradition' for the role *gadaa* as a political symbol played in the political process of those years (Zitelmann 2009, 283; Zitelmann 1997). As Asefa Jalata points out,

> Some core Oromo nationalist scholars advocate that without refining and restoring elements of the original Oromo political culture of *gadaa*, the Oromo society cannot fully develop Oromummaa, which is absolutely necessary to achieve national self-determination, statehood, and democratic governance (Jalata 2012, 144)[4]

The author goes on by recalling Bonnie Holcomb's observations at the 1993 OSA Conference:

> *Gadaa* represented an ideological basis for the expression of Oromo nationalism. This expression empowered the Oromo to resist oppression, become self-conscious as a nation in the twentieth century in the face of intense subjugation […]. *Gadaa* represents a repository, a storehouse of concepts, values, beliefs and practices that are accessible to all Oromo. (Holcomb 2013, unpublished, quoted in Jalata 2012, 144)

Various scholars have emphasised the democratic nature of the *gadaa* institution. A pivotal role in outlining *gadaa* as a paradigmatic case of 'African democracy' is owed to a presentation by Asmarom Legesse at the 1978 OSA conference, entitled "Oromo Democracy". In this paper, the author anticipates themes later developed in the book *Oromo Democracy: An Indigenous African Political System* (Legesse 2000). Drawing on the analysis of the institution as practised by the Borana Oromo (Legesse 1973), he identifies several democratic principles that show analogies with modern democracy and can be applied to the modern state.

Volume 2 of the 1994 *Journal of Oromo Ethiopian Studies* is very useful for an understanding of the place of these elements in the history of the movement. The two articles by the Oromo scholar Lemmu Baissa and the American anthropologist Herbert Lewis (Baissa 1994; H. Lewis 1994) highlight the importance of *gadaa* in terms of political culture. The first article considers the political values embedded in this institution as 'building blocks' for the creation of a democratic system of government (Baissa 1994, 47). Lewis's article is interesting because, like Holcomb, he acknowledges the presence of such values throughout Oromo country, even in the highlands where *gadaa* had lost its political effectiveness, both in the Gibe Oromo states and

4 On the concept of *Oromumma* see also Megerssa (1966).

elsewhere after the annexation to Ethiopia (H. Lewis 1994). It is interesting to note that all these scholars, writing at the time when such concepts were being developed within the Oromo movement, theorised the adoption of *gadaa* not as a method of governance but as a source of inspiration for the democratic government that the Oromo national movement aspired to.

1.5 The 1991 Paradigm Change

In 1991, the EPLF, the TPLF, the OLF, and the ONLF succeeded in overthrowing the socialist Derg regime. In the same year, they convened a peace conference in Addis Ababa, with the participation of most opposition forces active in the country against the Derg. They established the Transitional Government of Ethiopia (TGE) and adopted the Transitional Charter of Ethiopia. This Charter laid the groundwork for the multi-national Ethiopian constitution, adopted in 1994. The introduction of a multi-party electoral system, the recognition of key human and political rights, and the acknowledgement of the country's ethnic and national identities and cultural freedoms up to self-determination represented a true paradigm shift, at least at the level of the political theory governing the country. In practice, the EPLF pursued Eritrean political secession, successfully achieved by a referendum in 1993. Conversely, the Tigrayans of the TPLF devised a strategy to assume centralist control of federal Ethiopia, despite constitutional reforms. They had already formed the Ethiopian People's Revolutionary Democratic Front (EPRDF), a new federated and multilingual political formation, with representatives from the major linguistic groups of the country, selected for their loyalty to the Chairman of TPLF Meles Zenawi. From the outset, and until the death of Meles Zenawi in 2012, the TPLF maintained strong control over the entire EPRDF. The Oromo component was represented by the Oromo People's Democratic Organization (OPDO), later renamed the Oromo Democratic Party (ODP).

After a brief but highly effective period of free campaigning in the Oromia region, in the 1992 snap elections, the OLF demonstrated its electoral strength in the most populous region of the federation. In the meantime, agreements had allowed the TPLF to disarm a large number of the OLA fighters. After the snap elections, the TPLF's army began a phase of harsh political repression against OLF militants and supporters. Some sources report the arrest of tens of thousands of people and thousands of deaths in detention between 1992 and 1994 due to torture, malnutrition, and disease (Pollack 1996; Hassen 2002; Jalata 2013, p. 291). Consequently, the OLF was forced to quit the TGE and resume clandestine political activity. It was replaced in

the Oromia region by the OPDO, which, though formally federated, was in effect controlled by the TPLF.

The maintenance of constitutional formality was required by the government to secure international support. Therefore, the presence of other parties was required. Other Oromo parties were allowed to form and compete in the elections, but their leaders and supporters faced repression as soon as they became electorally competitive. Thanks to international community pressure, the 2005 elections were considered by international observers to be the first relatively free elections, at least in the preparatory phases and during the ballot. Unfortunately, they ended with violent repression that led to the killing of more than a hundred protesters in Addis Ababa, the arrest of tens of thousands of opposition party supporters, and the imprisonment of opposition political party leaders.

Despite the adoption of a democratic, federal and multi-party constitution, conditions of political centralism and serious abuse of democratic rights have continued. However, multilingualism and the recognition of culture and identity were implemented. The nationalist themes promoted by the diaspora in previous decades became public policy. The administrative space of the country was divided into regional states based on linguistic criteria. For the southwestern region, which is characterised by the presence of many linguistic groups that are not demographically large enough to legitimise the regional state status, the correspondence between administrative space and identity was sought at the lower administrative levels. Even in the large and linguistically homogeneous regional states, lower administrative divisions gradually coincided with sub-national identities. As enshrined in the constitution, the Ethiopia of Nations, Nationalities and Peoples came into existence. Oromo, with its *qubee* script, became one of the country's three recognised national languages. It was used in schools and universities through the Oromia National Regional State and also as an administrative language in the same region.

In Ethiopia, however, the repression of leaders, activists and supporters of political organisations within and outside the constitutional spectrum remained severe and domestic opposition grew. In the country's changing political landscape, the OLF's strategic line became less straightforward. At the level of objectives, members were faced with the dilemma of whether to pursue the old goal of secession from Ethiopia or, given the changed constitutional context, to focus on the implementation of effective democracy within a federal Ethiopia. Strategically, the options ranged from using the new institutional spaces to influence Ethiopian politics, at least at the regional level, to remaining underground or re-entering the electoral fray by accepting compromises. Meanwhile, Ethiopian intelligence had become much more effective, complemented by the Ethiopian

government's effective international action, aimed at controlling internal opposition operating across borders. Under these conditions, the OLF lost its unity and effectiveness but continued to be the symbol of Oromo resistance.

1.6 The Post-Meles Phase

Following the death of the Chairman of EPRDF and Prime Minister of Ethiopia Meles Zenawi in 2012, the ruling EPRDF began to lose its internal cohesion. In the absence of a strong leader, the coalition's subjugated nationalities demanded their turn to lead, but in a context where diverging ideologies resonated. Alongside the TPLF's federalist and developmentalist ideology, which was democratic in form but not in substance, there was a nostalgic ultra-nationalism that sought a return to Amharic as the official language throughout the country and the restoration of a political model based on centralism. These latter positions found much consensus among the old elites in the Amhara Regional State and among the Amhara minorities in other regional states of Ethiopia, a group that had been severely disadvantaged by the 1991 paradigm shift. Among the Oromo and members of other regional states, there was also a position shared with some constitutional opposition parties and sections of the OLF, namely the prospect of realising a genuine national-federalist democracy.

In 2012, Hailemariam Desalegn became Chairman of the EPRDF and Prime Minister of Ethiopia. Previously, he had been Chairman of the Southern Ethiopian People's Democratic Movement (SEPDM), one of the regional parties affiliated to the EPRDF, and President of the Southern Nations, Nationalities, and Peoples' Region. He attempted to govern in continuity with his predecessor, but from 2015 onwards, he faced a wave of popular protests in the Oromia region, which erupted in response to the announcement of the Addis Ababa Master Plan in 2014. Addis Ababa is a self-governing city in the heart of the Oromia National Regional State. The Master Plan envisaged its expansion.

In the post-Meles period, new forms of popular opposition have emerged. The OLF, with its strategy of armed struggle based in less controlled rural areas, no longer seemed to be the protagonist of Oromo resistance, although it remained active with the OLA in some rural and border areas. Instead, the protest movement shifted to urban centres, involving mainly youths and students, but increasingly the middle class and traders. It should be noted that schooling in Ethiopia has expanded enormously since 1992, especially in rural and peripheral areas. But more importantly, the global modes of communication have changed. In particular, the use of social media has enabled direct communication between students in Ethiopia and the

diaspora. In those years, long periods of internet service disruption were common, apparently a strategy to block the flow of communication. It is relatively easy to see in the Oromo youths' protest the dynamics of the Arab Springs, but in Ethiopia, the protest was part of half a century's history of organised demands. The movement of Oromo students is called *Qeerroo*, an unusual term which refers to the internal terminology of the *gadaa* institution. It is the appellation used for young people who are still prevented from marrying, given the military responsibilities assigned to this age class and the inherent risk of losing their lives. Applying Freirean critical pedagogy, Dereje Tadesse Birbirso links the features and success of this youth movement to the values of the *gadaa* system (Birbirso 2019).[5]

The *Qeerroo* movement gained respect for the courage of the students, who maintained active but peaceful resistance despite the violence of the repression. Public demonstrations represented an unprecedented challenge in Ethiopia, the results of which could have been channelled either through the electoral strengthening of Oromo parties within the constitutional spectrum, including the Oromo Federalist Congress (OFC) and the Oromo Federalist Congress (OFC), or through individual youth choosing to join the ranks of the OLA fighters.

The extremely high number of deaths and tens of thousands of arrests, which were also reported in the global media, provoked a spiral of resentment that first involved large sections of the Oromo population and then spread to other regional states. In 2016, Hailemariam Desalegn removed obstacles to repressive practices by imposing a state of emergency, which was also functional in postponing the national elections. Merera Gudina, the leader of the OFC, was among those arrested. In 2019, the protest also took the organised form of a general strike, called by the OFC and other opposition organisations.

Under popular pressure, the EPRDF was forced to accommodate the demands and claims of the Oromo, symbolically achieved through the appointment of Abiy Ahmed as Chairman of the EPRDF and Prime Minister of Ethiopia in 2018, replacing the resigning Hailemariam Desalegn. Abiy Ahmed was a politician from the OPDO, previously serving as the Deputy President of the Oromia National Regional State.

Internationally, the new prime minister quickly signed a final peace agreement with Eritrea. Domestically, he entered negotiations with the OLF and other armed opposition organisations active in other Ethiopian regional states, offering their fighters the chance to reintegrate into society despite their previous status as members of a

5 See also the short article by Najat Hamza published in the *QEERROO. The National Youth Movement for Freedom and Democracy* website, https://qeerroo.org/xalayaaletters/who-is-qeerroo-what-is-qeerroo/.

designated terrorist organisation, on condition that they surrender their weapons. It is reported that elders and the a*bbaa gadaa* mediated in the negotiations (Nicolas 2021, 172). Abiy Ahmed soon released tens of thousands of political prisoners. In October 2019 he was awarded the Nobel Peace Prize for this series of initiatives. In the same year, he dissolved the EPRDF and created the Prosperity Party (PP) in its place.

In 2018 and 2019, it seemed that Ethiopia had reached the final stage of the 1991 paradigm shift, namely, the effective implementation of conditions that respect political freedoms and human rights. In 2019, the OSA (Oromo Studies Association) was able to organise its main annual conference in Addis Ababa for the first time, with extraordinary participation of scholars, both Ethiopian and from the diaspora, in a festive atmosphere, characterised by open intellectual engagement and freedom from the self-censorship that both Oromo and international scholars had internalised in previous decades. Several intellectuals and political refugees in Europe, the US, and Canada were able to return to Ethiopia to participate in the negotiations and preparations for what were expected to be free and fair elections. Among them were Jawar Mohammed, founder of the Oromia Media Network (OMN) in the US, who was very popular with the *Qeerroo* movement, and some influential OLF leaders in the diaspora.

As with other Arab Springs, events did not unfold as hoped. Having lost control over the EPRDF and the country, the TPLF did not accept the transition from the EPRDF to the Prosperity Party. Retreating to its strongholds in Tigray, in 2020 the TPLF launched an armed resistance and a violent conflict against the Ethiopian army and the ultra-nationalist Fano militias in the Amhara Regional State.

In the Oromia region, negotiations with the OLF mainly involved politicians and fighters based in Eritrea, while the OLA operating inside the country expressed concerns about the absence of international observers at the negotiations. Aware of the 1992 experience, this faction refused to disarm and established the OLF-OLA High Command in 2021, excluding other political components of the OLF.[6] Among other things, it declared its commitment to peace by invoking the traditional value of *nagaa*,[7] which is extensively discussed in Chapters 2.2 and 3 of this volume, as one of the traditional values associated with the *gadaa* system.[8] In 2020, the murder of singer Hach-

6 International journalistic sources report that, as of March 2024, negotiations with the Prime Minister are still ongoing.

7 Website of the OLF-OLA High Command, `https://www.olf-olahq.org`.

8 Much of the scholarly discussion of *nagaa*, as discussed later in this volume, has focused on the Borana Oromo. The relevance of the concept at the Oromo scale is now confirmed by Mergerssa and Kassam, who refer to the *nagaa Oromoo* (2019, 226). They define it as “a principle of peace, harmony and universal order that operates in the world”

alu Hundessa, a popular figure in the *Qeerroo* movement, sparked street violence in the Oromia region. Just before the 2021 elections, these events triggered a new wave of severe political repression, including the arrest of thousands of people and several key leaders of Oromo opposition parties, including Jawar Mohammed. In the end, the OLF's negotiating faction did not contest the elections with its organisational name. However, some of its leaders were co-opted by the Prosperity Party. The OFC also withdrew from the elections.

Following a peace agreement in November 2022, the conflict in Tigray became less destructive, but, from 2023, armed conflict erupted in the Amhara Regional State, where the FANO militia had remained militarily active.

The Prosperity Party, which has a large parliamentary majority, seems committed to building a new political centralism grounded in Abiy Ahmed's political philosophy of *Medemer*. *Medemer* is an Amharic term meaning 'adding' or 'coming together'. It encapsulates the idea of building bridges or 'synergies' for the common goods of development and prosperity, overcoming ethnic divisions. Oromo opposition parties are concerned about what appears to be a regressive policy on the use of the Oromo language and *Qubee* script in schools in the Oromia National Regional State. They are also concerned about the process of amending the 2004 constitution. The preparatory study for this change has been entrusted to the Policy Studies Institute (PSI), a government think-tank, to curb ethnonationalism (PSI 2022). The opposition fears that the results of the process could undermine the gains achieved in cultural rights and administrative autonomy.

2 The Revitalisation of the *Gadaa* Institution

The paradigm shift of 1991 set the stage for the revitalisation of the *gadaa* institution. This process is particularly relevant in the highlands, where the institution had lost its operational capacity. Three sets of factors can explain this. The first is the culturalist and identity political rhetoric of the EPRDF, which was fundamental in enabling the TPLF to secure Oromo support and thus replace the Amhara elites at the helm of the country. The second, as has been observed, is that these same themes are the motivational cornerstone of the Oromo opposition, both parliamentary and extra-parliamentary. The third is a combination of more tangible elements, namely the adoption

(2019, 111). Debelo and Jirata further describe the concept as found among the Guji Oromo, qualifying it as "a fundamental epistemological notion that situates peace within their worldview and relationship with God" and as "a harmony between humans, nonhuman beings and the supernatural power" (Debelo, Jirata 2018, 226).

of Oromo as the university language in Oromia, the federal Ethiopian policy of strengthening the system of peripheral universities, and the proliferation of centres and research initiatives on *gadaa*.

Regarding the first two factors, the issue of the restoration of *gadaa* has become a common yet contested ground between the government – particularly its ODPO/ODP component – and the opposition (Nicolas 2021, 166). Notably, Negaso Gidada, who served as President of Ethiopia from 1995 to 2001, was previously a member of the OLF while in the German diaspora (Zitelmann 2009, 281-2).[9] He had a clear understanding of the symbolic significance of *gadaa*, and in 1996, he attended the customary general assembly organised every eight years by the Borana Oromo. Even the Macha-Tulama Association was initially rehabilitated, only to be banned again in 2004 following the arrest of its leaders and sympathisers, who were accused of having close ties to the OLF (Jalata 2013).

The competitive dynamics between the government and the opposition over traditional symbolism are illustrated in detail by Serawit Bekele Debele's account of the revival of the *Irreecha* festival (Bekele 2019). Since 1991, the *Irreecha* celebration has become the strongest expression of the Oromo national identity. Strictly speaking, the ceremony is part of the traditional *Waaqeffanaa* religion,[10] but it is closely linked to the role played in the rituals by the leaders of the revived *gadaa* of the Tulama Oromo, in the area west of Addis Ababa.

Three recent studies have outlined the use of the same *gadaa* symbolism by both the Oromo movement of the 1960s and the OLF on the one hand, and the post-1991 Oromia National Regional State on the other (Gemechu 2014, 50; Nicolas 2021; Gemechu, Mekonnen 2022). The iconic *gadaa* elements include:

- the *odaa*, the sycamore tree that is central in many rituals and in whose shade the *gadaa* gatherings took place; the *odaa* was incorporated into both the Oromia Regional State and that of the OLF flags;
- the three colours black, red and white, emblem of the *gadaa*, on the flag of both the Oromia Regional State;
- the use of the expression *Caffee Oromia* to refer to the regional parliament in the constitution of the Oromia Regional State; *Caffee* is the term used by the highland Oromo to refer to the customary general assembly, equivalent to the *Gumii* of the southern Oromo;
- the incorporation of *gadaa* symbolism in the architectural figures of new constructions of high symbolic relevance, including

9 See ch. 7.6 in this book.

10 The *Waaqeffannaa* religion is also in full revival, both in Ethiopia and globally among the Oromo diaspora (Erko 2019).

the OPDO Convention Hall and the building built to host the Parliament of the Oromia Regional State;
- the adoption of the term *galma*, the rural ritual huts of the traditional religion, to refer to the modern constructions provided by the government in urban centres as a base for the revitalised *gadaa*.

The three studies agree in situating these trends within the broader global and African postcolonial and re-traditionalisation discourse. However, both also raise some critical considerations. Concerning the revitalisation of the *gadaa* institution, Dejene Gemechu Chala and Jira Mekonnen Choroke report the concern expressed by several Oromo interviewees about the effective accommodation of the philosophical and functional aspects of the institution, beyond the mere formal and aesthetic adoption of its symbols (Gemechu, Mekonnen 2022, 13). Through a long-term review of the revival process of the *gadaa* of the Tulama Oromo, Andrea Nicolas outlines how the progressive incorporation of the revived *gadaa* into the party's politics transforms the institution itself, changing its internal rules, working modalities and functions (Nicolas 2021).

The 2016 inclusion of the "Gada system" in the UNESCO list of intangible cultural heritage of humanity as "an indigenous democratic socio-political system of the Oromo"[11] probably constitutes the highlight of this transition. Undoubtedly, this recognition would have been unthinkable before 1991. However, as is always the case with *patrimonialisation*, the process itself entails a change in the social and cultural value of the recognised heritage. In the case of the *gadaa*, the Ethiopian Ministry of Culture and Tourism established the competence over the customary institution, exercised through the Oromiyaa Culture and Tourism Bureau (OCTB) (Nicolas 2021, 153-4). The availability of public funds has given the OPDO/ODP a significant advantage over the opposition in controlling the ongoing process of revitalising the *gadaa* institution. Indeed, the OCTB has been very active in supporting, financing, and patronising the institution in both the Oromo highlands and lowlands. In pastoralist Oromo areas where the *gadaa* institution has remained operational as a customary governance institution, *gadaa* leaders have been systematically involved in addressing inter-ethnic conflict, to the extent that a substantial body of literature has already been produced on *gadaa* as an effective case of indigenous mechanisms for peacebuilding and for African Solutions (AfSol) to security problems (Scott-Villiers et al. 2011; Gemechu 2014; Mamo 2017; Debisa 2022; Wako 2023). Concerning

11 UNESCO website, https://ich.unesco.org/en/RL/gada-system-an-indigenous-democratic-socio-political-system-of-the-oromo-01164.

Oromo highlands, Nicolas highlights the character of deliberate social engineering that has characterised the revival of the Tulama Oromo *gadaa*. She also notes the impact of moving the *gadaa* decision-making venues from open-air gatherings in the countryside to government-built *galma* in the administrative centres, resulting in its bureaucratisation, with the introduction of new staff and attempts to change the electoral process from one based on lineage representation to one based on administrative divisions, with the possibility of promoting pro-government candidates (Nicolas 2021, 174, 175).

Concerning the national situation, Nikolas devotes a great deal of attention to the establishment in 2015 of the 'Council of Oromo Abbaa *Gadaa*', with the support of the OCTB. This is a single organisation which unites all the previously autonomous *gadaa* centres under a common leadership (Nicolas 2021, 161, 162). The Abbaa Gadaa's Council is linked to local and regional rituals and gatherings, which are still mainly conducted according to customary rules. However, according to Nicolas, the new superimposed centralised structure is "a mirror image of the state party organisation". These combined changes imply that the *gadaa* institution and the government no longer "rely on completely different concepts of authority" and that *gadaa* no longer functions as a system parallel to and independent of the government. She suggests that *gadaa* is becoming a "third" form of institution, neither customary nor entirely modern, over which traditional authorities are gradually losing control (Nicolas 2021, 174). This conclusion is not far from the views expressed by several Oromo reported in Gemechu and Mekonnen's study (2022, 14), that *gadaa* leaders have become vulnerable to co-optation and that it would be better for the *gadaa* leaders to stay away from party politics. Similarly, concerning the revival of the Ilu Oromo *gadaa*, Lemessa Wakgari complains that the system has not been reconstituted as in the past, that elections follow the state model rather than customary rules, and that the failure of the community to sustain the institution has made it dependent on the state budget (Wakgari 2019).

Despite the intense collaboration, it appears that no formal steps have been taken to institutionalise or formalise the relationship between the government organisations and the *gadaa* (Dinagde 2019; Aga 2022). This reduces the protection of the customary sector and makes it vulnerable to the interests of state actors, who, according to Nicolas, see the *gadaa* for "its role as a national icon, as a media-focused embodiment of the Oromo nation' rather than for the decision-making tasks of *gadaa* leaders" (Nicolas 2021, 174).

It is worth noting that the establishment of a national *gadaa* coordination reflects the historical view that refers to the existence of a single *gadaa* centre for all the Oromo, prevalent within the Oromo diaspora movement, as opposed to the one that recognises *gadaa* for its regional governance, complementary to the centralistic and

legitimising role of the *abbaa muudaa* institution. This difference has profound implications in terms of modelling the inclusion of *gadaa* governance in current settings.

3 Content of the Volume

This volume contains articles, essays and policy recommendations written over a long period, some of which are difficult to access. I have decided to bring them together for a more coherent and sequential reading against the backdrop of the recent political history of the Oromo.

I have chosen to present the writings in their original form, even at the risk of repeating certain concepts, for two reasons. The first is that each contribution relates to the historical moment in which it was produced and the circumstances of the ethnographic research. The second reason is that the researcher's perspectives have changed over time, both because of institutional changes in Ethiopian politics and because of the normal progression of the acquisition of knowledge and experience. This introductory chapter and the introduction to the various parts of the volume provide the space where I have been able to offer insights into a recontextualised reading of the various writings.

The reprints contained in this book have undergone some changes, including the adoption of uniform Oromo spelling, the conversion of some papers from American to British spelling,[12] the adoption of a coherent citation system, the consistent numbering of tables, maps and figures throughout the book, a unified bibliography, and minor textual editing.[13]

Part 1, "*Gadaa* as an ongoing institution", is devoted to describing the *gadaa* institution from the context where it has remained fully operative through the 19th and 20th centuries, until the present. It collects articles and essays on *gadaa* as practised among the Borana Oromo in the late 1980s and early 1990s. This ethnographic approach was made possible by the practice of maintaining conditions of co-presence and, at the same time, a clear separation between the customary domain and the competencies of the Ethiopian state. Although this situation was mutually recognised by customary leaders and government officials, the modalities of interaction were entirely informal.

12 For the textual changes and improvement of English style, the author made use of artificial intelligence systems, including ChatGPT, DeepL, and Grammarly.

13 For quotations, I recommend referring to the original publication, if accessible.

As noted in the republished papers, there are valuable ethnographies on this subject from earlier in the 20th century, including the now classic work by Asmarom Legesse (1973), but the issue tends to be somewhat underestimated in the current debate about the revival of the *gadaa* institution and its incorporation into contemporary governance. The Borana are, in fact, the Oromo section that has best preserved the full functionality of the *gadaa* institution, even after their annexation to the Ethiopian Empire and up to the present day. For this reason, it has served as a model for revitalisation in the Oromo highlands, as in the case of the Tulama Oromo reported by Nicolas (2021, 154, 160).

Part 2, "Territorial Crisis and Inter-Ethnic Conflict", serves as a bridge between Parts 1 and 3, bringing together two essays that illustrate the transition from a state of separation to one of inclusion of the Borana *gadaa* in contemporary governance. These essays outline the history of top-down engagement with customary institutions in Borana and beyond, in the fields of national and international development, biodiversity conservation and, especially, politics and inter-ethnic conflict.

The essays focus on an issue that continues to be a major point of reference in the political debate at the federal level in Ethiopia, with implications for future constitutional choices: the emergence of interethnic conflicts and episodes of ethnic cleansing coinciding with the introduction of multinational federalism and the redefinition of administrative spaces and boundaries. These events have been rhetorically used as evidence of the potentially divisive nature of the 1994 constitution and the need for a new constitutional reform. The two essays republished here report on different stages of research conducted in the Borana Oromo region at the very time when this issue was emerging. They examine the complex interplay between the refugee crisis triggered by the Somali state crisis, the ruling party's political manipulation of both internationally supported migration policies and electoral processes, and the interests of the region's different ethnic groups competing for scarce natural resources.

The severe territorial crisis faced by the Borana as a result of this delicate historical transition has prompted *gadaa* leaders to break their isolation from the political dynamics of the Ethiopian state and engage in the national political arena.

The data presented in these papers paint a scenario that raises serious concerns about the practice of engaging or co-opting customary leaders without an institutional interface mechanism. On the one hand, customary leaders should be institutionally committed to the well-being of their communities, including the protection of their territorial rights. Despite the high level of trust people have in the ability of their customary leaders to restore peaceful inter-ethnic relations, as documented in several recent studies (Scott-Villiers et al.

2011; Gemechu 2014; Mamo 2017; Debisa 2022; Wako 2023), it is difficult to imagine customary leaders working for general peace when competing communities ally with government authorities for territorial gains at the expense of their neighbours, unless the conflict has become so destructive that an orderly life is no longer possible for anyone. Indeed, it was precisely at this advanced stage of regional interethnic conflict that the Borana *gadaa* leaders took the initiative to restore peace, drawing upon the historically collaborative relations between the ethnic groups of the region and leveraging the reconciliatory nature of customary juridical practices (Scott-Villiers et al. 2011; Chs. 3, 6.9, 7.7 and 8.2.2 in this book). On the other hand, government authorities may make territorial concessions for strategic or electoral gain. What I am describing is a situation where, contrary to international best practice in the protection of indigenous and tribal peoples' rights, the interface between statutory and customary institutions has not been formalised in any way. It is a situation in which the mandates and accountability mechanisms of each of the actors involved are undefined and each is free to pursue its opportunistic interests, either on a personal level or on behalf of the group it represents.

The research presented in Part 2 provides the background for the policy recommendations presented in Part 3 of this volume, "*Gadaa* in Contemporary Governance", where attention shifts from the Borana and their region to the broader Oromo and Ethiopian context. In this part, the discussion of *gadaa* and other customary institutions is placed in the context of the broader issue of political and minority rights in the country, on the assumption that reliance on customary institutions alone cannot be seen as a solution to the problems faced by Ethiopia's minorities, nor do they offer a viable democratic model that can serve as an alternative to full respect for internationally recognised human rights. The 'direct' democracy offered by these institutions needs to be placed within a broader, formalised framework of governance by ensuring the political independence of customary components and strong procedural power over plans and initiatives that may affect the well-being of rural communities.

In the Epilogue, "In Praise of Oral Creativity", I re-propose the ethno-astronomical study that highlights the unique method employed by the Borana Oromo to empirically determine the insertion of an intercalary month to maintain the correspondence between the lunar year and the seasons in the traditional calendar. In the introduction, I propose a possible astronomical foundation for the eight-year periodisation of the *gadaa* institution, as well as the Oromo conception of history.

4 Modalities of Integration of *Gadaa* in Current Governance

In the process of revitalising the *gadaa* institution and integrating it into current governance, we are faced with the paradox that, although it has been systematically invoked by both the government and the opposition, no formal steps have been taken to institutionalise it within the overall governance framework of the Oromia Regional State (Dinagde 2019). The analysis of the ongoing processes must, therefore, focus on the various modes of integration that are currently taking place or being theorised. In this regard, it is useful to consider first and foremost that we are dealing with two types of processes that are related but ontologically very different from each other.

In pastoral areas, where *gadaa* has continued to operate as a parallel institution to the state administrative structure, customary leaders have been involved mainly on a personal level or through cooption. This is the subject of parts 1 and 2 of this volume. In the predominantly agricultural Oromo areas, where the *gadaa* institution had survived only as a residual ritual practice in the 20th century, we have witnessed since 1991 a social engineering operation for its revival, which the government has gradually taken control of through funding through the Oromiyaa Culture and Tourism Bureau. This is the subject of this introductory chapter and Part 3 of the volume.

It is clear that while in the pastoralist areas, we can speak of an institution that has its autonomy in the selection and training of customary leaders and the internal decision-making processes of the rural community, in the latter case such elements are somehow incorporated into the state structure or strongly influenced by it, thereby reducing the potential for building an institutional framework that can counterbalance government decisions on policies affecting the territories of the different Oromo sections.

As discussed in Part 2, *abbaa gadaa* from different Oromo pastoralist groups had begun to meet as early as 2003 as part of government and internationally supported initiatives to support pastoralism and to engage in inter-ethnic conflict resolution. However, it was not until the establishment of the Council of Oromo Abbaa Gadaa in 2005 (Nicolas 2021) that the two processes were directly linked. On the one hand, this has facilitated a more direct transfer of knowledge about *gadaa* across different Oromo areas. On the other hand, it also allows for the extension of government influence over the *gadaa* leaders in the pastoralist areas.

On the occasion of various events organised both by the European diaspora and within the specialised research centres developed in

Oromia after 1991,[14] I have had the opportunity to reflect on the ongoing processes and have outlined the following four different scenarios for the inclusion of the *gadaa* institution in contemporary governance:

1. Designing new constitutional solutions based on the *gadaa* institution;
2. Co-option and informal engagement of *gadaa* leaders.
3. Regulating the interface between the state and national and international development actors on the one hand, and *gadaa* governance elements on the other.
4. Endogenous development of new *gadaa* structures at local and national levels.

The first scenario is more theoretical than actual. It is firmly rooted in the portrayal of *gadaa* as a symbol of Oromo democracy and the vision of the diaspora intellectuals of the 1970s discussed in this introductory chapter and Part 3. This is still a productive line of thought. Starting with the contributions of Legesse already discussed, several scholars continue to work on the identification of criteria to be translated into constitutional form, with particular reference to the constitution of the Oromya Regional State (Dinagde 2019; Amid 2019).

The second scenario refers to various forms of cooperation between customary leaders and state officials without institutionalised regulation. This has taken place in Borana territory and among neighbouring Oromo pastoralist groups, such as the Gabra and Guji. This engagement can involve both development planning and the political sphere. The dynamics of these interactions are critically examined in Part 2 of this volume, where some of the assumptions underlying the engagement of development agencies with customary institutions, and their use in addressing inter-ethnic conflict, are challenged. In Chapter 7, I attempt to discuss how applying the notion of 'direct democracy' or the metaphor of customary institutions as a 'bridge' between decision-makers and local communities not only fails to construct alternative channels of representation in an unconducive political environment (Lister 2004, Hagmann 2005, Watson 2001; Gemechu 2014) but may also result in unpredictable

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14 I owe special thanks to the organisers of the London International Oromo Culture & History Workshop, "Exploring Oromo Cultural History: Critical Multi-disciplinary Enquiries", held on 4th July 2009, and the organisers of the 2nd International Conference of the Institute of Oromo Studies (IOS) at Jimma University, which took place on 1st and 2nd June 2017. During the first event, I presented a PowerPoint on the theme "*Gadaa* and modernity: Some thought about principles and practices across governance domains". This initial elaboration was discussed again during the second event, as part of a PowerPoint presentation on "*Gadaa* and Governance of Natural Resources: Reflections Over the Yaaballo Statement on the Borana Conserved Landscape". On June 7th 2017, I had the opportunity to present the same topic during an invited lecture at Bule Hora University. I extend my thanks to Boku Tache and the Director of the programme for this opportunity.

outcomes. As highlighted in the conclusion of Chapter 7, the core challenge lies in integrating the state and customary governance systems while ensuring that the accountability and balancing mechanisms of each are preserved.

The third scenario, also hypothetical, would be a desirable evolution of the second. As suggested in the policy recommendations of Chapter 9, it would involve the establishment of precise procedural rules of engagement with the traditional governance apparatus, modelled on international law on indigenous and tribal peoples. This would ensure the exercise of the right to self-determination in areas deemed essential to quality of life. For this to be effective, the state must constitutionally grant the customary system significant negotiating powers (Dinagde 2019), an aspect expressed in international law by the principle of free, prior and informed consent, which must be obtained for any initiative that could harm the territory and living conditions of the Indigenous community. It is useful to recall the fundamental value of *gadaa* as an institution that links the social and political realm with the cosmological dimension, a theme that recurs throughout the various parts of this volume and in the Epilogue. This connection places customary leaders in charge of the fundamental elements essential to the flow and renewal of life – land, water, air, plants, and animals (Tache, Irwin 2003; Debele 2018). These elements, which could be considered part of the theoretical framework of the commons, form the material foundation for the sustenance of rural communities and are encapsulated in Western terminology by the concept of the 'environment'.

To provide an effective counterweight to national and international policies, customary institutions must be truly independent of state and party structures and dynamics. Recent studies conducted among the Guji (Lelisa 2018), the Arsi (Teso, Hamado, Chalenka 2016), the Borana (Dinagde 2019; Biratu, Kosa 2020) and other Oromo groups show that *gadaa* continues to function as an institution that promotes social solidarity, integration and dialogue among the different components of the rural community, enabling people to engage in highly participatory and egalitarian local governance. It is therefore crucial that the interface between statutory and customary institutions is not based on the consent of individual customary leaders – which would not be very different from scenario 1 – but that it involves the customary institution in a broader sense, including customary decision-making procedures.

Scenario 3 involves the full restoration of the capacity for localised territorial governance implicit in the model of Oromo history proposed by Megerssa and Kassam (2019). This model envisages a single ceremonial centre associated with the *Abbaa Muuda* for the entire Oromo polity, alongside various territorial groups self-governing through localised *gadaa* centres. Negotiations should therefore

take place at the local level, with territorial divisions corresponding to the jurisdictions of existing *gadaa* centres. This process can be more effectively implemented among Oromo groups with pastoral and agro-pastoral livelihoods, such as the Borana, Gabra, Guji and Karrayu, who have maintained the functionality of the *gadaa* system as an institution closely linked to each social component of the rural community.

The implementation of an institutional solution as proposed in Scenario 3 is complex and requires the support of dedicated research programmes. These programmes must ensure the full involvement of customary leaders, technical assistance from international experts on indigenous rights, and space for public debate. Such programmes can be effectively based on the specialised research centres that have been established in the universities of the Oromia Regional State since 1991.

The fourth scenario reflects the current situation in the agricultural areas of Oromia. It is compatible with, and complementary to, Scenario 3, as revitalisation could potentially restore institutional forms inspired by customary models for use in localised consultative processes. However, this scenario may also incorporate a second component aligned with the unitarist vision of the *gadaa* system, which is based on the historical reconstruction that sees the entire Oromo polity as being 'governed' through a single *gadaa* centre. The establishment of the Council of the Oromo Abbaa Gadaa appears to support this model.

It is worth noting that while the early proponents of the relevance of *gadaa* in modern politics viewed it as a source of inspiration for political principles and values that could be incorporated into a constitution, contemporary theoretical frameworks associated with postcolonial studies and African re-traditionalisation (Gemechu 2014; Nicolas 2021; Gemechu, Mekonnen 2022, 13; Buur, Kyed 2007) may lead to a radicalisation of the portrayal of the *gadaa* as a form of African democracy that offers a direct alternative to the Western model of democracy. Consequently, it can be used rhetorically to circumvent the discourse on political and human rights that has traditionally accompanied the development of Western notions of democracy.

Part 1
Gadaa as an Ongoing Institution

Introduction to Part 1

In Part 1 I am presenting essays and articles written between 1992 and 1995, based on research conducted through the method of participant observation in 1986 in northern Kenya and in 1989 and 1990 in southern Ethiopia. This last period corresponds to my postgraduate and doctoral anthropological training, both influenced by the functional-structuralist teachings of Bernardo Bernardi. This approach poses several issues as it does not systematically consider the broader historical and political contexts in which the researched group is embedded. Nevertheless, even in hindsight, I believe that the research approach used was very valuable, especially considering that these studies were conducted during the last historical period in which the Borana managed to maintain their customary institutions separate from the political, social, and economic dynamics related to the Ethiopian state.

Maintaining the separation between the customary and modern state sectors was probably a form of protection for their institutions, a strategy to avoid the contamination that would inevitably result from the direct involvement of customary leaders in state processes. I was thus able to attempt an analysis of customary institutions within the context that produced them, looking for their significant features concerning the internal organisation of the Borana. For this reason, I thought it appropriate to present these writings in their original form, without revising the ethnographic writing that is interspersed with the analytical dimension.

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The essay presented in Chapter 1 was written on the occasion of Paul Baxter's retirement. In the wake of Bernardi's interest in the political significance of age-class systems (1984), I devoted the research conducted in Kenya in 1986 to the study of the *gadaa* system. However, the ceremonial and political centres of the Borana are located in southern Ethiopia. Therefore, rather than direct observation of customary political processes, the ethnography presented in this paper is based primarily on triangulated interviews.

I wrote the article in Chapter 2 after my doctoral research conducted in southern Ethiopia in 1989 and 1990. This article confirms the general framework outlined in Chapter 1, but through direct observation of the various decision-making processes, it was possible to broaden the view to different types of assemblies. The use of the category 'traditional' at this stage of my work reflects a terminology that was still dependent on the dichotomy between modernity and tradition, prevalent at the time in the intellectual circles of the region. In other continents, the claims of indigenous peoples had already led to the preference for the use of the term 'customary', capable of indicating elements derived from pre-colonial political phases without implying an irreducible opposition to modern and contemporary practices, and thus better able to delineate possible pluralist contemporary solutions. However, the reluctance in Ethiopia and other African countries to accept the existence of indigenous African peoples as ethnic and linguistic groups distinct from other dominant groups must be taken into account as a factor leading to the use of different terminologies and international concepts. It was only later in my research journey, through international engagement with the issues of minority and Indigenous Peoples' rights, that I became aware of these challenges and, in retrospect, of the conceptualisation issues present in my early writings.

Overall, these two chapters provide a clear answer to a question I have often been asked by Oromo colleagues, namely where I stand on topics that have characterised the international debate and divided European scholars from African scholars about the following two questions: is the *gadaa* system a political or a religious institution? Does the traditional political system of the Oromo correspond to a state organisation or not? This is an issue that found expression above all in Paul Baxter's critique of Asmarom Legesse's classic study *Gada. Three Approaches to the Study of African Society* (1973), expressed in the collection *Age, Generation and Time* (Baxter, Almagor 1978a). Legesse harshly responded in *Oromo Democracy. An Indigenous African Political System* (2000). By relegating the *gadaa* system to the ritual sphere, Baxter sought to reduce its political significance. This position undermined Legesse's later argument for the recoverability of the *gadaa* system as a source of constitutional principles for the democratic regulation of a modern state (Legesse 1978;

2000). The reflections presented in these two chapters on how the *gadaa* operates politically within its context are therefore central to the contemporary debate on *gadaa* governance.

Almost 30 years later, thanks to further studies and insights in the field of political anthropology, I would be inclined to modify some aspects of how I discussed the issue. The question of whether the *gadaa* is a ritual or political institution now appears to me as a false problem. Thanks to Luc de Heusch's (1962; 1997) and Balandier's (1967, ch. 5) contributions on the topic of the sacredness of power, we can assert that the Durkheimian dichotomy between the sacred and the profane and the relegation of rituals to the former sphere appears obsolete. As Balandier points out, "every society links its own order to an order beyond itself, and, in the case of traditional societies, to the cosmos" (1970, 101). For both state and stateless African societies, the two authors illustrate these aspects by referring to 'mystical forces' such as the *Ker* for the Alur of Nigeria, the *Swem* and *Tsav* for the Tiv of Nigeria, the *Mahano* for the Nyoro of Uganda, or the *Naan* for the Mossi of Burkina Faso. These are cosmic manifestations, differently configured by different peoples according to their political values and culture, that can affect people's lives negatively or positively. The political apparatus and its personnel bear the responsibility of regulating it for the collective well-being, just as among the Oromo the *gadaa* and *qaalluu* institutions of the Oromo ensure the maintenance of the *nagaa*.[1] As for modern societies, the two anthropologists addressed the issue in terms of the transcendence and sacredness of the state. This is a topic that historians have tackled through the development of the concept of 'political religion', which involves the use of powerful ritual apparatus and the appropriation of rites of passage by the state, often associated with the European totalitarian regimes of the last century. However, it is above all the contributions of Abner Choen (1969) and David Kertzer (1988) that delineate the inseparability of the political field from ritual and symbolism, due to the importance of the latter in the cognitive construction of the social frameworks in which actors organise their action and of the political apparatuses that regulate every type of society. In this sense, the *gadaa* system must be seen as a highly political institution, through which the social order and the cosmic order are intimately linked.

The article of Chapter 3 provides a brief but important insight into the characteristics of Oromo legal practices, aimed at reconciliation between parties rather than punishment, and at reaffirming the regulating principles of society and social life. These features are widely

[1] Outside Africa, the *àṣẹ* of Candomblè religion in Brazil and Italy, the Polynesian and Melanesian *mana* and the Iroquois *orenda*, described or mentioned by Daniela Calvo (2003), provide comparable cases.

shared in African customary law, with aspects that are now taken up and popularised in the discourse on the effectiveness of traditional African systems of conflict resolution, a theme that I will return to in the second and third parts of this book.

The essay in Chapter 4 was written at the invitation of Elisabetta Grande as a contribution to a study on legal pluralism in the Horn of Africa. It focuses on a specific aspect of Borana law – family law – offering insights into its substantive legal characteristics, in addition to the procedural aspects discussed in Chapter 3. Within the context of the argument presented here, this essay is particularly valuable for outlining Borana's practice of maintaining a distinction between the customary and state legal systems until recent times.

Chapter 4 also qualifies the Borana Oromo as a society based on gender division. This topic relates to some criticisms that have been raised against the current valorisation of the *gadaa* because women would be excluded from access to *gadaa*-related offices and political-military engagement. Recently, Oromo intellectuals have defended the gender equality of the *gadaa* institution by recalling several traditional practices that specifically protect the rights of women (Kassahun 2021). Particular reference is made to the *siiqqee* institution, which was analysed from a feminist perspective by Kuwee Kumsa before this debate arose (Kumsa 1997). Kumsa examined its relationship with the *gadaa* system, with the specific intention of exploring its potential for women's solidarity in their struggle. She aimed to fill a gap in the understanding of women's perspectives in Oromo society due to the male gender bias in research (Jalata, Schaffer 2013, 278). She mainly relied on the few available contributions by female anthropologists and on interviews with Oromo women, as well as with specialists of the Oromo worldview and society such as Gemetchu Megerssa.

The *siiqqee* is a ritual stick that stands in symbolic complementarity with the *horooroo*. These are given to the bride and bridegroom respectively at marriage, and they are broken and buried with the individual at her or his death. Both Kumsa and Megerssa (Kassam, Megerssa 1996) provide an analysis of the symbolism of these two sticks, which relate to life, fertility, genealogical continuity, reproduction of the individual and society at large, as well as the "basic human rights to which an individual is entitled for as long as she/he lives". Together, "they are symbolic regulators of a healthy and balanced relationship of power between female and male Oromo" (Kumsa 1997, 120-1). Women use the *siiqqee* on many ritual occasions, but also to mobilise their internal solidarity. They can use it to signal rebellion against abuses, drawing social attention to the issue to be dealt with according to *gadaa* laws. Through the *siiqqee*, women can bless, curse, or contribute to reconciliation. During the *gadaa* transition ceremony, the newly elected officers must pass under the

raised *siiqqee* of women to receive their blessing (Kumsa 1997, 123). The *abaarsa siiqqee* is a curse that can be pronounced by a group of women (Kumsa 1997, 123), mirroring the curse given to recalcitrant individuals in the male-dominated context of the general assembly (Chs. 1.2 and 2.4 of this book). For these reasons, *siiqqee* is seen as an institution that is parallel, coordinated and interdependent with *gadaa*, ensuring egalitarianism despite the division of roles and providing another dimension of the *gadaa*-related mechanisms of checks and balances (Kumsa 1997, 123).

More recently, to highlight this complementarity, Asafa Jalata has suggested replacing the use of the term *gadaa* with Gadaa/Siiqqee or Siiqqee/Gadaa (Jalata, Schaffer 2013, 278). Research is currently expanding into new areas, such as Debela Fituma's study on the role of the *siiqqee* institutional component of the *gadaa* system in Indigenous peace-building processes (Debela 2020).

Chapter 5 is a short essay based on research conducted in Kenya in 1986. It was originally presented at a workshop organised by Paul Baxter and Richard Hogg at the University of Manchester to stimulate critical reflection on the practices of international development cooperation in pastoral contexts. The chapter provides an insight into the practical aspects of the customary organisation. It discusses the system of mutual aid and poverty alleviation through internal livestock redistribution – crucial in an environment such as that of the Borana, characterised by recurrent drought, epizootics, and conflict.

1 *Gadaa* as an Integrative Factor of Political Organisation

Summary 1.1 Introduction. – 1.2 Generic Features of Council Organisation. – 1.3 Revaluating the Political Significance of Kinship. – 1.4 *Gadaa* as an Integrative Factor of Political Organisation. – 1.5 Other Borana Councils. – 1.6 A Few Observations.

1.1 Introduction

Gadaa is the generational[1] class system typical of the Oromo people in Ethiopia and Kenya. Its internal mechanisms are quite clear and noncontroversial, thanks to historical written sources and the more recent systematic work of scholars and anthropologists. In its basic form, a succession of named generation classes passes through

* Adapted from the following original publication: Bassi, M. (1994). "Gada as an Integrative Factor of Political Organisation". Brokensha, D. (ed.), *A River of Blessings. Essays in Honor of Paul Baxter*. Syracuse, NY: Maxwell School of Citizenship and Public Affairs, Syracuse University, 15-30. This paper is based on research carried out mostly Sololo area (Obbuu), Kenya, in 1986.

1 I wish to thank the Kenyan authorities and the Institute of African Studies of Nairobi University for granting research permit and for facilitating my research as a research associate. I feel deeply indebted to the Borana for their hospitality and friendship and their active and willing collaboration. My gratitude to Alessandro Triulzi and Antonino Colajanni for their advice and to Tamene Bitima for his suggestions on Oromo orthography. I owe special thanks to Bernardo Bernardi for his stimulating teaching and his assistance during the various phases of this study and to Paul Baxter for his encouragement and information on Oromo studies.

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a series of named grades, with promotions occurring at fixed intervals of eight years. Individuals are enrolled in the class five positions below their father's class. Beyond this general framework, there are variances in terminology and norms among different Oromo groups.[2]

The functional attributes of *gadaa* are not as clear and universally agreed upon as its structural principles. Since the earlier reports, the *gadaa* council/assembly has been described as a sort of parliament and as a centre of government characterised by a rotation of leadership: every eight years, a new generation class takes the leadership of the *gadaa* council and 'rules' the country. This class stays in power for eight years, a *gadaa* period. The leader of the generation class – *abbaa gadaa* among the Borana or Gujji Oromo or *abbaa bokkuu* among other Oromo territorial sections – has often been referred to as 'chief' of the nation or tribe for eight years. This view has been a sort of anthropological cliché, discussed and criticised in *Age, Generation and Time*, a volume edited by Paul Baxter and Uri Almagor (1978a). The contributors of that volume analyse *gadaa* in terms of a ritual and conceptual system rather than a political one. They criticise the established interpretation of *gadaa* (Baxter, Almagor 1978b; Baxter 1978a) and, specifically, that of Asmarom Legesse (Baxter 1978a, 153-5), whose book, *Gada. Three Approaches to the Study of African Society* (1973), has become the classic reference for the *gadaa* system. Both Baxter and Legesse carried on their systematic field research among the Borana, a pastoral section of the Oromo living across the border between Ethiopia and Kenya.

Baxter suggests that classes, per se, do not have direct control over economic resources (Baxter, Almagor 1978b, 9; Baxter 1978a, 158), nor do they "rule or have power of a direct political kind" (Baxter 1978a, 152). Thus, he opens a debate not only on the actual political role of *gadaa* but also on the Oromo political organisation in general. He suggests that formal and informal general assemblies, rather than sets, perform the few political tasks (Baxter, Almagor 1978b, 19). Such an approach reflects what Baxter calls a "comparative Africanist perspective" (Baxter 1978a, 153).

In this paper, I reconsider the political significance of *gadaa*, trying to analyse its role in the assembly organisation.[3] I limit myself to the ethnographic case of the Borana, among whom I carried out field research in 1986. Being concerned with the traditional organisation, I take into account only assemblies and other correlated elements that constitute a traditional heritage.

2 After the 19th century incorporation of the Oromo into the Ethiopia empire some Oromo territorial sections have abandoned the *gadaa* system.

3 I have already discussed the relation between political activity and assembly organisation among the Borana in an article published in Italian language (Bassi 1988a).

1.2 Generic Features of Council Organisation

The Borana have various types of assemblies, each with specific organisational principles and names. Institutional meetings among the Borana can be seen as community-in councils or assemblies, characterised by the right of all full members of the political community to attend and participate (Kuper 1971, 14). Decisions are reached through consensus, with fines and compensations given in heads of cattle possibly being decided. Typically, members of the institutional political elite formally express such sanctions. The political elite is internally differentiated, consisting, in order of growing authority, of *jaallaba*, *jaallaba abbaa qa'ee*, *hayyuu*, and at the same level, *abbaa gadaa* and *qaalluu*. Different leaders have specific competencies for various types of assembly. Except for the *qaalluu*, political leaders engage in economic activities like anyone else for most of their lives. According to Borana ethics, they have no special authority in the decision-making process, although they are often influential. People attribute their political influence to their greater knowledge of *aadaa* and *seera* – traditional norms and laws recognised by everyone as binding – and other qualities necessary for holding office.

The Borana do not dispose of any executive force, nor can anyone, including the political leadership, impose anything on others by the use of force or violence. Baxter explains the nature of authority in terms of exclusion from *nagaa Booranaa*, the Peace of the Borana, a fundamental Borana concept having both sociological and sacred implications. It consists of the absence of strife and active cooperation and concord (Baxter 1965, 65), but it is also critical in the relationship between people and God (Baxter 1978a, 167).

> Backsliders are simply brought into line by being excluded from the blessing and prayers, even from the exchange of greetings, and hence from the Peace. No man can exist for long as a social, herding or ritual isolate. The last resort, after withholding greetings and blessings, is the curse, which separates its recipient from all social and ritual support. (Baxter 1978a, 4-5)

Individuals may reject an assembly decision. In such cases, the matter is successively discussed in other assemblies under the responsibility of a leader of greater standing. The curse of the Borana, *abaarsa*, is formulated at the general assembly of the Borana, the *Gumii Gaayoo* (the assembly of the multitude), held every eight years. Judicial cases rarely reach this last level. In the traditional context, *abaarsa* implies exclusion from the community. Even basic tasks, such as extracting water from the deep traditional wells, require the cooperation of numerous pastoral units. Exclusion from *nagaa*, and hence

from social cooperation, means exclusion from access to dry-season water and the inability to continue traditional pastoral activities.

Kuper suggests that "the principles by which membership of any council is fixed must be directly related to the forms of social differentiation in the society" (1971, 15). From this perspective, it is perhaps possible to distinguish Borana institutional assemblies into two groups. In the first group, membership is determined by locality; all individuals residing in a given area may take part in the assembly. The local community is typically a village (*ollaa*) or a group of villages (*deeda*) that habitually utilise the same water resources during the dry season. These assemblies are known as *kora* (meeting) *ollaa* or *kora deedaa*. The decision-making process is strongly influenced by structural age.[4] Though anyone, including women and youths, may participate and talk, decisions are reached by consensus of the elders only. For this reason, the assemblies may be called *kora jaroolee*, or the "assembly of elders". Elderhood is not related to the *gadaa* system but rather to the *hariyaa*, an age-set system integrated with the *gadaa* system. Individuals can easily change their place of residence, and, therefore, in this context, friendship, voluntary choice of affiliation, and neighbourliness are, as discussed by Herbert Lewis (1975, 201), primary elements of social organisation.

In the second group of assemblies, membership is more ascriptive in character. Various Borana institutions – kinship, *qaalluu*, and the *gadaa* system – provide the framework for social differentiation and assembly membership. The *gadaa* system plays a role in this second group, which consequently is the focus of the following analysis.

1.3 Revaluating the Political Significance of Kinship

Because descent groups have no territorial connotations and because there is a tendency to focus attention on *gadaa*, the relevance of kinship in Oromo social and political organisation might have been underestimated. The focus on *gadaa* may be found in Legesse's view of the Borana political system: the *gadaa* class, assisted by age sets, is seen as the principal repository of political authority, and the political role of kinship is considered in terms of its influence in the process of electing *gadaa* leaders (Legesse 1973, 225). Thus, kinship is considered only in terms of its influence over *gadaa*. Instead, I consider here the political role that the descent system plays per se, that is, its direct influence on council organisation.

4 In societies regulated by age class systems structural age is related "to the degree of integration into social life and the grades of successive promotion in society" (Bernardi 1985, 9).

The Borana descent system is patrilineal and segmented. At no level of segmentation are descent groups bound by residential norms, so that members of any section may be found in any local community. The Borana are divided into two exogamic moieties, called *Saabbo* and *Goona*. Below the level of moieties, there are no precise symmetries. Moieties are segmented into *gosa*, *gosa* into *mana*, *and mana* into *balbala*. Groups of *mana* or groups of *gosa* may also be found. Such groups are considered normal descent sections: all bear their distinctive name and constitute a standard point of segmentation.

A second differentiation of population overlaps this segmentation. Some sections are *Warra Qaalluu* (people of the *Qaalluu*); the others are *Warra Bokkuu* (people of the sceptre). Such a distinction is not directly related to the principles of descent. There are five *Warra Qaalluu* descent sections, each of them having a *qaalluu*, a holy dignitary whose origin is considered divine.[5] The first descent section, known as *Karrayyuu Warra Qaalluu*, is formed by twelve out of twenty-eight *mana* of the group *Daayyoo*, a subdivision of the *gosa Karrayyuu* (*Saabbo*) [fig. 1].

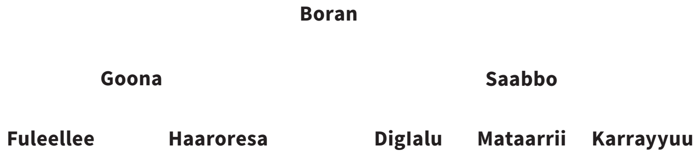

Figure 1 Major Borana Descent Sections

The *gosa Odituu*, which is one of the seven *gosa* of *Fuleellee* (*Goona*), is the second descent section. Three out of seven *gosa* of *Mataarrii* (*Saabbo*) constitute the other three *Warra Qaalluu* descent sections. The *qaalluu Karrayyuu* and the *qaalluu Odituu* are considered more important, being ritually associated with the two moieties.

Borana descent terms, such as *gosa* or *mana*, only tendentially indicate precise levels of segmentation. *Mana* are consistently subdivisions of a *gosa*, but the two terms do not always refer to descent groups with similar functional and organisational attributes,[6] and *gosa* may refer to more than one level of segmentation. Therefore, I will use the terms clan and lineage to indicate descent sections with similar functional characteristics. A clan will be considered the minimal descent section disposing of a regular general assembly whose

5 Haberland (1963) reports some variants on the myth concerning the origin of *qaalluu*.

6 Hultin reports a similar situation among the Matcha Oromo (1990, 101).

members recognise a common *hayyuu*. Clans are all found below the level of segmentation reported in Figure 1. The term lineage will apply to sections at a lower level of segmentation, that is, to the sections into which each clan is divided.

The office of *hayyuu* has often been associated with *gadaa*. As we shall see, the process of training, the early ritual activity, and the legitimacy of the office are indissolubly tied to the context of *gadaa*, or, for the *Warra Qaalluu* clans, to the institution of the *qaalluu*. Nevertheless, there is a strong correlation between the office of *hayyuu* and the clan's activity. *Hayyuu* are normally classified according to their clan membership, and they are the organisers and the moderators of the assembly of their own clan. The latter is called *kora gosaa*, and it is held yearly unless special constraints occur. All clan members are concerned with the *kora gosaa*. However, because clan assemblies are always held in the Borana homelands, in Ethiopia, where all the *hayyuu* live, most of the Kenyan Borana do not participate in the assembly. In fact, among the three territorial sections of the Kenyan Borana – Obbuu (the area of Mooyyale and Sololo), Baddaa Saakee (Marsabit Mountain), and Waasoo (Isiolo) – only Obbuu is territorially contiguous with the Ethiopian Borana area.

Some *gosa*, especially in the *Goona* moiety, organise the *kora gosaa* jointly, in groups of two or three. Such groups are functionally equivalent to normal clans, except that the *hayyuu* maintain their clan attribute in speech. In this paper, such groups will be considered as simple clans.

Clans are very large, both numerically and territorially. Consequently, the clan assembly is characterised by the presence of an institutionalised representative elite, although any clan member may participate directly. Representation in the *kora gosaa* is related to two principles: descent and territory. The lineages into which each clan is segmented have their *jaallaba* (lineage leaders). Their activity is mainly carried on in their local community. In the context of the *kora gosaa*, they typically act as spokesmen for the people of their lineage living in their local community. In some of the clans, experienced and prestigious *jaallaba* are selected for the office of *abbaa qa'ee* (*jaallaba abbaa qa'ee*), that is an officer having the capacity to organise and lead formal meetings. Such events are territorial decentralisations of the *kora gosaa*: they gather the members of a clan residing in a given area. The area is not rigidly defined and depends on the number of *jaallaba abbaa qa'ee* available in the clan and on their place of residence. The assemblies led by *the jaallaba abbaa qa'ee* are normally indicated by the term *kora* (meeting) plus the name of the clan, or *kora* plus a name indicating the specific reason for which the assembly has been called. If possible, clan matters are tackled and solved directly in this decentralised context. Only matters that require the consensus of the whole clan and problems

that have not been solved under the competence of the *abbaa qa'ee* are discussed at the *kora gosaa*, but even in this case, they are preliminarily discussed in the decentralised assemblies. In the context of the *kora gosaa*, the *jaallaba abbaa qa' ee* act as representatives of the members of the assembly they organise.

Clans also hold important economic significance, although a detailed discussion of economic matters is beyond the scope of this context. It is sufficient to note that clans (1) may use individually controlled cattle to assist impoverished clan members (Bassi 1990a),[7] and (2) play a fundamental role in the digging, maintenance, and regulation of wells (Legesse 1973, 43), which are crucial human-made investments to access pastoral natural resources in the Borana homelands.[8]

Thus, even if descent groups do not have territorial connotations, clans appear to be the basic units of Borana political organisation through their structured councils. Most of Borana's political *offices* – *jaallaba*, *jaallaba abbaa qa'ee*, and *hayyuu* – find their basic definition concerning the internal organisation and social differentiation of clans.

The traditional political significance of clans also affects state-related politics. Dahl found out that among the Borana of Isiolo (Kenya) the clan "is still vital to faction-building in the modern political context" (Dahl 1979, 232). I found a similar situation in Sololo, where two big clans competed for elective governmental offices.

1.4 *Gadaa* as an Integrative Factor of Political Organisation

Bernardi describes the dynamic interconnection between age and generation classes and grades as a way of regulating the social life of individuals. In their corporate promotion through the series of grades, members of a class progressively acquire specific powers, resulting in the "capacity to perform social acts" (Bernardi 1985, 27-30). These characteristics are found in the *gadaa* system. Different social activities and responsibilities are associated with different grades.[9] Passages through the grades are marked by collective ceremonies involving the whole class. Thus, most of the rites of passage happen in the context of what is generally called the *gadaa* cycle. However, as Baxter made clear, the *gadaa* cycle is an idealised form

7 Ch. 5 in this book.

8 Information on natural resources in the Borana homelands and on patterns of exploitation may be found in Helland (1980), Upton (1986), Baxter (1970) and Oba (1990).

9 The discussion of the different activities connected with each grade is not among the aims of this paper. Thus, even the military implications of *gadaa* will not be considered.

of social relations (Baxter 1978a, 155). Classes are formed based on the position of one's father in the system rather than based on one's age, and consequently, only a few individuals are born when their generation class is in the first grade, *daballee*, the grade of infants. The majority of the population is born when their set is already in the upper grades or has passed through the whole series of grades,[10] finding themselves in grades whose ideal social activity ill-suits their real age, or completely out of the grades. Those who are unable to participate in the *gadaa* ceremonies with their generation class perform the rites of passage singularly or in the collective context of the *hariyaa*. It is this latter system that absolves the typical function of regulating the progressive acquisition of powers by individuals on a diffused basis. The political function of the *gadaa* has rather been associated with the role of the *gadaa* council.

Among the Borana, the *gadaa* council is called *yaa'a gadaa*. The term *yaa'a* describes a council or camp formed by specific groups of people whose existence is grounded on ritual requirements of particular importance. The term *gadaa* distinguishes the *yaa'a* inherent to the *gadaa* system from the other five *yaa'a*, led by each of the five *qaalluu* of the Borana. The *ya'aa gadaa* follows a ritual circuit lasting eight years, a *gadaa* period, during which a specific generation class is considered responsible for the *ya'aa*. The set is represented by six councillors, called *hayyuu aduulaa*. They are chosen among the few members of the class who were born *daballee*, that is, those who represent a paradigm of the ideal correspondence between age and generation.

The *ya'aa gadaa* consists of three separate camps. The *ya'aa arbooraa* is considered the most important. It is led by the *abbaa gadaa arbooraa*, the first nominated among the six *hayyuu aduulaa*. There other two mobile villages are called *ya'aa kontoomaa*, each led by an *abbaa gadaa kontoomaa*, the second and third *hayyuu aduulaa* to be nominated.

Other important councillors of the *ya'aa gadaa* are the *hayyuu g*arbaa and the *hayyuu meeddhichaa*. The distinction between the two offices is determined by the *ya'aa* – *arbooraa* or *kontoomaa* – in which they live. According to my field data, the *hayyuu garbaa* and *meeddhichaa* do not need to belong to any particular generation class. The only requirement is that they must have been in service at the *yaa'a* for one or more *gadaa* periods (each lasting 8 years) as *jaallaba*, or voluntary assistants.

Legesse explains that the *ya'aa gadaa* is concerned with any area of social life:

10 The Borana have secondary norms (Baxter, Almagor 1978b,7) that prevent having persons born too early, but they cannot avoid having them born too late. Legesse provides a demographic survey on the Borana *gadaa* system (1973).

> The assembly as a whole is charged with the responsibility of resolving major crises between descent groups, clans or camps [...] The manifest purpose of their travel is to perform ritual. However, every ritual that they performed in 1963 and 1971 was either preceded or interrupted by a crisis. (Legesse 1973, 85)

Thus, despite the ritual's manifest purpose, the assembly performs activities that are clearly political. I would suggest, however, that the direct political concern of the *gadaa* council is restricted within specific social limits.

All my *Warra Qaalluu* informants – elders, *jaallaba*, *allaaba abbaa qa' ee*, and personal servants of the *qaalluu Karrayyuu* – agreed that the *Warra Qaalluu* are excluded from the *yaa'a gadaa* and that they are not concerned with the public discussions occurring in that context. The *Warra Qaalluu* perform with the *Warra Bokkuu* all the rites of passage in the *gadaa* cycle, but they are excluded from the *Baallii walirraafuudhuu* (exchange of sceptre), the ceremony marking the passage of responsibility of the *yaa'a gadaa* from one class to the next (Legesse 1973, 81). Individuals belonging to the *Warra Qaalluu* clans cannot be *hayyuu aduulaa*, *garbaa*, *meeddhichaa*, *or jaallaba* in service at the *yaa'a gadaa*. They simply have nothing to do with that *yaa'a*.[11] Therefore, the direct political activity of the *yaa'a gadaa* only applies to the *Warra Bokkuu* clans.

The view of the class in the *gadaa* grade as being in power also needs some discussion. The title of Legesse's paragraph regarding the *gadaa* grade is "Grade VI: *Gada*, the Stage Political and Ritual Leadership" (1973, 81). During the eight years of permanence in the grade, the set is described as being in power (1973, 82-3). The following stages are described as those of "partial retirement" (1973, 92). After the *gadaa* grade, individuals would be semi-retired because they take an important part in the *Gumii Gaayoo*, and they may serve as assistants at the *yaa'a* and retain advisory authority (Legesse 1973, 92-3).

A first observation regards the composition of the council: among the many *hayyuu*, only six, the *hayyuu aduulaa*, belong to the generation class in power. The *hayyuu garbaa* and the *hayyuu meeddhichaa* are chosen regardless of their generation class membership. The *hayyuu aduulaa* do not enjoy a special type of political power in the council (Legesse 1973, 64, 85).

A second observation regards their 'partial retirement'. The expression essentially refers to the activity in the *gadaa* assembly, but it should not imply retirement, not even partial, from the political

11 In former times, the *qaalluu Karrayyuu* and the *qaalluu Odituu* had the responsibility of formally nominating the *hayyuu aduulaa*. But during a recent *Gumii Gaayoo*, even such a prerogative had been abolished.

activity in general. All *hayyuu*, including the *abbaa gadaa*, continue their activity as clan leaders after their service at the *yaa'a*. Again and again, local *jaallaba* said that if they had unsolved problems, they would bring them to the attention of a *hayyuu* of their own clan. They could report to a *hayyuu* in service at the *yaa'a*, but because *hayyuu* in service are often too busy with performing rituals, they usually prefer to bring the matter to the attention of those who already completed the permanence at the *yaa'a*. If explicitly asked, my informants confirmed that councillors retain all their authority even after the service at the *yaa'a*. Thus, that the "*adulawh* councillors of these semi-retired classes enjoy the same kind of power in the assembly of the multitudes as does the class in power" (Legesse 1973, 93) may perhaps be a simple consequence of the fact that the 'semi-retired' officers do indeed retain all their political authority.

Although the *hayyuu aduulaa* symbolically represent the generation class, *hayyuu* may be regarded as clan leaders even in the context of the *yaa'a*. The selection of the councillors is made in the context of the *kora gosaa*. My informant and friend Bantee Abbagalaa stressed that the role of the *abbaa gadaa* would be limited to giving public announcements of the chosen persons. He also suggested that there is a rotation among different clans for getting the various offices of *hayyuu*. In this way, political competition among clans would be reduced. Indeed, Legesse reported a case of political competition during the process of selecting a *hayyuu aduulaa*, but it arose because his clan was not in agreement about presenting him (Legesse 1973, 208-29).

The following case may show that even economic activities eventually promoted by members of the *yaa'a* are mainly based on clan membership and the clan's organisational capacity. Legesse describes the impressive work of reopening an abandoned well (1973, 86-7). The *abbaa gadaa* in service at the *yaa'a* took the initiative. Most of the required resources, approximately 280 head of cattle, were provided by his own clan. Consequently, "the clan will collectively own the well", and "other clans that made smaller contributions will be recognized as having special rights" (Legesse 1973, 87). Neither the generation class nor the *yaa'a* as a permanent body have special rights to that well.

Lastly, the Law of Recruitment – publicly announced during the *Gumii Gaayoo* of 1966 and reported by Legesse (1973, 97) – shows that the *hayyuu* in service at the *yaa'a* have a special authority only within the limits of their clan. According to such law, the *gadaa* councillors have the authority to recruit assistants for the *gadaa* council (even by driving their cattle away to force them to follow), but the *hayyuu* have this power only within their own clan (Legesse 1973, 97).

The interpretation of the *yaa'a gadaa* as a centre of government, proposed by Legesse and other scholars, is therefore doubtful.

Similarly, the members of the generation class occupying the *gadaa* grade cannot be considered the holders of centralised political power. The *yaa'a* is rather a context where the leaders (*hayyuu*) of the basic political groups, the clans, are permanently together for ritual purposes.

In a "primary society"[12] such as that of the Borana, ritual and politics are not categories excluding each other. Baxter suggests that one of the principal purposes *of gadaa* is the maintenance *of nagaa* (1978, 152, 167). As already noted, the *nagaa* has both sacred and sociological implications. I would suggest that the *gadaa* system has an important political function, playing a fundamental integrative role among the clans. Such a role may be schematised and summarised in three main points:

1. Structural Organisation. Even if the existence of the *yaa'a gadaa* is grounded on ritual requirements, the contemporary presence of *hayyuu* and *jaallaba* of different *Warra Bokkuu* clans makes the council suitable for political debate and activity, especially for the resolution of interclan matters. Such activity concerns all, and only, the *Warra Bokkuu* clans.
2. Ritual Super-integration. The collective performing of rites and prayers[13] enforces a sense of unity. As Baxter suggested, the *nagaa Booranaa* is repetitively invoked and reiterated during the ceremonies (Baxter 1965). People from all Borana clans assemble to perform *gadaa* collective ceremonies. A common feature of *gadaa*-connected rites, even when privately performed, is the selection of the *Torban* (the 'Seven'). The *Torban* are seven officiants chosen with equilibrium among the major descent subdivisions: four of them must belong to the *Goona* moiety and three to the *Saabbo* moiety, or vice versa (see Figure 1). Also, all the groups into which the moieties are divided must be represented. The *Torban* ritually act as one and symbolise and stress the unity of all Borana, despite descent divisions. Usually, the same ceremony is held successively in different ceremonial grounds. The officiants or a symbolic group of officiants go through all the sites located in the Borana homelands (Ethiopia), representing a connection among local communities. Similar ritual features are found in the *yaa'a gadaa*. It consists of a group of selected people co-residing for praying and sacrificing together for the *nagaa*. Over the eight years, the *yaa'a* moves from one ritual site to

12 In Bernardi's terminology, societies without states are "primary polities" (Bernardi 1985, 26).

13 Descriptions of *gadaa* ceremonies are especially provided by Legesse (1973) and Baxter (1954). See Baxter (1990) for an analysis of Borana prayers.

the next. Ritual responsibility is attributed to the *hayyuu aduulaa*. Like the *Torban*, they are selected among the major Borana descent sections. Also, as mentioned, they all must belong to the generation class occupying the *gadaa* grade, and they are chosen from among the clan members who represent the paradigmatic correspondence between age and generation. These qualifications might give an idea of the general symbolic and cognitive sense of the *gadaa* system: renewal of the internal social harmony, *nagaa Booranaa*, throughout the succession of generations. The values expressed in *gadaa* rituals influence the behaviour and attitudes of individuals, and therefore, they also have an indirect, but not marginal, political effect.

3. Process of Formation of Political Elite. The basic values expressed in *gadaa* rituals become particularly significant with the political leadership. To become *hayyuu*, a man must go through a long inculturation and formative process at the *yaa'a*. Only members of the *Warra Bokkuu* descent sections do it at the *yaa'a gadaa*, whereas the *hayyuu* of the *Warra Qaalluu* give service at their respective *yaa'a qaalluu*. The *hayyuu aduulaa* are selected when their generation class enters the *kuusaa* grade (Pecci 1941, 314; Legesse 1973, 61-3), about three *gadaa* periods before their generational class enters the *gadaa* grade and overtakes the responsibility of leading the *yaa'a* rituals. During all this time, they live and perform rituals together (Legesse 1973, 64). The *hayyuu garbaa* and *meeddhichaa*, before becoming *hayyuu*, must have already served at the *yaa'a* as *jaallaba* for one or more *gadaa* periods. In that context, discussion of *aadaa* and *seera* (tradition, norms, and laws) occurs, and ritual and political action for unity and peace are continually performed. Thus, they learn the Borana *aadaa* and *seera* and assimilate the very basic Borana values expressed by *nagaa*. In other words, they learn to act not only on behalf of their clan but also in the interest of the Borana all. This formative process, I believe, is crucial. The leaders are selected at the clan assembly; after their 'retirement' they perform political activity, especially in the context of the clan assembly, but they are formally recognised as clan leaders only after their time in the *yaa'a*. Thus, the legitimacy of leadership is based on *gadaa* (*Warra Bokkuu* clans) and in the *qaalluu* institution (*Warra Qaalluu* clans).

1.5 Other Borana Councils

The *yaa'a gadaa* gather councillors from all the *Warra Bokkuu* clans. The *Warra Qaalluu* are, in contrast, concerned with their respective *yaa'a qaalluu*. Instead of the *hayyuu aduulaa* performing rituals together, the central element of the five *yaa'a qaalluu* is the permanent and hereditary sacredness of the *qaalluu* himself. The salient ceremonies are the *muudaa*, ritual pilgrimages to the *qaalluu*. The pilgrims bring him symbolic gifts and get his blessing. The *nagaa Booranaa* is also strongly associated with the *qaalluu* (Baxter 1965, 69). At each *yaa'a qaalluu*, there are four *hayyuu garbaa*, having no relation with generation class affiliation. They also are renewed every *gadaa* period. Thus, even the leadership of the *Warra Qaalluu* clan goes through the formative process at the *yaa'a*. The *yaa'a qaalluu Karrayyuu* gathers members of the twelve *mana Karrayyuu Warra Qaalluu*, each constituting, by the definition of clan here adopted, a single clan. Thus, despite the different ritual principles and rites, such *yaa'a* has an integrative political function similar to, and on the same structural level as, that of the *yaa'a gadaa*.

The six *yaa'a*, on the whole, represent a precise structural level. They practically constitute permanent councils, and each Borana clan refers to one or the other *yaa'a*. Two of them, the *yaa'a qaalluu Karrayyuu* and *yaa'a gadaa*, gather leaders of different clans.

The structural division into the six *gadaa* and *qaalluu* councils is overcome with the *Gumii Gaayoo* or assembly of the multitude, the general assembly of the Borana held every eight years at Gaayo locality. All Borana, regardless of descent, locality, and generation class differentiation, are concerned with the *Gumii Gaayoo* and may attend. This is therefore a very large community-in council, requiring heavy organisational efforts. It is the only legislative body.[14] Although it is organised under the responsibility of the councillors of the *yaa'a gadaaa*, it is not strictly regarded as a *gadaa* assembly.

According to Richards, council mechanisms may provide a means of achieving results such as linking the sections of a segmentary society together using some form of federal council (1971, 6). In this sense, the Borana councils above described may be schematised **[fig. 2]**. Descent provides the basic units of Borana political organisation – the clan – but at the higher council level, the segmentation provided by descent is no longer significant. The *gadaa* system and the institution of the *qaalluu*, with their *yaa'a*, are instead determinants concerning federal councils. A broader analysis of the Borana council organisation should include the assemblies based in locality (*kora jaroolee*) and those that constitute territorial decentralisations of

14 A description of the *Gumii Gaayo* is provided by Legesse (1973, 93-9).

the *kora gosaa*, as well as the role of structural age – the latter related to the *hariyaa* system – in all assembly contexts.

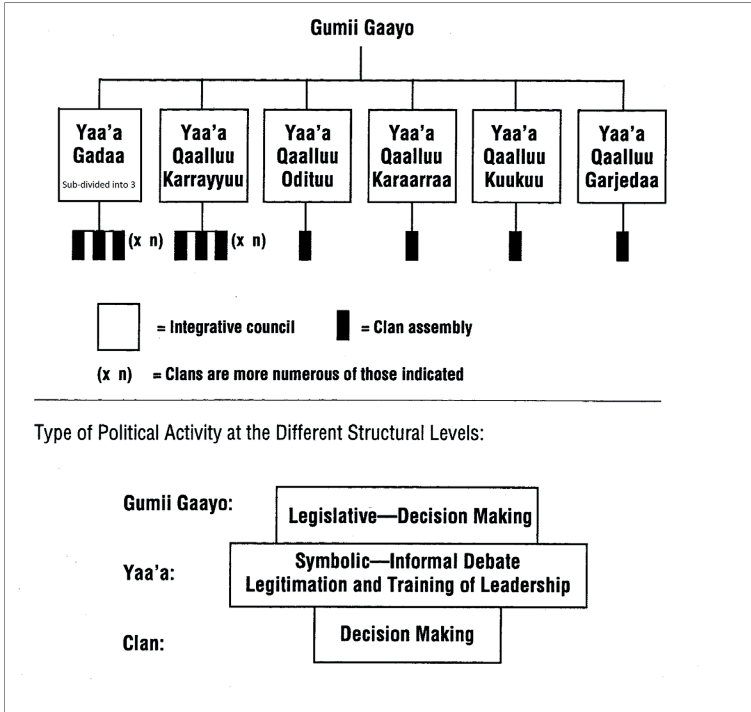

Figure 2 Structural Division into Ascriptive Councils

1.6 A Few Observations

In the semiarid environment of Borana country, competition for the limited natural resources is high. Clans, through their *kora gosaa* and the inherent representative elite, are the most organised social groups. Consequently, social strife among clans is potentially high. Max Gluckman suggests that "ritual arises from situations where there is conflict between the general moral order and the interests which lead individuals and groups to compete with one another" (1965, 246). The *gadaa* system and the institution of the *qaalluu* essentially form a ritual system stressing the basic principles of internal peace and cooperation. They play a fundamental integrative role among different clans. From a strictly political point of view, the structural role of the *yaa'a* as federal councils should be stressed. In this sense, it is perhaps correct to talk of *gadaa* in terms of a "primary

system" in that it constitutes one of the essential components of the polity (Bernardi 1985, 42).[15]

A comparison with two other East African segmentary societies may give an idea of the political effect of these two institutions. In his classic study on the institutions of the Nuer, Evans-Pritchard described "feud" as a political institution regulating the relationship among tribal segments. Relations across Nuer tribes are defined through war, the memory of war, and the potentiality of war (Evans-Pritchard 1940, 160-1). According to Ioan Lewis, fighting potential among the Somalis largely determines political status, and feuding and war are the chief means by which the relations between groups are regulated (I. Lewis 1961, 242). Revenge, internal war, and reciprocal fear do not have an institutional place in Borana's political organisation. The voluntary killing of another Borana is considered one of the worst sins, which may, at least in theory, lead to expulsion from the community. As an alternative, the Borana have two complex ritual systems, *gadaa* and *qaalluu*, with the inherent federal councils and the sacred values of *nagaa Booranaa*. The two institutions and the concept of *nagaa* are perhaps the strongest symbols of Borana ethnicity.

Among the Borana, *gadaa* and *qaalluu*, despite their different ritual principles, have similar integrative functions and are on a similar structural level. Among other present-day and historical Oromo groups, the situation is somewhat different. For instance, the Guji are divided into several territorial sections, each having its *abbaa gadaa*, with one *qaalluu* situated above (Hinnant 1978, 208). However, the integrative action across political units, whose nature depends on the case, and the double sacred and sociological aspects are characteristics that likely apply to the two institutions among all Oromo groups. The reciprocal relation in which they are found is probably connected with historical contingencies and with the process of society formation of each Oromo territorial section.

15 Tomay (1988) discusses Bernardi's terminology and theory on the political significance of age class systems.

2 The Complexity of a Pastoral African Polity: An Introduction to the Council Organisation of the Borana Oromo

Summary 2.1 Structural Ethnocentrism and the Complexity Issue. – 2.2 The Borana 'Anomaly'. – 2.3 The Assembly Structure of the Borana. – 2.3.1 Clan Assemblies. – 2.3.2 The *Yaa'a*. – 2.3.3 The *Gumii Gaayoo*. – 2.3.4 Other Assemblies. – 2.4 The Rules of Decision-Making. – 2.5 An Alternative to State Organisation?. – 2.6 Beyond the Tradition/Modernity Dichotomy.

2.1 Structural Ethnocentrism and the Complexity Issue

In many parts of Africa,[1] pastoralists still face the persistence of a cultural bias against their way of life and the related values, which, technically speaking, have no reason to exist. I will attempt to explain such a discriminatory attitude by referring to two different cultural

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1 This paper is based on a lecture given on November 7, 1996, at the Ras Makonnen Hall of the IES, as part of the Ethio-Italian University Co-operation Programme. I would like to express my gratitude to Abdussamad Haji Ahmed and Richard Pankhurst for their invitation. The ethnography here presented is excerpted from several previous publications (Bassi 1988a; 1990b; 1992a; 1992b, 1994; 1995; 1996a; 1996b). Field-data were collected in 1986 in Kenya and in 1989 and 1990 in Ethiopia during my time as a Visiting Scholar affiliated with the IES. Special thanks to Tadesse Beyene, Director of the IES, and Berhanu Ababe, Director of the External Relations Office, for their assistance during my fieldwork in Ethiopia.

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matrices that came to interact in the process of forming modern African states.

The first is the normal ethnocentrism by which each people negatively represent their neighbours – or any other people they happen to know – as a way to emphasise the positivity of their own culture. In this sense, African agriculturists may look down upon pastoralists, just as pastoralists may despise agriculturists, while at the same time cooperating and maintaining good reciprocal relations. Before the independence of African states, such a balanced perception of the other did not imply any structural discrimination.

The second component is the evolutionary bias, based on 19th-century Western social theory, whose basic assumptions still survive in common sense. The old-style evolutionary theory implies positioning various peoples and cultures on a linear scale, with opposing concepts such as primitive/civilised people, low/high cultures, and simple/complex societies at its extremes. As elucidated by Franz Boas already at the beginning of the 20th century, its strongest limitation is that each society or culture tends to be positioned on an absolute scale based on a single reference feature. For instance, a technologically simple society is assumed to be simple in all its manifestations and is outright considered inferior to technologically more advanced societies. The extension of the notion of "complexity" from the technological to other social, economic, and cultural fields is usually a mere assumption.

Although unilinear evolutionism has been criticised by several scholars and explicitly rejected by most 20th-century anthropological schools, many of the 'new' non-evolutionary or even anti-evolutionary anthropologists are still caught up in some of the implications of evolutionary thought. For instance, Godfrey and Monica Wilson (1945), in their innovative methodological study, analysed the dynamics of social changes taking place in Central Africa, describing it as basically consisting of increased scale and complexity of society. However, they also qualify the overall process in terms of the passage from primitive relations to civilisation (1945, 2). Different sets of phenomena are thus equated in a typical evolutionary fashion. Godfrey and Monica Wilson were likely compelled to reference the discriminatory primitive/civilised dichotomy to convey their technical findings to a broader audience, utilising a common idiom and appealing to shared notions. However, in doing so, they framed the new findings within the dominant evolutionary mode of thought. Unfortunately, this conceptual frame was not only shared by most Europeans working in or concerned with colonial Africa but it was also assimilated by the emerging Western-educated African elites, who later assumed leadership in independent African states.

The decolonisation process and the growing demand for development led to the emergence of new classificatory oppositions, such as

tradition/modernity, carrying the same derogatory meaning as earlier evolutionary forms.

During the development of modern states, the Western-based evolutionary ideology overlapped with the old ethnocentric attitude. Educated individuals tended to synthesise the two perspectives into a single cognitive and coherent model. The pastoralists found themselves in a challenging position. During both the colonial and post-colonial periods, they had very limited access to modernising institutions, especially to education. Furthermore, the geographical, economic, and political marginalisation of the pastoralists resulted in limited access to new technological resources, new bureaucracies, and prominent political positions in post-colonial states. Simply put, pastoralists were not identified with the modern or, through evolutionary extension of meanings, the 'civilised' or 'complex' sector of the nation. The reciprocal ethnocentrism against pastoralists was thus reformulated and asymmetrically reframed in new evolutionary terms. Consequently, pastoralism was ideologically relegated to the lower stages of development. Despite its highly specialised adaptations to the environment, indicating advanced evolution, it came to be associated with a backward lifestyle.

The reframed ethnocentrism not only affected the cultural sphere but also had a significant impact on socio-political life. Within the new states, relations among various social groups were not symmetrical or balanced anymore. Some groups came to dominate the state institutions.[2] Although government organisations are regulated by written norms and actions should reflect formal policy, decisions are mostly made by individuals involved in government structures, according to their convictions.[3] The ideologies, including a normal or a culturally re-framed ethnocentrism, of the 'institutional men' ultimately become the institutional ideology, even if not formally expressed in any statute, law, norm, policy or constitution. In this context, ethnocentrism can be considered 'structural' because it involves state institutions, with a permanent impact on the state decision process and policy formulation and implementation. This type of dynamics may, perhaps, explain why the development policies of independent states have so often negatively affected the viability of pastoralism.

During my professional experience in Kenya, more than ten years ago, and more recently in Ethiopia, I encountered cultural bias among both European and African decision-makers and development experts. I also observed differences between the two countries. The

2 Control of state institutions is actually a major cause of the ethnic strife that affects so many African countries.

3 Kertzer (1988, 18) has clarified that an organisation is basically made up of ever-changing people, while the idea of its continuity is only conveyed through symbolic representation.

Kenyan case appears to align with the general process outlined above. In Ethiopia, the cultural bias against pastoralism is just one component, overlapping with a deeper and broader opposing classification of entire ethnic groups on a high/low scale, sometimes regardless of their economic activities. I am referring to the conceptual opposition between the peoples of the northern highlands of the country, an area classified as Christian and characterised by the presence of a millenarian tradition of writing, and the 'illiterate' or 'African' rest of the country (Megerssa 1997). This attitude can probably be attributed to the fact that the 'civilised' component of society is not regarded as the outcome of a recent process of modernisation but is rather considered to be deeply rooted in history. Unfortunately, this perspective is not only shared by many urban dwellers and policy-makers but is also variously expressed in and through some scholarly traditions, including anthropological ones. For instance, during a recent seminar held at Addis Ababa University, a prominent and experienced American anthropologist claimed that he had chosen to conduct his field research in northern Ethiopia rather than in the south because he was interested in 'complex' societies.

In this paper, I shall challenge the evolutionary matrix of such cultural bias by briefly outlining the overall features of the Borana Oromo council organisation, a well-known pastoral people of Southern Ethiopia. The reader will soon realise that we are dealing with a complex political system. I am taking distance from the standard definition of complexity, primarily related to the degree of specialisation found within a more or less arbitrarily defined society. Instead, I rather adopt the basic meaning of the word, indicating distinct yet interconnected elements and principles within a defined field, in our case, the political sphere. I shall re-examine the issues of specialisation and modernisation in the concluding remarks.

2.2 The Borana 'Anomaly'

In *Councils in Action* by Richards and Kuper (1971), a seminal work in the history of political anthropology, Kuper asserts: "Given a simple technology, and more particularly poor means of communication, councils can operate efficiently and on a regular basis only at the level of local communities" (1971, 16). To support this perspective, he draws upon the ethnography of East African pastoral societies, which may seem to lack formal councils. According to Kuper, "in these societies decisions are made in *ad hoc* groups, taken together by men of influence" (1971, 16). This generalisation is likely a result of evolutionary assumptions but is contradicted by Bassi's (1988, 1994 and 1996), Abdullahi Shongolo's (1994) and, less recently, by Baxter (1954) and Asmarom Legesse's (1973) ethnographies of the

Borana. Despite being East African pastoralists with limited technology, they not only organise formal councils and meetings but also employ a highly articulated and structured council organisation.

The Borana 'anomaly' could be attributed to the unique Ethiopian context, a geographical area where diverse peoples, cultures and political philosophies have likely coexisted for thousands of years. Ideas on societal organisation circulated among various peoples, and different political models were easily observable, providing alternative choices.[4] In such a context, the Oromo, of which the Borana constitute a specialised pastoral segment, might have evolved their distinctive polity, ideologically centralised yet egalitarian and democratic, possessing most characteristics of a state but avoiding the undesirable effects of structural inequality.[5] However, the Ethiopian context alone cannot fully explain the Borana Oromo political system. A central feature of the Borana and Oromo polity is the generation class system, a shared institution with many African peoples. Furthermore, I argue that the other dominant feature of the Borana Oromo polity, the council organisation, and its overall political impact, is not as peculiar in the African pre-colonial context as it may initially appear.

2.3 The Assembly Structure of the Borana

The Borana organise several types of assemblies, each with distinctive names, and specific competencies, and involving different kinds of social groups. They can broadly be classified into two broad categories. The first category comprises all assemblies and councils whose participation is determined by ascription based on descent affiliation. This implies that participation in a particular meeting is not a matter of free choice but is determined by the clan or lineage membership of each individual. The ascriptive assemblies are the *kora gosaa*, or clan assembly, various *yaa'a* and the *Gumii Gaayoo*, which is the general assembly of the Borana.

The ascriptive assemblies follow a pyramidal structure, with clan assemblies forming the base, *yaa'a* councils in the middle layer and *Gumii Gaayoo* at the apex of the pyramid. There are no systemic

4 I believe that the political richness of Ethiopia exactly lies in its ethnic and political articulation and variety.

5 Structural inequality is here taken to mean economic and political differences among individuals and groups produced by the political and legal settings. This definition allows for the existence of differences of wealth between individuals, a fact considered perfectly normal by the Borana themselves. Also, it does not contradict the fact that several Borana institutions produce a complex ritual and cognitive classification of groups not equal to each other (Megerssa 1993).

horizontal linkages: each assembly or council is connected to others through vertical lines. This organisational structure echoes other hierarchies of councils, such as village, district and tribal councils. However, Borana's ascriptive assemblies not only lack territorial reference but also do not adhere to some qualities implied by the term 'hierarchy'. The different layers only partially represent different levels of authority. Instead, each layer corresponds to specific political requirements in a complex vertical functional interrelation. Consequently, no layer can be conceived independently, as each relies on the others. In essence, there is a complementary diversity among different types of ascriptive assemblies, a classic feature of complexity.

a. The second category includes all other assemblies and is further subdivided into the following two groups:
b. various types of meetings for coordinating pastoral activities (table 1);
c. *ad hoc* meetings organised to resolve disputes.

Since Borana families can change their place of residence, and the composition of Borana production units is flexible, participation in these assemblies is not tied to descent affiliation.

2.3.1 Clan Assemblies

The clan assemblies, known as *kora gosaa*, are ideally organised once every year. As the members of each clan live scattered across Borana land, each clan assembly involves people from the entire territory. Participants, who come from distant places, need to be hosted and provided with sustenance for the entire duration of the event, typically lasting from a couple of weeks to a month or more. The logistical burden on the host, in terms of expenses and labour, is substantial. Hence, the clan assembly is usually organised in a different village each year.

The *kora gosaa* is a typical community-in council as defined by Kuper (1971, 14). This implies that all members of the involved community have the right to participate or be represented in the meeting. Decisions reached in the assembly are binding on any member of that descent section and do not apply to members of other clans.

The community involved in each clan assembly is a large one. For this reason, minor family or local meetings are organised for a preliminary discussion of the various issues. In these minor meetings, representation for those who do not physically attend the central assembly is implicitly or explicitly delegated. The same minor meetings are usually reconvened after the central *kora gosaa* to report the decisions taken back to the locality and single families. Thus, an internal assembly structure for each clan assembly emerges, featuring a

flexible combination of territory and descent as elements of internal organisation, differing across clans. Additionally, the descent sections meeting in a single *kora gosaa* may vary over time, involving descent groups at a different level of segmentation, depending on general conditions and needs. For instance, the Karrayyuu, the largest Borana clan, usually assemble along the lines of its constitutive lineages, but sometimes the entire clan converges to the same site, an event called *kora deebanuu*.

Regarding the competence of the clan assembly, it is pertinent to quote Jan Hultin's observation about the Macha Oromo: "In Oromo culture, lineage, land and livestock are represented as an organic whole, as a common vital principle. Descent, resource and property are aspects of the same cognitive domain" (1990, 108). Consequently, the *kora gosaa* serves as the competent forum not only for discussing personal problems or disputes within the family or extended patrilineal unit but also for crucial economic issues. These encompass problems of inheritance, the distribution of reproductive cattle to destitute families, and the organisation of clan contributions for various purposes. This is particularly evident in the case of well digging, which demands substantial investment in money, cattle, or labour. Indeed, it is the responsibility of the clan to provide the material basis for human subsistence, a precondition for the continuity and reproduction of the social group. The clan assembly also selects candidates for the office of *hayyuu* and raises resources needed for their maintenance at various *yaa'a* and to perform the required ceremonies and rituals.

2.3.2 The *Yaa'a*

The term *yaa* is the root for the verb *yaa'a*, meaning 'to go', 'to move/movement', exclusively used in the plural form with the connotation of a collective entity. *Yaa'a* applies to any mobile group whose members co-reside or come/move together to perform ceremonies. It also refers to the permanent mobile villages whose residents are responsible for implementing public rituals critical for the well-being of the Borana community at large. The notion of collective movement corresponds to the ritual circuit or cycle of each major *yaa'a* of the Borana since the *yaa'a* members organise and perform ceremonies in different sites during each *gadaa* period of eight years.

There is one *yaa'a gadaa* related to the *gadaa* generation class system and five *yaa'a qaalluu*, related to the *qaalluu*, who are ritual dignitaries among the Oromo. The *yaa'a gadaa* is subdivided into three villages, each being also referred to by the term *yaa'a*.

The *yaa'a gadaa* is as a whole led by the *abbaa gadaa arbooraa* and by five other *hayyuu aduulaa*. These six officers belong to the

generation class occupying the *gadaa* grade. After the eight-year *gadaa* period elapses, representatives of the next generation class replace them (Pecci 1940; Haberland 1963; Asmaron Legesse 1973; Baxter 1954 and 1978). At the *yaa'a gadaa*, there are also other *hayyuu*, belonging to any generation class, called *hayyuu garbaa* and *hayyuu meedicha*, who are also replaced at every new *gadaa* period. All *hayyuu* are evenly nominated from the major clan and all belong to the *warra bokkuu* ('people of the sceptre') descent sections, representing the majority of the Borana population.[6]

The *yaa'a qaalluu* are the villages of residence for the five *qaalluu* of the Borana, holy dignitaries of divine origin. The title is inherited from father to son. In each *yaa'a qaalluu*, there are four *hayyuu garbaa*, all belonging to the *Wara Qaalluu* ('people of the Qaalluu') descent sections. These *hayyuu* are also replaced at each new eight-year *gadaa* period. They are primarily selected by the *qaalluu* himself, within his respective *wara qaalluu* descent group.

It is evident that only selected officers or hereditary dignitaries participate in the *yaa'a* activities. As such, these villages constitute permanent councils and do not fall under the category of community-in councils. The main activity of the *yaa'a* is to perform rituals. Simultaneously, the *yaa'a gadaa* plays a vital political role in integrating the basic political and corporate units. The *hayyuu*'s common ritual action and residence at the *yaa'a gadaa* symbolise interclan unity and cooperation. By executing *gadaa* rituals, the officers mediate between the human and divine worlds, promoting the *nagaa Booranaa*, the internal peace and harmony of Borana society (Baxter 1965; 1978; 1990). After gaining extensive experience at the *yaa'a*, individuals become conscious of the fundamental political value consisting of promoting collaborative inter-clan relations. When they finish their service at the *yaa'a* and they have learned to prioritise the interests of the Borana community over the immediate clan interests, they are allowed to lead their own clan and clan assembly.

The institutional leadership, composed of the *abbaa gadaa*, *qaalluu*, *hayyuu* and *jaallaba* (personal assistants of the *hayyuu*) is legitimated to take leading political roles, due to shared formative experiences and specialised political training at the *yaa'a*.

2.3.3 The *Gumii Gaayoo*

Every eight years the members of the *yaa'a gadaa* organise the *Gumii Gaayoo*, meaning 'the great gathering at the place called Gaayo'.

6 In Borana each lineage or clan is either *warra qaalluu* or *warra bokkuu*, a classification which overlaps the standard descent category such as *gosa* (clan), *mana* (lineage), *balbala* (minimal lineage).

This constitutes the general assembly, involving all the Borana. As any male Borana can participate and engage in the decision-making process, the *Gumii Gaayoo* is once again a community-in council. It is regarded as the sole formal legislative body and also functions as the highest court. All judicial cases that have not been resolved at lower levels are addressed and discussed at the *Gumii Gaayoo*.[7]

2.3.4 Other Assemblies

All productive units and residential groups, ranging from villages to *madda* (grazing areas watered from a certain group of wells during the dry season) are organised on an inter-clan basis. These integrated relations of production are achieved through specific sets of norms governing the exploitation of pastoral resources, particularly the use of traditional wells. The formulation of such norms results from the values symbolically expressed through the existence of the *yaa'a gadaa* and the inherent rituals. The verbal elaboration and application of these norms are likely the outcomes of intense debates taking place during various assemblies for coordinating the pastoral activities, as schematically described **[tab. 1]**. The enforcement of these norms is ultimately tied to the existence of the *Gumii Gaayoo*, the inter-clan judicial body.

Table 1 Assemblies for the coordination of pastoral activities

TYPE OS ASSEMBLY	MAIN COMPETENCIES
kora eelaa (assembly for the wells)	well maintenance, co-ordination of well use, access to well
kora dheedaa (assembly for grazing)	regulating access to grazing area
kora dheebuu (assembly of the "thirst")	regulating access to water ponds
kora fardaa (assembly for the horses)	any matter concerning horses

The assemblies for coordinating pastoral activities are regularly organised for coordinating the exploitation of specific natural resources. All productive units utilising or desiring to utilise the resource must participate. Therefore, these assemblies are community-in councils. Since participants usually reside in the same area, there are no specific logistic requirements. These assemblies, except for

7 See Asmaron Legesse (1973) and Abdullahi Shongolo (1994) for a fuller account of the *Gumii Gaayoo* assembly.

kora fardaa which may involve people from distant places, typically last only a few hours.

The last type of assembly is the *ad hoc* meetings organised to address specific judicial cases and disputes that do not fit into any regular or standard assembly. Such assemblies may be called by different names, but a generic expression encompassing all of them is *kora jarroole*, meaning 'assembly of the elders'. These assemblies are the only type that Kuper recognises as being operational in East African pastoral societies.

2.4 The Rules of Decision-Making

Except for military decisions and issues internal to a production unit, such as the daily allocation of labour and resources, all binding decisions in Borana must be made in the context of a community-in-council. During these meetings, certain individuals are allowed to take on leading roles. In the ascriptive and ad hoc assemblies, members of the institutional leadership usually assume these roles. The *hayyuu* acts as the chair or moderator of the meeting and serves as a juridical expert, while the *jaallaba* mostly takes on the role of a prosecutor. All active and capable elders, the *jaroole*, play equally important roles, frequently expressing their opinions on all matters.

In the assemblies for the coordination of pastoral activities, these roles are assumed not by institutional leaders but by individuals with special economic rights over specific natural resources.

Regardless of the assembly type, no one has the power to impose their personal will. Decisions are reached only through general consensus. Consensus must include the person or group that will be penalised. For example, in judicial cases, the accused must admit guilt, and disputes are considered resolved only if one of the parties involved admits guilt. This prevents Borana assemblies from being used as a tool to transmit decisions from the centre to the periphery or lower hierarchical layers, as may happen in less democratic societies characterized by elite councils.

While it may be argued that consensus is difficult to achieve and such a political system could be inefficient, the peculiarity and strength of the Borana polity lie in the dynamics and complex expedients used to reach consensus.

A fundamental guiding principle is the recognised *mura* power vested in Borana institutional leaders, particularly the *hayyuu*. *Mura*, literally meaning 'to cut', likely alluding to their ability to succinctly conclude discussions with a wise statement rooted in their knowledge of *aadaa* and *seera*, the norms and customary laws of the Borana. In the context of assemblies, their role is to enlighten the assembly about Borana norms and laws to resolve impasses, rather

than making decisions themselves. In judicial cases, they are expected to propose appropriate awards or penalties for specific cases, but not to pass judgments or verdicts on reported facts – this prerogative rests with the assembly. In simpler terms, while institutional leaders elucidate the law, the community assesses guilt. Importantly, any participant, especially elders, can express opinions differing from the leader's. I have witnessed instances where the chair of an assembly, a *hayyuu*, altered his opinion based on the prevailing sentiment in the meeting.

A second crucial element for achieving consensus and resolving disputes lies in educating individuals on decision-making and appropriate conduct during assemblies. Discourse needs to adhere to specific standards to prevent resentment and anger. Instances of aggressiveness must be kept in check, and there are ritual methods to alleviate tension. The requirements concerning the ability to master political and juridical speeches and style of discourse, coupled with the necessity for an in-depth understanding of Borana norms and laws, explain why young men are not often granted the opportunity to speak at lengths and why elders are generally perceived as more politically influential.

A third crucial element involves the use of 'procedural sanctions', named so because they are applicable exclusively during the formal assembly proceedings (Bassi 1996a, 177). In Borana assemblies, there is a tendency for the minority to acquiesce to the prevailing opinion. If motivations and sentiments against the majority's argument are exceptionally strong, individuals or assembly factions may persist in resistance. However, when the prevailing opinion is widely accepted and seen as deeply motivated, procedural sanctions come into play. This is particularly common when a single individual, often the one facing penalties from a specific resolution, persists in resisting the general consensus.

Procedural sanctions manifest in both positive and negative forms. The most prevalent is *eebaa* – a blessing – a positive sanction aligning with Borana's decision-making and the judicial system's objectives of alleviating social tension rather than solely punishing the guilty. *Eebaa* takes the form of a collective good wish expressed by assembly members. Symbolically, its positive content represents something the community offers to the recalcitrant individual in exchange for accepting the resolution. *Eebaa* is articulated clearly and audibly only after the individual accepts the assembly's will. However, if resistance persists, the matter may escalate to the attention of larger assemblies, including the *Gumii Gaayoo*. It is in this context that *abaarsa* – the curse – can be invoked, carrying negative implications.

Both the blessing and the curse, as highlighted by Baxter (1990, 238), carry significant social implications. They effectively convey

the community's stance in an environment where interpersonal co-operation is vital for survival.

Another expedient employed to encourage individuals to comply with the assembly's will is the gradual escalation of juridical sanctions as the case is deliberated in successive assemblies. The same wrongdoing is fined with increasing amounts of cattle as the case is discussed at the local level, at a *kora gosaa* or the *Gumii Gaayoo*. In serious cases or when an individual persistently continues to oppose the assemblies' resolutions, the *abaarsa* will be pronounced in the context of the *Gumii Gaayoo*. It is the most severe sanction, signifying expulsion from the Borana community.

Finally, it is crucial to note that the judicial process is marked by the practice of institutional forgiveness, wherein the sanction is mitigated when the culprit pleads guilty (Bassi 1992b).[8] On one hand, the presence of institutional forgiveness enables leaders to declare a severe penalty in cases of misbehaviour, while, on the other hand, it facilitates the admission of guilt and, subsequently, the restoration of proper social relations within the community.

In summary, the judicial proceedings emerge as a rhetorical strategy aimed at reaffirming the principles of correct behaviour within the community and restoring good social relations.

2.5 An Alternative to State Organisation?

The focus of the discussion so far has been Borana polity, with a specific emphasis on assembly organisation, highlighting its structural, functional and procedural complexity. The assembly structure is connected to other features of the political field, including ethical values such as *nagaa Booranaa* and institutions like *qaalluu* and *gadaa*. A more comprehensive understanding of Borana's polity requires a deeper analysis of these elements as well. The *gadaa* system, in particular, is acknowledged as a complex institution that has been subject to extensive scholarly scrutiny and debate.

Then, a fundamental question, with deep political implications, arises: are the Borana traditionally organised in a state? The answer depends on what we mean by a state. If we examine the level of integration between the constitutive segments of the polity, then they are.[9] The *gadaa* system – through its symbolism, specialized training and legitimisation of the political leadership, as well as the logistical

8 See ch. 3 in this book.

9 This statement challenges the anthropological classificatory literature. The polities based on age and generation class systems are in fact considered a sub-category of the stateless or primary societies (Bernardi 1985).

organisation of the general assembly – provides the means to integrate different clans both at the political and productive levels. It establishes the existence of a permanent political ritual centre. This is a typical achievement of pre-colonial African kingdoms. However, there are two basic differences from African kingdoms. The first is that in Borana there is no king. I will address this point later on. The second is that kingdoms are considered to promote and guarantee order through the use or threat of an organised force controlled by the king. Although the Borana and the Oromo had a powerful organised force for external conflicts based on the *gadaa* institution,[10] they do not employ it within their society, at least according to my ethnographic records. Since the publication of *African Political Systems* (Fortes, Evans-Pritchard 1940) and in common sense, the presence of an organised force controlled by the political centre for both external and internal use is considered one distinctive feature of state systems. If we accept this definition, we should exclude the Borana Oromo polity from the state category. In this case, however, we should also review our assumptions. In evolutionary thinking, state organisations are considered late achievements in human evolution, associated with high culture and civilisation, leading to social and political complexity. Although there are, of course, complex states – for instance, modern democracies or some African pre-colonial kingdoms or large historical empires – the distinctive feature mentioned above, by itself, does not connote any degree of 'high political achievement'. The presence of a pyramidal structure of power without functional differentiation of political roles, with a king controlling an armed force to impose the extraction of surplus, would meet the criteria of statehood but has nothing complex in itself. If we look into the internal dynamics of the coercive process, we realize that such a system is the reproduction at a larger scale of the primate band structure, based on status gained by the use of intra-group violence and aggressiveness. It is more difficult to build a system that can guarantee the rights of the polity's members. This is, to a certain extent, within the specific political philosophy, achieved in modern democracies or some complex pre-colonial African kingdoms. It is a much more central concern in the Borana Oromo political organisation, binding every decision to the assembly context and transferring coercive action directly within the assembly context. In this way, coercion is never exercised by using violence and force but rather by elaborated symbolic and rhetorical expedients: once an individual has accepted a resolution, there is no need to enforce it.

10 This is considered as the military basis of the so-called "Oromo expansion" of the XVI, XVII and XVIII centuries.

The internal political processes of Borana society appear to me to be more sophisticated than those found in complex African pre-colonial kingdoms. The Borana decisional dynamics more fully exploit the specific quality of human beings: their high capacity to think symbolically and act accordingly. At the same time, they reduce violence on human beings performed on behalf of public institutions. They also provide a satisfactory answer to the permanent tension, underlying many political theories, between the need to coordinate human activity and the social injustice generated by the coordinating political system. The internal use of an organised force implies that someone controls it, a condition facilitating the development of structural inequality, whereas, in the Borana case, an individual or a group always has the ultimate possibility to reject a resolution felt to be deeply unjust.

As mentioned, among the Borana, the political community does not identify itself with a king – that is, a single man symbolising the entire country from his investiture to his death – but rather with a group of *gadaa* officers that is replaced every eight years (a *gadaa* calendrical period). Among them, the *abbaa gadaa* assumes a leading symbolic role. Since, according to accepted anthropological literature, only kingdoms are accounted as pre-colonial state systems, this is again an element that may have contributed to excluding the Oromo polity, based on a generation class system, from the statehood category or, through the misleading evolutionary extension of meaning, from complex or civilized societies.

It is interesting to observe that such a discriminatory attitude is not found among European observers who, in the second half of the 19th century, resided among the agricultural Oromo communities of the Ethiopian highlands. For instance, Salviac (1901) described the Oromo political offices and institutions with terms currently applied to Western political systems, such as *premier magistrate*, *assesseur*, *juges*, *parlement*, *gouvernement*, *and ministre* (1901, 183-4). Both Salviac (1901) and d'Abbadie (1880), in the titles of their contributions, labelled the Oromo people as a "grande nation africaine". Salviac further clarifies the concept:

> Ainsi le peuple Galla, fortement attaché à l'Abba Mouda, le chef de la tribu aînée, le Représentant de Dieu aux yeux de toute la nation, mérite, et par l'identité de l'origine, du nom et du langage, et par l'unité de la religion, des lois et du caractère, d'être considéré comme un seulpeuple, une seule famille agrandie d'Orma. (1901, 182)[11]

[11] About a century earlier, Bruce (1790, 216, 227), too, uses, in a more generic way, the term nation for the Oromo. He briefly describes the voting process by which each section sends delegates to the head-quarter 'of the king' in charge for seven years (1790,

According to d'Abbadie (1880), the Oromo custom concerning assemblies "rappelle la coutume basque […] de convoquer le parlement sous le chêne de Guernica". Salviac adds that it "rappelle aussi bien les assemblées du Champ de Mars chez les Francs" (Salviac 1901, 184). The direct confrontation between the Oromo and highly estimated pre-modern European people is more systematic in Salviac's chapter dedicated to the Oromo procedures and legislation:

> C'est sa loi non écrite, c'est son *common law* qui fait la force de l'Angleterre; c'est une sagesse séculaire qui a créé les *fueros* basques si admirables et si peu connus. On n'aura donc pas de peine à comprendre que les Oromo, qui ne savent pas ècrire, aient des lois tout aussi valables que celles des Anglais. (Salviac 1901, 201)

> On ne s'ètonnera donc pas de trouvar des règles de procédure établies même parmi les nations peu civilisées. (Salviac 1901, 201)

> "Comme chez les Anglais et les Basques, le ministère public est inconnu". (Salviac 1901, 201)

> Quand ils sont tous d'accord, – car les Oromo, de même que les Anglais, n'admettent que l'unanimité – le jugement est pronuncé. (Salviac 1901, 202)

During a time of dominant evolutionary thinking, Salviac comments the *gadaa* system in the following way:

> Voilà bien une organisation compliquée, semble-t-il, mais en soi fort simple, et qui révèle, en ceux qui l'ordonnèrent, la sagesse et la prévoyance d'une haute civilisation et une philosophie sociale non moins admirable. (Salviac 1901, 194)

The use of equating political systems by using the same terminology, the explicit reference to the concept of nation and the positive comparison with European people express the feeling that the Oromo, before being too affected by the Shoan kingdom's conquest, were organised in a complex polity, ready to accommodate the modern transformation.

219). Bruce's knowledge of the Oromo, however, is much more occasional, superficial, and filtered through Abyssinian views and sources.

2.6 Beyond the Tradition/Modernity Dichotomy

Of course, today, there is a deep qualitative gap between the modern Ethiopian state and the surviving self-government organisations of the Oromo. The Ethiopian state ideology assumes continuity between the older Abyssinian kingdoms and the modern Ethiopian governments (Megerssa 1997). The same dominant ideology projects the northern superiority back to the Axumite time, based on the evolutionary assumption that a kingdom system is more efficient and more complex than other types of political systems. This is also one of the sources of the structural ethnocentrism I have mentioned in the introduction. Although I have not been specifically dealing with the Abyssinian kingdoms – actually not much is known about their internal political process, despite their tradition of writing – I hope I have provided enough arguments to show that such a superiority is not supported by evidence.

The qualitative differences observed during the 20th century between the Abyssinian and the Oromo systems are simply the result of specific 19th-century historical circumstances, at the time of the scramble for Africa. The development of international relations gave better access to European-made firearms and military superiority to one of the Ethiopian centres of power. The Shoan kingdom could, thus, conquer its empire, at the same time the European powers were using their technological and military superiority to build their colonies all over Africa. The winning system was internationally legitimised and empowered within the international arena. As such, it had the economic resources and the opportunity to modernise. The history of modern Ethiopia is a history of progressive and slow construction of a modern state, marked by critical events.[12] The losing system was, instead, isolated from the international arena. Both practically and ideologically, it was cut out from the process of modernisation, being relegated to the biased 'traditional' sphere.

Had the Oromo been left independent, would they have had the capacity to assimilate the critical elements of modernity, mainly consisting of technology, scientific knowledge and their control through specialisation? These would, of course, have implied changes in the system, including the development of infrastructure, educational institutions and appropriate juridical and administrative devices. From a strictly historical point of view, the question is a sterile exercise. However, the issue is theoretically relevant in the contemporary context. I disagree with the European ethnocentric idea that

12 With the risk of oversimplifying a complex issue, it is worthwhile to mention the infrastructure development during the Italian occupation, the bureaucratisation of the state, and some industrialisation in the post-Italian imperial period, mass education during the Derg and democratisation in the post-Derg period.

modernisation is only possible within a European-like cultural and political setting. This is, once again, an evolutionary assumption implying the radical transformation of the African social, political and values systems as a pre-condition for progress, an idea, that, within the European internal dialectic, has been functional in legitimising the colonial conquest. My personal opinion is that most systems if left alone, can incorporate and socialise positive innovations, while in the process they adapt themselves to the new needs.

Particularly among the Borana, of whom I have direct knowledge, I have observed the process initiated by TLDP (Third Livestock Development Project). The introduction of new mechanical technology for the excavation and maintenance of traditional wells was challenging to the Borana normative system, both for procedural reasons and for its influence on the correlation between investment and property rights (Bassi 1996a, 146-50). The new situation produced a strong internal debate, and it activated the legislative process, which ended up with new formal procedures to accommodate the innovation and its side effects within the existing Borana legal framework. Similarly, the recent ethnography by Boku Tache (personal communication) shows how the Borana have critically provided differentiated socialising answers to other technical innovations introduced by NGOs and how land enclosing for private use has activated the Borana judicial and legislative processes.

The 'traditional' political elite is fully aware of the new demands. When I was doing my fieldwork, during the Derg period, some influential elders were discussing the candidatures for important *gadaa* offices. They wanted to select educated youths, but the latter refused the offer for fear of being excluded from the more relevant economic and political 'modern' arena.

These simple facts show that technical innovations are easily socialised, that normally the society activates its internal processes to absorb the innovation within acceptable local political, ethical and legal frames and that the system undergoes self-adjustments to respond to the new needs. All these are happening exclusively within the so-called 'traditional sector', without any involvement and even awareness of the formal state, or modern, institutions. I think it is enough to claim that the so-called 'traditional' institutions and the 'traditional' ethical and legal models are the ones that still matter to people. 'Traditional' institutions are ready to modernise themselves if they are allowed to. It is only their marginality, mainly their lack of legitimacy within the broader national and international political and economic arena, which prevents them from doing so.

In short, I tend to believe that the qualitative gap that can be observed today between state and traditional organisations is simply the result of the marginality imposed on the latter. Even in the Ethiopian case, it has nothing to do with an older superiority whose

perception is based on misleading evolutionary assumptions, but, as elsewhere in Africa, it is the result of the process of formation of modern African states. Forced marginality into the 'traditional' sphere is a major cause of failed modernisation and underdevelopment of many African communities.

3 Institutional Forgiveness in Borana Assemblies

In 1986, I had the pleasure of spending one year with the Borana community in Northern Kenya. Bante Abbagala, a *jaallaba abbaa qaa'ee* (a traditional leader), became one of my closest friends. Due to his title, he can organise local meetings. He attends the clan assemblies of his clan in Ethiopia, which are usually held annually. Bante explained to me that offenders are fined, and the amount is determined during the assembly according to traditional law. The penalty can be as high as thirty cows.

The Borana do not impose political decisions by force. Consequently, I found myself intrigued by the following question: why do people willingly agree to pay such substantial fines when there is no mechanism to compel them to do so? I inquired with Bante, asking how he manages to ensure that individuals accept the imposed penalties during the local meetings he organises. He explained that if individuals refused to accept the penalty, he would escalate the matter to the attention of the *hayyuu* (clan leaders with authority higher than

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jaallaba). In doing so, the case could then be deliberated upon during the subsequent clan assembly.

All the *hayyuu* reside in the Borana homelands, in Ethiopia, and it is exclusively there that the Borana organise their clan assemblies. Consequently, I was eager to have the chance to extend my research in Ethiopia. This opportunity materialised in 1989, when the Institute of Ethiopian Studies of Addis Ababa University granted me the status of Visiting Scholar, and assisted me through a new cycle of research among the Borana of Ethiopia.

The challenge of enforcing assembly decisions continued to intrigue me for a long time. None of the friends and informants I consulted in the field expressed any doubt about the great authority of traditional leaders, by itself a reason for complying with their decision. Even some administrators, whom I would have expected to rather emphasise the role of the state power, openly affirmed that not only did they permit but also encouraged the resolution of conflicts within the traditional system, provided that the matter did not pertain to issues concerning the government, such as taxation, smuggling and so on.

To explore the basis of traditional leadership authority, I pursued inquiries such as: "If you commit an offence, and the assembly imposes a fine that you refuse to pay, what are the consequences?" The common response was, "How could you decline to pay if the assembly demands you to do so?". However, it was clarified that while it is possible to avoid payment, it would entail severing all ties with the clan. A concluding remark often heard was, "How can you exist without the clan?". This response aligns with Paul Baxter's elucidation of authority within the Borana context. Baxter explains it in terms of exclusion from *nagaa Boraanaa*, "The Peace of the Borana", a fundamental concept carrying both ritual and sociological implications.

Being excluded from the Peace implies exclusion from community cooperation as well. As Baxter notes, in an environment like that of the Borana, "no man nor family can exist for long as a social, herding, or ritual isolate" (1990, 238), precisely echoing what my friends claimed. In this context, the community's pressure on its members can be highly effective. However, thirty cows represent a substantial amount, particularly at this time when the average availability per family has significantly decreased. I still found it challenging to entirely believe that an offender could be compelled to pay such high fines, even if ordered by a traditional leader during an assembly. Nor was I convinced by the description of the *jinfu* punishment (*jinfu* literally means 'gut of the spear') provided by some informants as an enforcing mechanism, which involves forcibly removing cows from the cattle enclosure by individuals designated to do so at

the clan assembly. According to other informants, *Jinfu* is only applicable when a man resists delivering a cow to a needy clan-mate.

Over time, I realised that I could not find a single instance of either *jinfu* being carried out or a substantial fine being actually paid. I could only record the payment of small compensations, at most one or two cows. This gap between the statements regarding punishments and reality arose in a paradigmatic way during a visit to Guyyoo Kosuu, an old and active *hayyuu* of the Diigalu clan.

Upon my arrival, Guyyoo was engaged in a conversation, commenting on a case of conflict just settled. Dooyyoo,[1] the brother of Guyyoo's interlocutor, had led his mare and colt to drink at a pond which, at that stage of the dry season, had been designated solely for human consumption. Consequently, he was fined by the leader of the *kebele* (a Peasant Association, the lowest-level state administrative unit in rural areas). Two cows were taken from his cattle enclosure, which the *qebele* leader intended to sell them at the market. Dooyyoo sought assistance from the most prestigious traditional leaders in the area, two *hayyuu*, one of whom was Guyoo Kosuu, and the *qaalluu* of the Gujji lineage. A public meeting was convened, during which it was decided that the *qebele* leader was wrong. Even if Dooyyoo had made a mistake, it was asserted, the issue did not fall under the jurisdiction of the *qebele* (peasant association). Guyyoo explained to me that during the last *Gumii Gaayoo* (the general assembly of the Borana held every eight years) both Borana customary leaders and local state administrators had agreed that the problems of the Borana must first be discussed by the Borana traditional leaders applying customary law.

Horses hold significant symbolic value for the Borana, and their husbandry is governed by a specific set of traditional norms and laws. This comprehensive body of knowledge is known in its entirety only by experts, particularly among members of the Macchitu clan. The *qebele* lacks competence in matters concerning horses, and as a result, the leader of the Peasant Association was fined thirty cows for each cattle head taken from Dooyyoo.

As Guyyoo recounted the case, he could not conceal his satisfaction at successfully asserting authority over the *qebele* leader. I, too, was surprised that the customary leaders exhibited more influence than the representative of the state. Continuing the conversation, I inquired if they had indeed received the 60 cows as fines. Both Guyyoo Kosuu and Dooyyoo's brother chuckled in response, explaining that only the two cows forcibly taken were returned. It became evident that, although elders continued to talk about relevant fines, these fines were often reduced or even waived. However, the mechanisms

1 Personal name changed.

behind the reduction of penalties remained unclear to me. I had initially assumed that lacking any physical coercive means in the traditional political sphere, the fine might be temporarily suspended or only partially paid until it is eventually forgotten. However, during a clan assembly, later on, I realised that this assumption was incorrect.

During the clan assembly (a significant meeting that can last more than one month) that I had the opportunity to attend later on, the main theme of the discussion was the collection of money or cows for digging a new well. At some point, the eldest *hayyuu* introduced a new issue to the audience. A few months earlier a dispute had arisen over cows between two men named Diida and Boruu.[2] Both of them belonged to the same clan and were attending the meeting. The *hayyuu* had been called to provide a judgment on the matter. His decision was against Diida, but the latter refused to accept it. Consequently, the same *hayyuu* was now presenting the matter to the entire clan in the formal context of the regular clan assembly.

After the *hayyuu*'s introduction, numerous elders, including the two protagonists Diida and Boruu, spoke. The entire situation was elucidated and thoroughly discussed by both sides. As the time for a final judgment neared, Diida declared that this time he was prepared to accept any decision, given that there were three attending *licho* (literally riding whip, a symbol of authority held by *hayyuu* and other prestigious leaders) instead of only one, implying that there was less room for arbitrary judgments. Following this statement, one of the elders asserted that Diida had behaved wrongly. At this point, the *hayyuu*, whose judgment had been rejected, delivered a highly rhetorical speech, referencing the source of his authority and his knowledge of traditional law. This was in response to Diida's insinuation about 'arbitrary sentences'.

His speech was abruptly interrupted by Diida's action: he grabbed a tuft of grass, rushed to the spot where the speaking *hayyuu* was seated, and, placing the grass near his feet, repeatedly uttered, "*Abbaa na basa, daraara*", loudly and many times. The first part can be translated as 'Father, forgive me', while *daraara* (literally 'to flower' or 'to blossom') is a term associated with certain ritual acts of prayer or blessing. The plea for forgiveness implied an admission of guilt. The entire assembly erupted into laughter as Diida, in a comical manner, continued to gather grass and offer it to Guyyoo, the man who was initially offended, and to other elders, repeating "*daraara*".

At this juncture, the *hayyuu* issued the sentence, clarifying that the offence must be penalised, by the law, with ten cows to be given to the *hayyuu*, five cows to the *jaallaba*, an additional cow for the digging of the well, and one for Boruu, the offended man. The discussion

2 Personal names have been changed.

continued until – and here enters the phase of penalty reduction – a *jaallaba* proposed that, given Diida's prior declaration of accepting the assembly decision, the punishment should be reduced to just two cows for the well. However, Boruu insisted on claiming some compensation. The *jaallaba* countered that Boruu could be compensated by retaining the cow he was supposed to contribute to the well digging. The *hayyuu* disagreed with the *jaallaba* and persisted in insisting on at least two cows.

At this moment, the entire assembly, addressing the *hayyuu*, chanted in a loud chorus: "*Horaa bula, horaa bula, deebanu*". This is a customary blessing formula frequently employed in assemblies to exert pressure on individuals, particularly when someone is urged to accept a sacrifice on behalf of the community. In essence, the individual receives a blessing as compensation for his sacrifice. The meaning is roughly, 'May you live long and prosperous, may your people multiply'. It is a standardised way of expressing the assembly's will. The *hayyuu* relinquished his claim, thus securing once again the blessing of his clan.

The discussion then turned to the two cows for the well. This time, it was the *abbaa eelaa* (father of the well) who had to decide about them. Lastly, the *abbaa eelaa* renounced one cow and claimed only the other one. At the end, the *hayyuu* spoke again saying that Diida had to give one cow for the well, whereas Boruu was not expected to give any.

This *hayyuu*'s final statement can be regarded as the ultimate decision; indeed, shortly thereafter, the assembly shifted its focus to other topics. Throughout the stages of penalty reduction, Diida remained silent. The overall atmosphere was light-hearted, resembling a collective jest at Diida's expense.

Following that, I observed numerous similar cases of forgiveness, both within the same meeting and in other assembly settings. Consequently, I could confirm that the process of penalty reduction consistently takes place after the offender admits guilt and always follows the ritual described earlier. The established and nearly automatic nature of the procedure is emphasised by the fact that the ritual formula for seeking forgiveness is, in itself, a way of confessing guilt. Consequently, we can characterise this process as 'institutional forgiveness'.

The principal objective of the Borana judicial system, much like the village tribunals of the Nyoro described by Beattie (1960, 69), is not primarily focused on punishment but rather on the alleviation of social tension and resentment. When a dispute is deliberated within the framework of an assembly, there is consistently an initial phase of clarification. During this stage, each side's position is elucidated, and latent tension is gradually attenuated, ultimately fostering mutual understanding. It is essential to conscientiously avoid aggression

and overt anger both in conduct and in verbal expression throughout this process.

The frequent interventions of the participants consistently convey a sense of the opinion being formulated by the audience. This initial phase can span from a few minutes to several days, and it may extend into subsequent assemblies. The culmination of this phase occurs with the pronouncement of judgment by the *hayyuu*, serving as an impartial judge. The *hayyuu*'s legitimacy stems from extensive apprenticeship in ceremonial villages, related to institutions such as the *qalluu* and the *gadaa*.

The phase of penalty reduction ensues, but only if guilt is admitted. The reduction of a fine is contingent on the individual pleading for mercy in a somewhat ridiculous manner. The extent of this behaviour is likely proportional to the resistance demonstrated in the preceding phases. If the aggrieved party refuses to forgive, the entire assembly may demand it through their power of blessing. As a result of this process, the injured party gains public satisfaction, while the offender undergoes a punishment that is not a markedly high fine but rather a form of humiliation. Such situations are not uncommon in stateless societies. Radcliffe-Brown highlighted the use of ridicule as a form of moral coercion, distinguishing "satirical sanctions" from "penal sanctions" (1940, xvi). The peculiar aspect here is that through institutional forgiveness, a penal sanction is transformed into a satirical one.

The true beneficiary of this process is the law itself, which can be proclaimed in all its potent penal potential – a robust warning to everyone – thanks to the subsequent phase of forgiveness. Without this process, it is highly improbable that this potential could be realised, as individuals are often inclined to deny their guilt, and imposing substantial fines would necessitate physical coercion. Therefore, while forgiveness is an institutional and essential element of the judicial process, through the rhetorical mechanism of institutional forgiveness, it seems to be granted only as compensation for the admission of guilt.

It is worth noting that in reporting judicial cases people tend to emphasise the sanction rather than the forgiveness process, omitting to mention the final phase of the judicial process. This aligns perfectly with the objectives achieved through institutional forgiveness and, consequently, with Borana values – specifically, the proclamation of the law and its warning effect.

4 The Family Among the Borana Oromo: A Case of Customary Law in Ethiopia

Summary 4.1 The Law of the Borana and the Law of the State. – 4.2 Borana Customary Law. – 4.3 The Patrilineal Family. – 4.4 Mother-Children: Food Control. – 4.5 The Conjugal Family. – 4.5.1 Marriage. – 4.5.2 Lovers. – 4.5.3 Bridewealth. – 4.5.4 Divorce. – 4.5.5 *Handhuraa*. – 4.5.6 Birth Control. – 4.5.7 The Symbolic Relation Between Human and Cattle Reproduction. – 4.5.8 The Property of the Conjugal Family. – 4.6 The Extended Family. – 4.6.1 Resources Transmission. – 4.6.2 Virilocality and Levirate. – 4.6.3 Uxorilocality. – 4.6.4 A Note on Clanship.

4.1 The Law of the Borana and the Law of the State

Despite[1] one century of incorporation into the Ethiopian state, the Borana, a pastoral Oromo section living in the southern part of the country,[2] have successfully regulated most aspects of their social life through their customary legal system. Firstly, the Borana continue

* Adapted from the following original publication: Bassi, M. (1995). "The Family Among the Oromo-Borana: A Case of Customary Law in Ethiopia". Grande, E. (ed.), *Transplants Innovation and Legal Tradition in the Horn of Africa: Modelli autoctoni e modelli d'importazione nei sistemi giuridici del Corno d'Africa*. Torino: L'Harmattan Italia, 335-59.

1 This paper is based on data gathered in Southern Ethiopia in 1989 and 1990 as part of a doctoral program at the Istituto Universitario Orientale, Naples. Additional ethnographic evidence can be found in the author's doctoral thesis (Bassi 1992c), which is currently undergoing further analytical elaboration. The author would like to express gratitude to Berhanu Abebe and Taddese Beyene for the assistance provided by Ethiopian academic institutions, and to Bernardi and Triulzi for their academic guidance.

2 Their territory has been divided by the Ethiopian-Kenyan border.

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to acknowledge their traditional leadership, ensuring a clear separation between traditional and state-related offices.[3] Secondly, they have preserved their decision-making apparatus, which comprises an articulated range of different types of assemblies.

All matters related to rural families, rural activities, and the management of natural resources are addressed within the appropriate Borana assembly, led by legal experts (*hayyuu*) trained in the context of the *gadaa* and *qaalluu* institutions. Judicial proceedings follow traditional procedures, exclusively guided by Borana customary law.

This accomplishment may have been facilitated by the state's limited economic interest in Boranaland,[4] but it was also made feasible by establishing a demarcation line between the state and Borana legal systems. Concerns regarding taxation and interactions with non-Borana in urban settings are exclusively entrusted to state-appointed, state-trained, and state-compensated officials. Legal cases of this nature are adjudicated by administrative institutions or before national courts, adhering to Ethiopian substantive and procedural codes. While conflicts and ambiguities between the two judicial systems may arise, the Borana carefully strive to prevent them by clearly defining the scope of each **[tab. 2]**.[5]

Table 2 The separation between the state and the customary legal systems

BORANA LEGAL SYSTEM	STATE LEGAL SYSTEM
Legal institutions (leaders with legal responsibility):	
abbaa gadaa, qaalluu, hayyuu, jallaaba	officers of various level administrative divisions, judges and lawyers
Context of the judicial proceedings:	
various Borana assemblies in the countryside	administrative offices and courts, in urban centres for all major judicial cases and eventually outside Borana country
Modalities of the judicial proceedings:	
in Oromo language, according to traditional procedures	in Amharic language in all urban contexts, according to Ethiopian procedural codes
Substantive law:	
Borana customary norms, variously expressed	Ethiopian civil and penal codes
Main competences:	

3 This strategy, in the context of Southern Ethiopia, is not exclusive to the Borana (Donham 1988, 44).

4 With the exception of a few areas, Boranaland is not suitable for agriculture.

5 See, for example, the discussions at the 1988 *Gumii Gaayoo* ("general assembly" of the Borana) (Abdullahi Shongolo 1992, 9-10).

family and property in the rural context, management of natural resources, any dispute among Borana	Taxes, trade, murdering and other disputes if no-Borana are involved (urban area, inter-ethnic relations, agriculture in the sub-urban areas)

The transparent separation of competencies represents a mutually advantageous compromise that minimises conflicts between the Borana and state representatives. On one hand, the Borana were allowed to carry out their productive activities without external interference; on the other hand, the supremacy of the state has not been contested or opposed in a manner deemed significant by state representatives.

4.2 Borana Customary Law

When the Borana make decisions and pass judgments on certain behaviours, their governance is guided not only by explicit rules but also by a broad spectrum of elements referred to as *aadaa*. Depending on the context, *aadaa* signifies sound behaviour rooted in custom, practice, tradition, etiquette, a ritual procedure, a set of notions based on factors such as the calendar or divination, or, more specifically, a verbally expressed rule. A more general translation might be ‘cultural heritage’ or simply ‘tradition’, encompassing anything considered a shared Borana asset. Within this normative domain, whatever is deemed binding and authoritative results from the judicial process.

The Borana distinguish binding and authoritative rules using the term *seera*, broadly translatable as oral law, formally proclaimed in an assembly. S*eera* is regarded as part of *aadaa*. Individuals who believe they have suffered harm due to improper behaviour can initiate judicial proceedings within the appropriate assembly. These proceedings lead to an unambiguous statement by a juridical expert (*hayyuu*), known as *seera*, a term encompassing both ‘sentence’ and ‘law’. *Seera* may involve the application of an existing law, possibly entailing a juridical sanction,[6] or it may contain some innovative element. The pronouncement is reached only after extensive discussions, sometimes necessitating the repetition of proceedings in higher-level assemblies. All deliberations are consistently grounded in *aadaa*, encompassing the broader normative context. Textually expressed rules are but one element in the deliberative process. To legitimise or condemn behaviours, those involved must re-evaluate and verbally articulate

6 During juridical proceedings a malefactor who admits his error is always forgiven. In social practice, therefore, juridical sanctions are not applied according to the theoretical statement of law (Bassi 1992b).

diverse phenomena, including old and new social practices, ambiguous concepts symbolically expressed through rituals, and more. The *seera*, serving as a 'sentence' or 'law', essentially encapsulates the culmination of this intricate elaboration. Consequently, *seera* can be defined as a specific category of norms – textually expressed and non-ambiguous – that are both developed and applied within assemblies.

Accordingly, substantive law among the Borana is not merely a collection of verbally or textually expressed rules, although some such rules do exist. Instead, it constitutes a constellation of meanings derived from various ethnemic[7] phenomena, encompassing social practices, kinship terminology, rituals, diverse verbal expressions, and the judicial-legislative process. I aim to elucidate this by outlining the substantive law on the family among the Ethiopian Borana.

4.3 The Patrilineal Family

Describing the Borana family poses a challenge. The concept of family is typically linked with shared residence. However, even within a Borana conjugal family, territorial dispersion can occur. Spatial dispersion becomes more pertinent when considering the extended family, or *warra*, which comprises several agnates with strong reciprocal relationships. The definition of family for the Borana is marked not by residential bonds but by kinship ties, particularly distinctive concerning patrilineal relations.[8]

The principle of sibling identity (Radcliffe-Brown 1930) is aptly applicable to Borana kinship terminology. Four Borana terms are employed to categorise individuals related to *ego* through direct blood relations: *abbaa* (father), *aadha* (mother), *ilma* (son), and *obboleessa/ettii* (brother/sister). They are the only terms that discriminate between generational layers. This is because this social context is where legitimate reproduction occurs and where control over resources is transmitted from generation to generation. Even if this group does not necessarily co-reside, it is a unit based on the ownership of property.

4.4 Mother-Children: Food Control

As suggested by Fox (1967, 36-40) polygynous kinship system, the irreducible and elementary social component of the Borana family is

7 I prefer 'ethnemic' (Bernardi 1991, 77-9) to 'social' or 'cultural' because it highlights the distinctive feature of *aadaa* as a shared heritage of the Borana community.

8 A table of Borana kinship terminology is provided in Bassi (1992c, 99-101).

not a husband and his wives, but rather a mother and her children. Every married woman owns her house, constituting her exclusive domain. She organises all domestic work, assisted by her daughters and, if necessary, by other women in the village. She is responsible for the care and feeding of her children, and women control all food resources for this purpose.[9] Although married males own the cattle, they are forbidden to milk them. Instead, they are compelled to entrust their milk cows to one of the married women, with each wife being provided with enough cows to sustain her and her children.[10] Failure to do so often results in separation, with the woman returning to her father's, brother's, or lover's village. As Dahl points out, married women are the "milk managers" (1990, 133-3). Each of them becomes the exclusive owner of the milk that she extracts and distributes to the children, the husband, and, if applicable, his or her guests. She may also sell some of it at the market.

She decides the amount of milk to be processed into butter used to fry coffee (*buna qalaa*), a daily ritual always associated with prayers, cosmetic use,[11] or for sale at the market. Lastly, she establishes the amount to be processed into sour milk (*itittuu*), which can be conserved longer for domestic use or the market. She independently disposes of market income, usually buying coffee beans, tea, sugar, or personal ornaments.

Women also control meat. Meat from a sacrificed or naturally dead animal is delivered to its owner's wife.[12] However, in this case, she is obliged to cook and distribute it following strict prescriptive rules. Nevertheless, she can manage to hide some of the meat for the following days, when she gives it to her children, her husband, or her guests.

Over the last ten years, many families have undertaken small-scale agriculture to supplement their diet. There is no strict sex distinction in agricultural activity, but, since women are responsible for food and cooking, the stored grain is managed by women. Each small field is usually jointly cultivated by two or three mother-children groupings with the help of the husbands,[13] not necessarily by co-wives; consequently, the grain is jointly used by the same group. Being a staple food, grain is seldom sold at the market.

9 Food eaten in the bush is a minor exception.

10 Due to the dramatically increasing poverty, in many cases, this obligation can no longer be fulfilled.

11 Borana women offer cosmetic butter to their female guests. Among them, the son's lover is considered a privileged guest and is usually very well entertained.

12 The Borana usually do not eat animals that have died from disease.

13 Ploughing is done with the auxilium of oxen, owned or borrowed by married male member of the group.

4.5 The Conjugal Family

Within the context of the polygynous family of the Oromo, from an economic point of view, each mother-children nucleus must be considered jointly with other woman-units. The husband maintains control over cattle and allocates milking rights. A married man is usually referred to as *abbaa warraa* (father of the family). In its simplest form, the conjugal family is made up of a man, his wives, and children.

4.5.1 Marriage

The expression used for marriage, *intala fuudhuu* (to take the girl away), describes the bride's change of status. With marriage, the woman is transferred from her birth social group to the husband's one. This passage is also marked by the change of name, her father's name in the second position being replaced by the husband's, and by the acquisition of the husband's generation class membership. However, the transfer to the new patrilineal kinship group is not absolute. The woman's lineage and clan membership are not changed and often she maintains very good relations with her birth family. What passes to the husband's group is her reproductive capacity, her domestic work and partial sexual rights. Her children will, in fact, take the husband's name. They enter his descent group, take a generational class based on their father's position in the system, and, if male, inherit resources from their father's group. At the same time, they will be brought up by the wife and her domestic work. In other words, acquired women guarantee the reproduction and hence the continuity of the man's patrilineal group.

4.5.2 Lovers

Borana women are prohibited from pre-marital sexual relations, and they have no say in the choice of their husbands. Marriage is bound up with legitimate reproduction, and, according to the Borana, it has little to do with love. Accordingly, Borana women are allowed to establish their love relations sometime after their marriage. When the husband is away,[14] a married woman may receive her lover (*gaarayyuu*) in her house. The love relation can also be formalised. The woman's lover must approach her husband, acknowledging the love affair and asking permission for it to continue. Although

14 Borana men are often away, sometimes for long periods. They have to maintain social contact with distant communities, or more simply, they have wives in different pastoral areas.

the husband has the formal right to deny his consent, this behaviour is considered highly unseemly by the community unless it is justified by well-substantiated charges against the wife's lover. Once the love relationship has been formalised, the husband must be discreet and allow the lover's privacy in her house. The lovers enter into the *jaalaa-jaaltoo* ('he-friend' and 'she-friend' respectively) official relation, and the husband and the he-lover are also *jaalaa* to each other, a social relation that entails mutual obligations and solidarity. Thus, the woman's personal affair is framed within the normative domain to the man's advantage, allowing him to extend his network. However, the wife maintains control over the relationship, since it is she who decides upon admission of the husband or a lover to the private side of her house (Dahl 1990, 131), and she may cut short the love affair at any time.

According to the Borana value system, the real identity of the *genitor* is of no relevance to family affairs. The husband is considered the *pater* of all his wives' children for all intents and purposes, and the latter cannot be discriminated against in any way based on the *genitor*'s identity.

Since Borana norms permit a married woman to maintain one or more lovers, it cannot be said that the husband or his social group[15] acquires exclusive sexual rights over her. However, the restrictions on female pre-marital sexual intercourse entail that the husband acquires exclusive rights over the woman's virginity.

4.5.3 Bridewealth

The amount and forms of payment of bridewealth (Goody 1973, 1-2), consisting of the transfer of a few heads of cattle and other commodities[16] (17) from the groom to the bride's family, are determined and announced during the *Gumii Gayoo* (Shongolo 1992, 19), the general assembly of the Borana and their only formal legislative body. As such, bridewealth is one of the few items of family law regulated by textual and formally announced rules.

Bridewealth is not a payment for the woman herself. One heifer is delivered to the bride's mother and serves to compensate for the loss of her domestic help. A further five cows are usually paid to the bride's father, paternal uncle, or brothers only after she gives birth;

15 See the levirate practice discussed later.

16 The amount of bridewealth is much lower among the Borana than among other East African pastoral communities. This is probably related to fact that the Borana marriage system is direct and symmetric, with marriages occurring across the two exogamic moieties. Each moiety, consisting of a cluster of clans, amounts to about half of the population. Reciprocity is guaranteed between the exogamic moieties.

hence, they are paid in recompense for the woman's reproductive capacity. Since the latter passes from one kinship group to another, it has to be compensated for.

4.5.4 Divorce

According to Borana rules, legal divorce is not allowed. Only after the death of the husband can the marriage be annulled, leaving the widow free to marry again and to bear children in the name and kinship group of another man, often her lover, instead of her husband. Since this passage implies the breach of the rule of levirate, discussed later, it requires a legal procedure called *lichoo irraa kutaa*. The *lichoo* is a leather wipe, a symbol of authority and a synecdoche of *hayyuu*, the political-juridical leaders of the various clans. *Irraa kutaa* means 'cut'. Hence, it is the dissolution of the marriage by a joint decision of the *hayyuu* of the two descendant sections involved.

4.5.5 *Handhuraa*

On marriage, a man acquires the right to reproduce himself legitimately. He also obtains control over the *handhuraa* (umbilical cord) nuclear herd taken from his father's herd. From that moment onwards, he will be considered *abbaa loonii* ('father' or 'owner' of 'cattle') and therefore able to make his own decisions concerning those animals. The acquisition of reproductive capacity and acquisition of property rights over a herd appear to be strongly interrelated, not only because the marriage engenders both social capacities,[17] but also because that herd constitutes the resource that ensures the survival and reproduction of the new conjugal family.[18]

The *handhuraa* herd develops over a long period, starting with the rites of passage in childhood. The selection of one or more cows, usually heifers, from the father's or the paternal uncle's herd, is one of the constitutive rites of the name-giving ceremony, called *gubbisa* for a male first-born and *moggaasuu* for the other sons. Those animals and all their female offspring will thereafter be considered the boy's *looni handhuraa* (cows of the umbilical cord). The father of the boy will still be the *abbaa* (owner) of these cows, and he continues to enjoy full power over them concerning both herding decisions

17 On the concept of social capacity see Bernardi (1985).

18 In fact, the expressions *abbaa warraa* (father of a family) and *abbaa loonii* (father of a herd) can be used interchangeably with reference to a married man. Only the discourse context differentiates whether the speaker is referring to responsibilities over a human group or over cattle.

and the allocation of milking rights[19] (20). However, he must refrain from removing them from the direct control of the family, for example, by selling them at the market[20] (21), by lending them to poor relatives or friends, or by allocating them to other sons as *handhuraa*.

4.5.6 Birth Control

Although the Borana do not speak in terms of birth control,[21] the *handhuraa* ritual practice may have a relevant de facto effect on the birth rate. A delay in the reproduction rate of an individual's *handhuraa* herd, caused, for example, by drought or the general impoverishment of the community, will delay the age of marriage since the new family would not possess the necessary cattle. Moreover, if a couple does not have the animals to allocate as *handhuraa*, it is forced to delay the birth of new sons. Otherwise, the name-giving ceremony could not be performed, and consequently, the child would not obtain a social identity. The *handhuraa* practice is probably the main cause of the significant difference in birth rates between families that follow the traditional religion and hence adhere to the traditional life-cycle ceremonies, and those that have converted to other religious creeds, either Islam or Christianity.

Asmarom Legesse (1973) has described the *gadaa* system as an effective birth control institution, since, according to the ideal implementation of the *gadaa* life-cycle, giving birth is only allowed when a male individual reaches the age of about 40. However, only a few individuals are born within the ideal *gadaa* timing, while the large majority are forced to perform the rites of passage individually, independently of the *gadaa* cycle. In this sense, the handhuura practice is likely to be demographically more effective than *gadaa* in controlling birth.[22]

The prohibition on making love with breastfeeding women (Shongolo 1992, 19-20) is also very effective. It should be borne in mind that a mother has great control over breastfeeding. The latter should,

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19 Dahl, who carried out field work among the Kenyan Borana, reports that an *andhuraa* cow should be entrusted for milking to the mother of the child enjoying *handhuraa* rights (1990, 132). Although this is certainly the most common arrangement, I am not sure that it is a binding rule among the Borana of Ethiopia.

20 This action can only be justified if his family's survival is seriously endangered by a shortage of food.

21 This western notion carries very negative meanings in terms of traditional culture, since it expresses the reversal of values implicit in myths and rituals, aimed at assuring renovation of life.

22 In any case, the two institutions are interrelated. The *gadaa* cycle, in fact, regulates the timing of the rites of passage and hence the development of a man's *handhuraa*.

therefore, be considered as one of the means available to women to regulate the timing of new births, rather than a motivation for delaying birth.

4.5.7 The Symbolic Relation Between Human and Cattle Reproduction

The symbolism inherent in the rite of selection of the *handhuraa* cows denotes the interrelation between the reproduction of the *handhuraa* herd and the reproduction of the individual, as well as the correlation between these two phenomena and the continuity of the individual's patrilineal kinship group. The *handhuraa* cows acquire this name because they are made so by having a mixture of milk, a lock of the child's hair, and a piece of his umbilical cord (*handhuraa*) preserved by the mother since childbirth poured onto their backs.[23]

The umbilical cord can easily be interpreted as the reproductive line that binds the child to his parents. In turn, the parents are connected to their parents and so on to their forefathers. Therefore, it is a symbol of continuity within the kinship group, which has its origins with distant ancestors and projects itself into the future. The forelock is, instead, a personal metonymic item. Milk is the principal aliment and is hence a symbol of prosperity and abundance; it is particularly valued as a child's food, itself a symbol of fertility and reproduction. It becomes available after a birth, either of a child or of a calf, where birth again recalls the concepts of fertility and reproduction. By laying the child's umbilical cord on the cow's back, the reproduction of the human group is linked with the cow's reproduction, entrusting the latter with the responsibility for the continuity of the social group. But milk is added to the umbilical cord, thereby giving a positive meaning to this metaphorical ritual action. Lastly, the forelock represents the rights that the child will be able to claim as an individual on the animals born of that cow.

4.5.8 The Property of the Conjugal Family

Because of its economic autonomy, the conjugal family is the smallest group that independently controls, manages and survives on a herd. A married man can autonomously make decisions concerning his place of residence. He can stay with his father or brothers, or he can move elsewhere, often to the village of the wife's father or brothers. He may also split his stock, establishing different wives in different

23 The name-giving ceremony usually takes place several years after a child's birth.

villages and entrusting pastoral care of a herd to each wife-unmarried son nucleus.[24]

The animals falling under the herding management of each man, called the 'access herd' by Dahl (1979, 96), do not have similar status from the point of view of property rights. A proportion of them, which varies according to the stage of family growth, is, as mentioned, allocated as *handhuraa* to the various unmarried sons. Others can be *looni dabaree*, meaning 'cows taken as a loan'. The loan of a cow to people in economic difficulty is very common. It is usually made in favour of relatives, but also of friends, often to neighbours, or a *jaala* ('husband of the lover' or 'wife's lover'). Those receiving the loan can use the milk produced by the cow. As in the case of the *looni handhuraa*, the property rights inherent in a certain animal extend to all its female offspring.[25] Hence, cows born from a *dabaree* animal can remain in the recipient's herd, but ownership formally stays with the lender. The recipient is therefore not allowed to give them away. The request for restitution is extremely rare, and it is only justified in case of full recovery by the recipient, combined with the onset of economic difficulties for the lender. Baxter suggests that the event of a loan may be eventually forgotten (Baxter 1970, 126-7), turning a temporary right of utilisation into a permanent property right. Therefore, the *dabaree* system of mutual assistance only apparently consists of a two-way give-and-take relation. Rather, it implies a wide circulation of cows through the multiple channels of personal networks extending beyond the compass of a patrilinear kinship group.

4.6 The Extended Family

As Hultin reports, among the Macha Oromo, an agricultural group in the Ethiopian highlands, a father assigns part of his land to his son. Both the son and his father may be considered *abbaa lafaa* (father of the plot) of the same plot (1984, 454). There is an overlap of ownership rights within the patrilineal extended family. Similarly, among the Borana, through the *handhuraa* institution, a father gives some of his cattle to his son, and the father can continue to be considered the ultimate responsible 'father' (*abbaa*) of his son's cows. The difference between the two cases is that a Borana man can take his cattle

24 This practice of pastoral dispersion reduces the risk of the total loss of stock (Dahl 1979, 49-50).

25 Male animals lack reproductive capacity (one bull is enough for a large herd). The strong inclination of the Borana towards cattle marketing and towards cattle sacrifice induces them to consider male stock as a pastoral product rather than as a means of production. Consequently, the rule on the extension of property rights to the offspring is much more lax with regards to male cattle.

and move away. But even in this case, he may maintain very intense and good relations with his patrilineal extended family. The extended family, even if territorially scattered, continue to be considered a unit regarding the cattle contributions required by its clan.

4.6.1 Resources Transmission

We have already seen that part of the cattle herd, the *handhuraa* cows, is transmitted from the father, independently of his death, to each son upon their marriage, ensuring them the possibility of reproduction. The other norms of transmission of resources concern inheritance, and they are based on the conception that the extended family exercises some kind of collective right over the individually controlled resources. This is more immediately evident in the norm of inheritance from a man who has died without sons, brothers, and paternal nephews. His cattle are divided among the members of his *miiloo* (close agnates) (Baxter 1954, 112). In the absence of direct beneficiaries, the *miilooo* secondary property rights become primary.

Except for the animals already transferred to married sons, all property, prerogatives, and rights are inherited by the eldest son, the *hangafa* ('first born', 'senior'). If the latter is not yet married at the time of his father's death, they temporarily pass to the father's senior brother (*hangafa*). They include:

a. the whole of the residual herd of the deceased, including the *handhuraa* of the unmarried brothers, and all property rights on animals given as *dabaree* loan to others
b. the title of *abbaa ollaa* (father of the village);
c. the title of *abbaa eelaa* (father of the well), which ensures permanent access to a well with absolute priority;
d. the title of abbaa maalaa (father of the sacrifice for the well), implying permanent rights of access to a well;
e. the title of abbaa haroo (father of the pond).

Although the eldest son personally enjoys the above rights, he does not acquire them for his exclusive use but in the name of the whole social group, the *warra* (extended patrilineal family), which was previously socially referred to his father. In other words, the senior son takes over the social role and position of the deceased father in their entirety, including responsibilities, burdens, and duties towards his extended family. There are no textual rules on obligations, but they are part of the concept of being a *hangafa* ('senior'). For instance, the residual herd must be used to sustain the wives and the unmarried

sons of the deceased.[26] The senior branch of the extended family is also required to allocate *handhuraa* cows to the paternal nephews, especially in the case of a firstborn. Lastly, if a head of cattle must be given in the name of the entire extended family, for example, to assist an agnate, to dig a well, or to assist a traditional leader in its institutional role, it must be provided by the senior member of the extended family.

Each village usually consists of a conglomerate formed by members of the same extended family, together with other elements. The *abbaa ollaa* (father of the village) is the *hangafa* ('senior') member of the constitutive bulk. This title also implies several obligations. He is supposed to provide the largest contribution to the village's collective expenses, such as the purchase of veterinary drugs or weapons and bullets for defence. Both the drugs and the weapons are used by all the village members. According to the regulations governing the use of wells, access is not awarded to a single herder but to a whole pastoral unit consisting of a village or a village sector. By staying at the senior brother's village, it is possible to share access to a well with the eldest brother.

4.6.2 Virilocality and Levirate

The opportunity to enjoy the benefits of the titles inherited by the eldest son is a very good reason for remaining in the father's or the eldest brother's village. This situation of virilocality is the most frequent, and it has probably favoured the diffusion of the levirate practice whereby a widow is inherited by the husband's eldest brother. Since the husband's animals are jointly herded by the co-residing extended family, it is very difficult for a woman to take them away after her husband's death, especially if she does not have a married son. To avoid misuse of her children's *handhuraa* cattle, she should stay in the same village to keep checking. The woman is thus 'inherited' as a consequence of the fact that the husband's animals are temporarily controlled by his *hangafa* (senior) brother until his first-born son gets married.

26 All the unmarried junior brothers will depend directly on the *hangafa* brother, who manages their *handhuraa* cows until their marriage. He also decides upon their junior brother's marriage. Disagreements on this matter are very frequent, since the senior brother tends to marry a second or a third wife before allowing the junior to acquire their first one. In these cases, the juniors may ask for assistance from the lineage elders.

4.6.3 Uxorilocality

Other factors may convince a man to move to other villages, for example, personal disagreements, or simply because the stock of the co-residing extended family is growing too large to be jointly herded. Very often, a man leaves his bride with her birth family. Affinity legitimises the joint exploitation of natural resources. In this manner, the husband's cattle gains access to an alternative water source. This situation of uxorilocality is thus also quite common.

4.6.4 A Note on Clanship

As often occurs in patrilineal kinship systems (Bernardi 1991, 269), the extended family of the Borana, *warra*, displays evident social continuity with descent groups. Borana minimal lineages (*balbala*), lineages (*mana*), and clans (*gosa*) can be interpreted as extended families with increasing genealogical depth. The same continuity is also ritually stressed in the *handhuraa* symbolism, and it emerges from clan corporate competencies.

Each clan organises an annual general assembly (*kora gosaa*), which lasts about a month, and during which all problems concerning family and property, including judicial proceedings, are addressed. Generally speaking, the clan corporatively behaves as a guarantee of its members' reproduction. For example, the clan assures stock redistribution to its destitute members and undertakes collective investments to create the material preconditions for its members' survival, as in the case of well-digging. With a coherent extension of the principles applied within the context of extended families, the clan's capacity to force its members to contribute is based on the idea, variously expressed, that the descent section corporatively enjoys secondary property rights on individually controlled stock.

5 The System of Cattle Redistribution Among the Borana of Obbuu and Its Implications for Development Planning

Summary 5.1 The System of Cattle Redistribution of the Borana. – 5.2 Social Context and Development Planning.

5.1 The System of Cattle Redistribution of the Borana

The main form of animal redistribution among the Borana Oromo is the allocation of cattle to a stockless man by members of his clan or lineage. Descent groups have no relationship to any specific territory and members of any clan and lineage live all over Boranaland.

According to Dahl, among the Borana of Isiolo District in Kenya, the case of any impoverished herder (*qollee*) is discussed at a meeting of clan elders, organised by a recognised clan leader, *jaallaba*. All the wealthy local herders of the clan are expected to participate in such a meeting. The wealthier ones will be requested to provide the *qollee* with a share from their own stock, sufficient to provide subsistence for his family (Dahl 1979, 173-4). As all the members of a local

* Adapted from the following original publication: Bassi, M. (1990). “The System of Cattle Redistribution among the Boraana Obbuu and its Implications for Development Planning”. Baxter, P.T.W., Hogg, R. (eds.), *Property, Poverty and People: Changing Rights in Property and Problems of Pastoral Development*. University of Manchester, Dept. of Social Anthropology and International Development Centre, 32-7.

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clan segment may suffer from the same environmental constraint, it is very likely that after a severe drought, there will be no cattle to distribute, so the system of redistribution fails.

The Borana of Obbuu appear to follow a similar pattern to that described for the Isiolo Borana, but they differ in one important way. The predicament of any *qollee* will not simply be the concern of the local lineage, but also the concern of other Borana across the frontier with Ethiopia. Indeed, the Borana living in Obbuu tend to operate at higher organisational levels than those of Isiolo. If the local assistance fails, or if the number of cows locally available does not respond to the *qollee*'s needs, redistribution is extended to involve the members of his clan, even if they are spread all over Ethiopian Boranaland.[1] The only fixed rule is that there cannot be in Borana any descent section without a *hayyuu* to refer to.[2]

The problems of the *qollee* will be discussed at clan assemblies, *kora gosaa*, which are organised and led by the leading *hayyuu* of each clan. All clan members are involved, though not all of them will be physically present. The conditions of all the local communities will be described by the local leaders of each clan, *jaallaba*, who will also coordinate the entire process according to their local competence.[3]

At such assemblies, the situation of each *qollee* is discussed as an independent and distinct case. Ideally, a *qollee* should get the total refund of his loss. In practice, the actual amount of cattle will be related to many factors, the more important being the way he lost his animals, the general economic situation of the country, his network of relationships, his reputation and the size of his clan. It is also possible that assistance will be denied. I recall a case of a man being refused clan assistance in 1951 because he had wasted the stock he had been given on two earlier occasions. He became a poor client/dependent.[4] After all individual cases are discussed, the total number of cows which are needed for redistribution to the *qollee* as a whole will be decided upon. Each lineage of the clan will be requested to provide an equal amount of cattle. The lineage leaders will then select

1 For simplicity of language, in this chapter by 'clan' I mean a descent group whose members recognise a common *hayyuu*. This does not always correspond to the groups that the Borana qualify as *gosa* and that are normally reported as 'clan' in the anthropological literature (see Haberland 1963, 123-6). In some cases two or three *gosa* may share the same *hayyuu*, in other cases *hayyuu* exercise their authority within the descent segments of a *gosa*, the lineages (*mana*). This asymmetry is probably the result of social, demographic and political change.

2 Some descent groups have more than one *hayyuu*.

3 Some of the Borana clan systematically delegate local competence to officers known as *jaallaba abbaa qa'ee*. The zone of competence of each is not structurally fixed. A clan may have between three and twelve *jaallaba abbaa qa'ee* who are distributed over the whole of Obbuu and Ethiopian Boranaland.

4 Hilarie Kelly reports a similar practice among the Orma Oromo in Kenya (1990).

the stock-owners, *abbaa karraa*, who should contribute, having regard to their wealth. Normally, no one homestead will be requested to provide more than one head, except when circumstances are desperate. The logistic collection and distribution of the animals are entrusted to selected *jaallaba*.[5]

The peculiarity of this system lies in the possibility of animal transfer between the Obbuu and the Boraana of Ethiopia. This is related to the differences between the ecological environments of the two areas. Obbuu is a lowland, mostly lying between 2,000 and 2,400 feet above sea level, with only a few sparse hills. Almost all of Boranaland in Ethiopia is at a higher elevation, lying between 4,000 and 5,000 feet. The two zones have markedly different rainfalls; droughts normally affect the lowest zone most severely.

In 1983 and 1984, drought devastated both areas. In 1986, during my field research in Uran location (Obbuu), I was told by the few *abbaa karraa* who still possessed viable herds that they had been able to save approximately half or one-third of their animals because they had migrated to Ethiopia, whereas those who had stayed behind had lost all, or nearly all, of their cattle. The general devastation prevented any stock redistribution from taking place. At the beginning of my field research, in February 1986, only a few clans had held a post-drought *kora gosaa*, which normally, I was told, should have been held each year. Some clans held their *kora gosaa* during my stay and the rest were about to do so. To the best of my knowledge, by the end of my sojourn in October 1986, no distribution of cows had been carried out, though some clan sections, for instance, the Karrayyuu Danqaa, had already collected their herd ready for redistribution; indeed, some people in Uran location were waiting to receive stock. Redistribution, therefore, in this case, required the movement of some cattle from the highlands of Ethiopia to the lowlands of Kenya.[6] The situation in the highlands had not been as bad as that of the lowlands, although both areas had been seriously hit by the drought.

Mutual assistance across the different areas of Obbuu, and even across the international frontier, speeds up the herd reconstruction of each production unit. Stock redistribution also requires the migratory movement of stock with a consequent balanced exploitation of pastures. The development policy should, thus, involve both cattle re-distribution and migratory movement to better pastures.[7]

5 As the *kora gosaa* were held in Ethiopia and I was unable to cross the border, my present description of the organisation of a *kora gosaa* is mainly based on the information kindly provided by Bantee Abbagalaa, a *jaallaba abbaa qa'ee* of the clan Siraayyuu.

6 The opposite movement of cattle is likely to occur as well, owing to other types of environmental or political constraints.

7 Farming can be considered an alternative to pastoralism. It is already practised as an integrative economic strategy by the Borana of Obbuu. However, the ecological

Much attention should be dedicated to freedom of movement of people and stock across the international border. The border is always a potential danger to the system of mutual assistance and the normal flow of pastoralism, because governments may decide to limit freedom of movement for political reasons or the sake of trade taxation. Such measures, if they are effectively applied, are extremely harmful because they also stop the seasonal migrations of the *foora* herds by both Ethiopian and Kenyan Borana from the highlands to the lowlands and vice-versa.[8]

5.2 Social Context and Development Planning

There is no doubt that the system of traditional cattle redistribution has been, and is still today, an important institution for all the Borana, as well as for the other pastoral peoples in the area. Its value, therefore, needs to be considered in its cultural context, with attention to the following items:

- The system of cattle property. Individually 'owned' cattle cannot be considered absolute private property. The mutual obligation which binds members of the same clan demonstrates the collective aspect of cattle property. A clan is conceived as a corporate whole, at least regarding the herds owned by its members. It is because of this collective element that a clan assembly is legitimated to discuss and dispose of individually owned animals.
- Rituals express social values. For instance, when the need is felt, the clan organise the *Manidda* ceremony. The Siraayyuu clan held their last *Manidda* in the 1980s in *Liiban* and the Karrayyuu Danqaa in 1983 at Dakale Gimbe, which is also in Ethiopia but not far from Obbuu.[9] Each participating homestead is expected to bring its cattle; this discourages large or frequent recurrence of the ceremony and participation by those who live far away. The senior elders of the clan should anyway always be present. During the ceremony, a single large cattle enclosure is built, in which stock from different herds are mixed. This symbolically strengthens the idea of cattle being a clan rather than an individual asset.

environment is not so suitable for agriculture, especially because of low rainfall with the associated high risk of crop failure.

8 *Looni foora* are herds of mainly dry cattle that are permanently kept out of the village, even in very far places, to maximise the efficient exploitation of graze. They are a normal feature of mobile pastoralism, an adaptation to the environment and its spatial and time variation.

9 Information by Bantee Abbagalaa.

- The system of values. Cattle redistribution is tied to Borana's ethics. Every male Borana is recognised to have a full right to become a self-sufficient member of his society. His clan should enable that right to be achieved. The ideology behind cattle redistribution is fundamental and widespread in pastoral societies. Indeed, if only the mere need for food were at issue, the problem could be solved by simply having the poor work for the wealthy for wages or food, or by types of stock loan.
- Social organisation. Cattle redistribution is set within the context of a traditional social organisation. Its practical implementation is related to each clan and its leaders. Clan leaders derive their legitimacy from their position within the two major Borana institutions: the *gadaa* system and the *qaalluu*. These institutions are also an integral part of the ritual system (Baxter 1965 and 1978).
- The jural system. Mutual assistance is, of course, regulated by customary laws and norms, and its observance is assured by the authority of institutional customary leaders.

Cultural change may affect these social factors and their inter-relation may be seriously compromised, affecting also the efficiency of the system of mutual assistance. According to the complaints of most of the elders, mutual assistance no longer works as effectively as it did in the old times. The elders stated that interpersonal solidarity is not as strong as it used to be. The adoption of new religions, the penetration of different values, the imposition of the state with the marginalisation of customary practices and involvement in the market economy must be reckoned among the main factors which have had a negative influence on the system of cattle redistribution.

Development projects are themselves factors of cultural change. Their planning should, therefore, be conceived in such a way as not to cause indirect effects which could compromise the efficiency of such long-tested systems and institutions as the cattle redistribution of the Borana. The achievement of a positive result requires an objective knowledge of the old systems which, if properly understood and applied, might become an inspiration and a stimulus for constructive innovations.

Part 2
Territorial Crisis and Inter-Ethnic Conflict

Introduction to Part 2

Part 2 focuses on the territorial crisis faced by the Borana Oromo since the collapse of the Somali state in 1991. The context is relatively simple. Before the collapse of the socialist Derg regime in 1991, the Borana had customary rights to a large area adjacent to the Kenyan border. According to these customary practices, large parts of these pastoral areas were used seasonally in conjunction with other pastoral groups speaking Somali, Oromo or both languages (Oba 2013).[1] This also included access to some important traditional Borana wells (*tulaa*), which allowed permanent grazing for cattle that could be traded internationally. The collapse of the Somali state triggered a massive displacement of refugees from Somalia, assisted by Ethiopian and international governmental organisations. This phase coincided with important political changes within Ethiopia. During the brief period when the OLF was part of the Transitional Government of Ethiopia, the OLF managed to establish a strong presence among the Borana in both Ethiopia and Kenya, a region where it had previously had little influence. From 1993, as the TPLF consolidated

1 Since the publication of the essays reprinted here, Gufu Oba's historical book (2013) has provided new insights into the impact of Abyssinian, Italian and British colonialism and the establishment of the border between Ethiopia and Kenya on the Oromo and Somali-speaking pastoralist groups in southern Ethiopia, northern Kenya and southwestern Somalia, and their interrelationships.

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power in Ethiopia, government officials and the Ethiopian military worked to reduce the regional influence of the OLF, which had by then returned to clandestine operations. It was particularly important for the government to disrupt the OLF's ability to operate transnationally, both commercially and militarily. In retrospect, it is clear that the strategy was to create a buffer zone along the border between the Borana of Kenya and those of Ethiopia. The government used the policy of administrative restructuring along national and ethnic lines to give administrative control, where possible, to groups associated with Somali national identity rather than the Oromo.

I have been able to follow these events through three research projects. The first opportunity was provided by Richard Hogg in 1993 in preparation for the essay published in *Pastoralists, Ethnicity and the State in Ethiopia* (Hogg 1997), republished in Chapter 6. At that time, I was living in Ethiopia but had not had the opportunity to visit the Borana region. There were reports that serious clashes between the Borana, Garri and Gabra were taking place. Thus, I worked as an independent researcher to delve into the historical relations between the three groups, primarily using explorers' accounts and the latest anthropological and ethnohistorical sources. To understand the dynamics of the current conflict, I conducted some interviews outside Borana territory and made extensive use of grey literature produced by NGOs, government agencies and international organisations.

In retrospect, thirty years later, I recognise that this research was particularly useful because it was carried out at a time when events were unfolding. For this reason, I consider this paper to be a historical source. The paper also presents a critical dimension regarding the need for humanitarian and development workers to always acquire detailed knowledge of the context to avoid manipulations such as those that occurred on that occasion, and to apply a principle that is now explicitly invoked by major international organisations: "do not harm". Unfortunately, the inter-ethnic conflict that erupted at that time has continued to plague the region to this day and remains central to the role that customary institutions now play as Indigenous peace-building mechanisms.

The second research opportunity arose in 2004 in an applied context, when the operational group of the Pastoralist Communication Initiative (PCI) contacted me to provide advice on Oromo pastoralist customary institutions and to follow the 'Meeting of the Borana, Gabbra Migo and Guji Oromo pastoralists with representatives of the Government of Ethiopia and NGOs' held in Yaaballo (Southern Ethiopia) from 9 to 13 June 2004. PCI was a unit working in Ethiopia on behalf of the UN Office for the Coordination of Humanitarian Affairs. Since 2004, it has had a formal political mandate to improve dialogue between pastoralist groups and the government by

involving traditional leaders in the Oromia Pastoral Development Initiative (OPDC).

This time, in addition to updating the literature review and studying grey literature, I was able to spend enough time in the field to conduct numerous interviews with traditional leaders associated with the *gadaa* institution, as well as various elders and officials from the Borana, Gabbra and Guji Oromo. As is often the case with this type of assignment, I did not produce any publications based on the data collected, but the experience was important for reflecting on the role of customary institutions and the issues surrounding their engagement. These aspects have, over time, been incorporated into the policy recommendations proposed in Chapter 9.

The knowledge gained from my engagement with PCI was also very useful in framing the more traditional research carried out just a year later, funded by the Norwegian Centre for Human Rights at the University of Oslo. This project involved contributing a case study from the Borana zone to a project coordinated by Kjetil Tronvoll, which aimed to examine the relationship between Ethiopia's 2005 multi-party elections and traditional authorities. During the four weeks I spent in southern Ethiopia in January and February 2005, I had the opportunity to extend the research to include the 2004 referendum that established the boundaries between Region 4 and Region 5. The research was conducted through a review of primary and secondary sources and numerous interviews with customary leaders, rural elders, urban intellectuals and administrators in three Ethiopian regions. In Chapter 7, I republish the essay that appeared in the edited volume by Tronvoll and Hagmann (2012).

From the perspective of the Borana, the events described in the papers have led to a drastic reduction in the accessible territory, resulting in the concentration of both people and livestock in the remaining areas, with inevitable overstocking, pasture degradation, and a heavy dependency on food aid. This situation, typical of international emergencies, has become almost permanent, forcing families to rely more than ever on agricultural activities, a shift encouraged by government policies. The cultivation of land previously used for grazing has exacerbated the pastoral crisis, while the climatic conditions do not guarantee a successful harvest. The result was a spiralling process of environmental and economic degradation. If not counterbalanced by the introduction of alternative sources of income that do not depend on the direct exploitation of land and pastures, this process becomes irreversible and prevents the population from achieving self-sufficiency.

The seriousness of the situation prompted traditional leaders in those years to move away from their attitude of maintaining a separation between customary and statutory spheres. They began to interact with government authorities to preserve as much territorial

integrity as possible. Until then, the traditional governance apparatus, particularly the *gadaa* institution, had primarily regulated the rural and pastoral sectors. Now the material basis of this way of life - the territory - was being eroded, along with the cosmological concepts that link life cycles and forms of human and natural interdependence, shape societal ideas and define fundamental values. At this historical moment, engagement with governmental agencies and bodies meant addressing the fundamental mandate of customary institutions: to regulate pastoral activities and thereby ensure the renewal of life through the generations, maintaining the flow of divine blessings, or *nagaa*, for the entire population.

Engagement in Ethiopian politics did not occur without a significant initial price in blood, or contradictions and rethinking. As detailed in the chapters of Part 2, at least two Borana *abbaa gadaa* were murdered for their activities in the Ethiopian political arena, and a third was involved in a suspicious road accident. Although not reported in these papers, interviews conducted during the 2004 research revealed a tendency among various traditional leaders to alternate between periods of engagement with government officials and periods of withdrawal. At that time, the OPDO was keen to engage customary leaders for its own interests, namely to isolate the OLF and other Oromo opposition parties and secure popular support for use in the Ethiopian political arena, particularly in the run-up to the 2005 elections, which, on the pressure of the international community, were expected to be based on genuine democratic competition. To this end, the OPDO was more interested in winning the sympathy of individual leaders through co-optation than in establishing an institutional framework that would enable the real effectiveness of customary institutions within the overall governance.

The two papers republished in this second part focus on ethnic conflict in the region up to the mid-2000s. As noted in section 7.6, they highlight a shift from conflict between different linguistic groups – Oromo and Somali – over the demarcation of regional state boundaries to the manifestation of intra-Oromo conflict, coinciding with the internal definition of new zones and districts within the Oromo regional state. This second component involved the Borana, Gabra and Guji and was the specific subject of two publications that were not available at the time of writing the two essays presented here. Both are essentially critical assessments of the process of restoring peaceful relations through the organisation of large meetings facilitated by international organisations, with significant involvement of traditional leaders and the participation of pastoralists and government representatives.

The paper coordinated by Patta Scott-Villiers (Scott-Villiers et al. 2011) focuses on the series of gatherings supported by PCI, with an emphasis on the autonomous initiative taken by Borana traditional

leaders and other elders since 2004. The authors explain the principles used by the elders to restore peaceful relations based on customary practices and law. Dejene Gemechu's paper (Gemechu 2014) refers to the Allona Peace Conference supported by the Ethiopian Red Cross Society in collaboration with the local administration. Both studies highlight the importance of customary institutions because of the legitimacy they enjoy within the community. However, Gemechu analyses the events in the context of the constitutional solutions adopted in Ethiopia and is much more critical of the potential of customary institutions in addressing the problem, especially their limitations in promoting effective mechanisms across ethnic lines (Gemechu 2014, 160, 164). Gemechu also notes that the Gabra of Ethiopia have been ambiguous about their position along the Oromo-Somali divide, a position that is also reflected in their choice of customary institution among the types that have also been outlined in chapter 7.5 of this book. The revival of the *gadaa* institution by the Gabra of Ethiopia in 2006 was one of the preconditions for achieving the 'Allona Agreement', which was implemented with elements of *gadaa* governance (Gemechu 2004, 155).

6 Returnees in Mooyyale District, Southern Ethiopia: New Means for an Old Inter-Ethnic Game

Summary 6.1 The Borana, the Garri and the Gabra. – 6.2 From Diplomatic to Armed Confrontation. – 6.3 From Repatriation to the 1991-92 War. – 6.4 A New Wave of Returnees and the Somali Claim. – 6.5 Borana Land Tenure and Pastoral Practices. – 6.5.1 Rights in Wells. – 6.5.2 Division of the Herd. – 6.6 UNHCR/RRC Rehabilitation Plans. – 6.7 Replacing Traditional Rights. – 6.8 An Alternative Policy.

The large numbers of refugees,[1] returnees and displaced peoples in the Horn of Africa testify to the current crisis in East African pastoralism.[2] The creation of concentrations of destitute pastoralists is primarily related to armed conflicts rooted in colonial and post-colonial state policies, recurrent droughts and competition over scarce resources. Violence may also destroy infrastructure and hamper services that have been established with great efforts by the international community, as in the case of the Second and Third Livestock Projects in southern Ethiopia, seriously hampered by the military and social upheavals recently occurred in Southern Ethiopia (Desta

* Adapted from the following original publication: Bassi, M. (1997). “Returnees in Mooyyale District, Southern Ethiopia: New Means for an Old Inter-Ethnic Game”. Hogg, R. (ed.), *Pastoralists, Ethnicity and the State in Ethiopia*. London: Haan, 23-54.

1 The information presented in this chapter is updated to November 1993.

2 On returnees’ movements in the Horn cf. UNRISD (1993).

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1993, 26). Before the 1990s, in the Horn of Africa, armed conflict used to involve the states directly with their regular armies or organised militias, often against ethnic-based insurgency and guerrilla activities. During the 1990s, in line with post-Cold War trends towards the ethnicisation of such conflicts, large numbers of destitute pastoralists were forced to move to seek relief as a consequence of either inter-clan conflicts in Somalia or of local inter-ethnic warfare in Ethiopia, hence clashes involving people against people. However, even these recent clan and inter-ethnic conflicts are rooted in national political processes and are highly influenced by international aid agency policies. This is the case of the conflict between the Borana and Garri described in this chapter, whose affiliation along pro-Ethiopia and pro-Somali factions during the 1960s and the 1970s was largely determined by a long-standing dispute over access to pastoral resources.[3] The present confrontation is still largely motivated by the same dispute, but placed in the post-Derg context of Ethiopian state reconstruction along ethnic lines.

When large numbers of 'refugees', 'displaced' or 'returnees' find themselves without the means to survive, international and national agencies become involved in funding, coordinating and implementing relief and rehabilitation activities.[4] However, because of the emergency nature of these interventions,[5] these agencies often ignore local knowledge systems and practices, so fuelling decades-old inter-ethnic divisions. International aid becomes just a new resource to be manipulated by local groups in the interests of old political and economic cleavages. The following case study concerns the effects of aid and changing state policies on Borana, Garri and Gabra Migo relations in the Mooyyale district of Southern Ethiopia. I argue that international aid has exacerbated deep-rooted inter-ethnic conflicts over access to pastoral resources in the area and that the inter-ethnic competition for scarce resources is now reformulated and reframed in the new State context.

3 There is an analogy with Ngok Dinka/Humr conflict in South Kordofan (Sudan) described by Mohamed Salih, where motivations related to the wider civil war between North and South Sudan overlap with a long-standing inter-ethnic confrontation regarding the 18th and 19th century slave trade and the more recent competition over pastoral resources (Salih 1993, 16).

4 UNHCR, which has the international mandate to assist refugees, returnees and displaced, is usually the main donor, implementing the operations through GOs and NGOs. The coordination of all activities is normally made in cooperation with the appropriate and specialised national agencies.

5 Refugees and returnees affairs have been described in terms of "permanent emergency" (UNRISD 1993, 1).

6.1 The Borana, the Garri and the Gabra

Borana oral historians agree that the Borana expanded from *Liiban*,[6] the area between the Ganale and the Dawa river, into *Dirree*, to the south-west of the Dawa river,[7] during the *gadaa* Abbae Babbo,[8] which roughly corresponds to the period 1656-64 (see map 1 for main localities mentioned in the text). With this movement, the Borana displaced the Wardai, another Oromo group living in the area at that time. They can be identified with one of the moieties of the Orma Oromo, today living on the lower Tana River valley in Kenya. In Borana songs and poetry *Dirree* is referred to as *Tulaa Sallan*, meaning the 'nine deep wells', that is the nine most important groups of wells in the area. The nine groups of *tulaa* wells are the following: Meelbanaa, Irdaar (also called Egdar), Goof, Lei, Dhaas, Weebi, Waacille, Hiigo and Gaayo.[9] Later the Borana expanded from their Ethiopian heartland into Northern Kenya. By the 19th century, they had established a network of alliances which included both the Garri and the Gabra.[10] From the second half of the 19th century, however, they began to suffer from repeated raids from Somalis to the east, which forced them eventually to retire from their easternmost territories in today's Kenya.

In Ethiopia, from the end of the 19th century, Somali groups started to encroach into the easternmost part of Borana grazing areas. Bòttego's map based on his 1892-93 expedition clearly shows the Borana occupying nearly the whole of *Liiban*, with the exclusion only of the southern corner close to the Dawa-Ganale confluence (Bòttego 1895, map II). At the beginning of the 20th century, Gwinn reports a southwestern movement of Somali and their arrival in the area between the Ganale and the Dawa rivers under the pressure of both Abyssinian and the Mullah's raids (Gwinn 1911, 123). This movement might have brought Somali groups into what is now the Dolo Oddo district. The Borana claim that due to intensive raiding

6 The name has been adopted as a district name in Borana province (Sidamo region). The southern part of the area between the two rivers was under the Dolo Oddo district in the same province. In this chapter the italic style has been used to distinguish the traditional geographical category from the administrative district.

7 Dirree has also been adopted as a district name, in Arero province (Sidamo region), smaller than the area traditionally referred to as Dirree.

8 Borana chronology is based on the famous *gadaa* generation system, described by Asmarom Legesse (1973) and Baxter (1978). The chronology proposed by Asmarom Legesse (1973, 191) has been slightly adjusted here, taking into consideration the intercalary month (Bassi 1988b).

9 The last two have recently lost economical relevance, due to a drop in the available water.

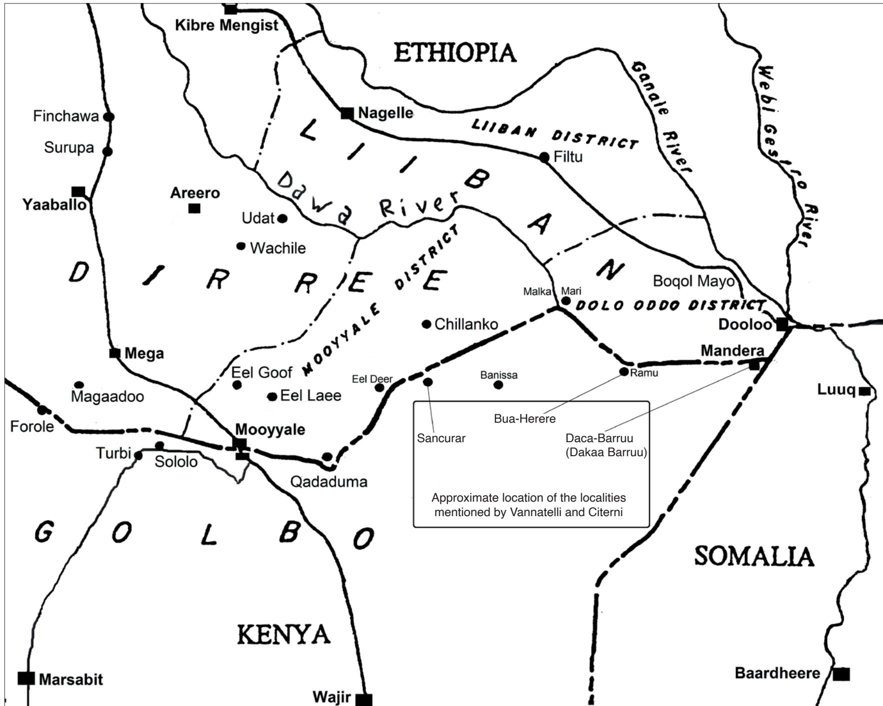
10 More details in E.R. Turton (1969) and Goto (1972). See also Schlee 1989, 38-9.

by Somalis after the death of Menelik II (1913), they were temporarily forced to leave the eastern fringe of their territory. This was followed by a time of intensive looting in the area, started by a group of elephant hunters who had gone to Borana from the North. Being well armed they started to rob the pastoralists. Hodson, who wrote at length about them, states them to be Tigre, a name having no reference to the Tigre country in north Ethiopia (1927, 71). However, it was mainly during the Italian occupation that various Somali groups were allowed to permanently occupy large parts of the eastern Borana pastures. Most Muslim pastoral groups, especially Somali but also Oromo, indeed supported the Italian troops by joining the so-called Banda, the military units formed by indigenous troops. They were rewarded by facilitating their settlement in the new area, at the expense of pastoral groups that were still practicing the Oromo traditional religion. Borana oral tradition is confirmed by the 1939 *Africa Italiana Orientale* map, showing the Degodia (a Somali clan) occupying a wide bend of the Ganale at approximately 41° east (Dardano 1939) in *Liiban*; the same area occupied by Borana as late as the time of Bòttego's expedition (Bottego 1895, map II).

The Garri are a Muslim pastoral group speaking both Somali and Oromo. They are genealogically related to the Hawiya clan family of the Somalis. Having expanded southwards earlier than other Hawiya clans, they have been classified by Colucci as belonging to the Pre-Hawiya clan family (Colucci 1924, 87, 90).[11] Their economy is primarily based on camel and small-stock pastoralism, but they also keep cattle wherever the environment allows. Trade is an important economic activity (Kassa 1983, 11-14). The Garri have historically found themselves squeezed between the Borana and other Somali clans. In their struggle for survival, they have managed to establish cultural, sociological and trade linkages with both groups (Kassa 1983, 17-21), alternating between peaceful relations and outbreaks of conflict.

The Garri are divided into territorial sections as well as into genealogical segments (moieties, clans, sub-clans, …). The same genealogical segments cut across the territorial divisions (Colucci 1924, 114). The first territorial section is found in Somalia, in the Audegle district (Barile 1935, 32-3; I. Lewis 1955, 27). This group, speaking only the Somali language, is known in Ethiopia as Garri Kofar. The Garri Gallana are the second territorial section. They have their territory in Kenya, roughly in the area between Melka Ree and Ramu to the north and Eel Waaqa to the south. The Garri Liiban are to the west of the Garri Gallana, living both in Kenya, in an area including

11 Colucci's classification has been accepted by most other scholars, including Ioan Lewis (1955, 27), Haberland (1963, 146) and Kassa (1983, 5).



Map 1 Borana and Arero provinces of Sidamo Region (until 1991) and main localities mentioned in historical sources

Takaba and Banissa, and along the border up to Qadaduma, and in Ethiopia, in eastern *Dirree*.

The Garri Gallana and Liiban can speak both Somali and Oromo, but while the Garri Liiban tend to speak Oromo, the Garri Gallana prefer to use Somali as their first language (Zaphiro 1909, 71; Haber-land 1963, 147).

Ioan Lewis indicates a fourth group, spelt 'Gurra' and classified as Somali by Bòttego (1895, 105-12) and other authors, speaking Oromo as their main language, living between the Webi Gestro and the Webi Mana (I. Lewis 1955, 27). Haberland, however, clearly differentiates the 'Gurra' from the Garri (1963, 338). Bòttego spells the Garri proper as 'Garra' (1895, 340). According to other sources the Gurra should be considered proper Oromo, as suggested by Citerni who participated in the Bòttego expedition (Citerni 1913, 87).

The Gabra are an Oromo-speaking pastoral group whose economy is based on camel and small-stock pastoralism. They also keep cattle. Most of them live in the Kenyan lowlands, traditionally known

as *Golboo*,[12] between Lake Turkana to the west and the Garri area to the east, with Marsabit Mountain to the south. The Gabra are also found in pockets in the Ethiopian Borana highlands. They are divided into five politically autonomous units, called phratries by Torry, who trace their ancestry to different neighbouring ethnic groups (Torry 1978, 187-8). Another classification is provided by Haberland (1963, 170). He divides the eastern Gabra, Migo, from the western Gabra, Malbe. While the Malbe have maintained very good relations with the Borana, the Gabra Migo have generally supported the Garri in their conflict with the Borana. This alliance has been encouraged by the recent Islamisation of the Gabra.[13]

6.2 From Diplomatic to Armed Confrontation

The inter-relationship of these three pastoral groups is characterised by continuous competition over water points and grazing land. The attempt by the Garri to gain access to new pastoral resources in Borana-controlled territories and the attempt by the Gabra to strengthen their rights to the resources they jointly exploit with the Borana have been the *leitmotiv* of their historical relations over the last century.

The early relations between the Borana, the Garri and the Gabra are described by Zaphiro, a Greek selected by the British to chart the frontier[14] between British East Africa and Ethiopia (Clerk 1908, 42). Reporting oral traditions, he writes that when the Borana took possession of the highlands they commenced to raid the Garri. This possibly refers to the war of expansion already mentioned at the expense of the Wardai, in the 17th century. After a period of war, the Garri submitted and accepted to pay a yearly tribute to the *qaalluu* of the Sabboo moiety,[15] with the understanding that no Borana should inhabit Garri country later on. However, many Borana went as far as Eel Waaqa using friendly relations and intermarriage with Garri (Zaphiro 1909, 71).

The term 'tribute', which is often used in the literature to express the relations between Borana and their 'vassals' exaggerates the

12 It is a Borana Oromo term derived from *golba-iti*, meaning 'valley', 'place without mountains', 'space between' (Leus 1988, 260), or 'place without tall trees'. It is used to indicate the lowlands south of the escarpment which roughly separates Ethiopia from Kenya.

13 At the beginning of the 1960s, Haberland wrote that in one generation's time there would be no trace of the old religion (1963, 142).

14 The 1907 treaty stipulated that the frontier between Ethiopia and British East Africa would be demarcated on the ground.

15 The *qaalluu* are ritual dignitaries whose title is hereditary. The Borana have five *qaalluu*, two of whom are associated with the exogamous moieties called Sabbo and Gona.

degree of inequality. As Haberland emphasises, the use of the term in the context of Borana inter-ethnic relations cannot be compared with the taxes and other obligations paid by feudal lords in Ethiopia to the Emperor (Haberland 1963, 41-2). The payment is better described in terms of a ritual gift, symbolically representing the alliance between the Borana and each 'tribute-giving' ethnic group. As in the case of the *muuda* pilgrimages to the *qaalluu* made by the Borana themselves, the gift givers are blessed by the *qaalluu*, thus participating in the *nagaa Booranaa*,[16] the Peace of the Borana, implying, among other things, a ban on feuds and intra-tribal fighting.

Before the end of the 19th century, the lowlands to the west of Garri territory were inhabited by the Borana and the Gabra together. Zaphiro reports that for the past two generations, the Borana had been living in *Golboo*, raising camels and goats (1908, 47). This statement is confirmed by Haberland, who writes that the Gabra were distributed in the Borana territory, with the largest concentration to the south of the border, between Mooyyale and Lake Turkana (1963, 143). During the dry seasons, the Gabra were allowed access to some Borana water points in the highlands (Zaphiro 1908, 46). Like the Garri, the Gabra were paying symbolic tribute to the Borana *qaalluu* (Haberland 1963, 141 and 143) to stress the alliance between the two groups. Their relations, however, were perceived by Borana as asymmetric, the Gabra being considered of inferior status to Borana (Gwynn 1911, 124; Haberland 1963, 142-3). The Gabra living among the Garri were also found to occupy a similar status (Gwynn 1911, 124).

The partitioning between Ethiopia and British East Africa of the area under the Borana sphere of influence put an end to the latter regional supremacy. The Borana seemed to be perfectly aware of the consequences of the treaty between Ethiopia and the British. Indeed, the *qaalluu* of the Borana strongly complained to Zaphiro (Zaphiro 1908, 47-8). The Borana were divided from their clients, the former being assigned to Ethiopian rule, the Garri and the Gabra to British East Africa. The Borana of Eel Waaqa and Golboo in Kenya were forced to return to the highlands (Zaphiro 1909, 71). Zaphiro estimates that nearly half of the population to the north of the frontier were born in Eel Waaqa and Golboo (Zaphiro 1909, 71). Since this figure seems overestimated, he was probably referring to some of the Borana localities in the highlands rather than to Borana territory as a whole. The British administration assigned a distinct tribal territory to the Gabra (Haberland 1963, 143).

The colonial situation gave rise to the diplomatic phase of the confrontation for control of land between the Borana and the Garri.

16 The concept has been presented by Baxter in several papers (1965; 1978; 1990).

Already in 1907, the border officials had been called to Addis Ababa with Borana elders. The reason was that the Garri were claiming territory as far north as Gulgullo and Biddem in Ethiopia, whilst the Borana were claiming Eel Roba, Gebel Udder[17] and Takaba[18] on the Kenyan side (Holer 1907, 74).[19] The separation of these two ethnic groups between two different colonial states had made access to cross-border grazing increasingly difficult.[20] Guba Gulgullo is indicated by Zaphiro as an area traditionally utilised by the Garri Liban (1909, 71). Haberland mentions that before 1924 part of the Garri were living in Ethiopia to the east of Borbor, therefore in the area around and north of Jarra and Eel Roba, more or less in agreement with the British sources, and in 'Gilbabo' (1963, 338). The presence of the Borana in 'Chokorso', to the northwest of Chilanko, hence in eastern Dirree, is testified by Gwynn (1911, 134). Similarly, the Borana were using pastoral resources in Kenya. Zaphiro mentions that despite the massive movement to the highlands they managed to keep camels and goats both in Golboo, in the area assigned to the Gabra, and in places such as Takaba and Jarra (Zaphiro 1908, 47), in Garri country.

During the 20th century, the Garri managed to expand their presence in Ethiopia. Haberland writes that from 1924 a great number of Garri settled in Ethiopia (1963, 338). Getachew Kassa mentions that the movement of many Garri from Kenya to Ethiopia was led by Gababa Mohammed Guracha (Kassa 1983, 39). Borana's oral sources claim that the Garri at first stayed in Qadaduma, a place which, in 1908, was regarded by Zaphiro as a Borana area (Zaphiro 1908, 47).[21] According to Borana's oral sources, Hassan, Gababa's son, established good relations with Musse Sawa, *Ras* Desta Damtew's assistant, who had built a trade road between Nagelle and the Garri area.[22] *Ras* Desta was Governor of Sidamo and Borana Province for a long period before the Italian occupation. Because of this friendship, Hassan Gababa received the Ethiopian military title *graztnatch* ('Commander of the left wing') just before the Italian invasion.

17 I was unable to identify Biddem and Gebel Udder.

18 Spelled Takubba in the source.

19 Eel Roba is now on the Ethiopian side. There was a border re-adjustment later on.

20 There was probably an attempt to restrict each ethnic group to its side of the border. In a letter to Sir Edward Grey, Holer writes: "the Borana, seeing that they are to be left on the Abyssinia side of the line" (Holer 1907, 81).

21 The Garri, instead, were inhabiting the area to the south of Qadaduma (Zaphiro 109, 71). In another passage it is mentioned that the Borana were permanently in Qaduma, whereas the Garri were utilising the water sources only during the dry season.

22 Elephant hunting and ivory trade were still very intensive.

According to Borana's oral information, during the Italian occupation, the Garri were able to win control over eastern Dirree pastoral resources, including important water points such as Eel Deer.[23]

In 1941, Hassan Gababa was imprisoned by the British. After his release, 3 years later, he went to Addis Ababa to meet Emperor Haile Selassie (Kassa 1983, 41). As a result of the trip, the Governor of Sidamo Region appointed him as administrator for Waacille *mekkettel wereda* (sub-district).[24] Symmetrically a Borana, Halake Guyo, was assigned as administrator of Chilanko, in Garri country. The Borana assert that Hassan took the opportunity to allow the Garri into Waacille and other areas from which they were previously excluded. This version is confirmed by Haberland, affirming that after long negotiations with Ethiopian authorities, the Borana areas of Waacille and Walena were assigned to the Garri (Haberland 1963, 338). From that period to the 1974 revolution, the Borana regularly sent letters of complaint to Emperor Haile Selassie.[25]

From the 1960s the phase of diplomatic confrontation between the Borana and the Garri gave way to armed conflict within the frame of the Somali irredentist movement in the south-east of Ethiopia. Immediately after the independence of Somalia, the political relations of this country with both Ethiopia and Kenya became increasingly tense, with border clashes occurring as early as 1960 (I. Lewis, $5, 153). The Somali government started to support guerrilla activities, the so-called *Shifta* movement, both in south-eastern Ethiopia (Hararge, Bale and Sidamo provinces) and in north-eastern Kenya. In Ethiopia, this movement involved not only the Somalis but also the Muslim Oromo, particularly the Arsi, who took the opportunity to rebel against the central government. In Borana province (Sidamo region) guerrilla activities started in 1963. In the first phase, the Borana were sympathetic to the irredentists, but soon they switched sides. As mentioned by Markakis, they "were armed by the imperial regime in the early 1960s to help stem the westward advance of the Somali in southern Sidamo province" (1993, 14).

The Garri fought both in Kenya and Ethiopia. In Borana province, decisive clashes occurred in 1969, with the Borana playing a decisive military role in defeating the Garri guerrillas. During the 1970s the guerrilla movement became more organised and militarily more effective, under the coordination of the WSLF (Western Somali

23 Analogously, Somali groups such as the Marrehan and the Degodia had an opportunity to expand into Liiban.

24 At that time, the administrative set-up was a *toklai-gisaat* (governorship or region), hierarchically divided into *azvraja* (provinces), *wereda* (districts) and, eventually, into *znekkete wereda* (sub-districts). Borana province was part of Sidamo region.

25 Oral information by Borana elders.

Liberation Front), an organisation based in Mogadishu having the objective of establishing Somali sovereignty over the Hararge region and other parts of southern and eastern Ethiopia. Military training for guerrillas was organised in Somalia. It is probably at this time that the Gabra Migo also became increasingly involved in the guerrilla campaign.

In 1976 the Muslim Oromo founded the Somali Abbo Liberation Front (SALF), a movement closely allied to the WSLF (I. Lewis 1980, 414), to differentiate themselves from the Somali proper. Most of the Borana had maintained their traditional Oromo religion. Accordingly, they did not join the SALF, except for a few Muslim individuals. In 1977 the WSLF and SALF fighters were supported by the invading Somali regular troops, which were defeated only in 1978 by the Ethiopian regular army, also supported by Cuban soldiers and USSR military advisers. The Borana, again, played an important military role, flanking the Ethiopian troops against the SALF guerrillas.

The Borana decision to support the central government against the Garri and Somali can largely be explained in terms of local inter-ethnic competition over pastoral resources. The Borana shared with these other groups a similar anti-government sentiment. Being neither Christian nor Muslim, they had no religious reason to side with Ethiopia. Rather, they were afraid to lose their land to Muslim pastoralists if Somalia won the war. The intrusion by the Garri into Waacille and Walena after World War II had been a warning to them. A Somali victory would have seen the Degodia and the Marrehan (two Somali clans) expanding their grazing areas into the *Liiban* district, the Garri into *Dirree*, and the Gabra Migo taking over key Boran wells in *Dirree*.

After the Somali war, many Garri and Gabra Migo were forced to seek refuge in Somalia and, to a lesser extent, in Kenya.[26] Many stayed in refugee camps and irrigation schemes along the Juba River, where more than 200,000 Somali and Oromo refugees had concentrated. Other Garri and Gabra Migo stayed in Ethiopia and some continued to use pastoral resources jointly with the Borana, the Garri in Waacille, Eel Lei and further east, the Gabra scattered in several localities throughout Boranaland.

6.3 From Repatriation to the 1991-92 War

Due to civil war and conflicts between local Somali clans, especially Marrehan, within the refugee camps in Somalia life became

26 By 1981 the were up to 600,000 refugees in Somalia (UNRISD 1993). Another source indicates 1,500,000 Ogadenian refugees in Somalia and 400,000 in the neighbouring states (Dolal 1992, 187).

increasingly insecure for many refugees. From 1986-87 large groups of refugees started to return home to Borana province assisted by UNHCR. Returnees were sent to several sites scattered throughout Borana province, via Nagelle, the provincial administrative capital, where they were receiving a rehabilitation grant of 1,150 ETB per family,[27] a ration card for nearly one year, agricultural implements and other provisions from UNHCR. The reception sites were decided based on the returnees' statements about their ethnic identity and place of origin. The Garri were sent to new settlements in Eel Laye, Chamoq, Hudet, Chilanko, Katame, Mooyyale, Qadaduma, Eel Deer, Melka Mensa, Jarra, and Melka Marri. The Gabra were also sent to settlements in the Borana area. Already at this early stage, some disagreements arose between the returnees and the local administrators, who were mostly Borana, over the returnees' claims. For example, the Garri were not allowed to return to Eel Goof as they had requested, as only Gabra and Borana returnees were settled there.

From the end of 1990, and especially after the fall of Mogadishu at the beginning of 1991, the flow of returnees and Somali refugees into Ethiopia greatly increased (UNRISD 1993, 3). Between February and March 1991, 30,000 Ethiopian returnees from Somalia were found in the Suftu camp and 100,000 in Dolo-Oddo.[28] A small grant[29] was offered for spontaneous return to the area of origin, plus a one-month food ration and a ration card for 11 months. Many of the refugees claimed to have originally come from Mooyyale district. Destination sites were the outskirts of Mooyyale town, Tuka, Eel Lei, Eel Goof, Qadaduma, Chilanko, Hudet, Waacille, and Arero. There were also some Somali citizens, settled in Qadaduma and some Somali Marrehan,[30] settled in Liiban district near Hudet.

This relevant increase in the flow of returnees was aggravated by increased competition over pastoral resources due to local drought. The collapse of the Derg regime in 1991 flooded the area with cheap automatic guns, a combination of factors that resulted in serious armed conflict, described as "the biggest humanitarian catastrophe in the region's history" (TLDP 1992). Below I try to summarise in chronological order the main events that have led to this conflict.

- A power vacuum occurred between the fall of the *Derg*, in May 1991, and the arrival of EPRDF (Ethiopian People's Revolutionary

27 This amount was progressively reduced.

28 Data obtained from various NGOs' documentation. A similar situation was reported in the camps in Northern Ogaden, with 600,000 refugees and 100,000 returnees in June 1992 according to UNHCR figures (UNRISD 1993, 3).

29 100 ETB per family plus 50 ETB per each family member besides the first two adults.

30 Including ex-soldiers of Siad Barre.

Democratic Front) forces in the area, in June 1991. For many months afterwards, there is instability in the area.
- In July 1991 Garri returnees moved with their camels into several Borana areas, both in *Liiban* and in *Dirree*, including an important Borana ceremonial site, the *ardhaa jilaa* (ceremonial site) connected to the *gadaa* ritual near Arero.[31] Such an intrusion was interpreted by the Borana as an explicit attempt to take over their pastoral resources.
- In September 1991, in preparation for national elections to be held in June 1992, the OALF (Oromo Abbo Liberation Front) opens offices in Yaaballoo, Mooyyale and Meegga.[32] The Borana note that the insignia on the OALF flag is the same as that of the Somali Abbo Liberation Front, the organisation which in the 1970s attempted to take over control of Borana areas. They also observe that the main support for the party comes from Gabra Migo in Yaaballoo and Garri and Gabra Migo returnees in Mooyyale, that is the same people that the Borana had been fighting with during the 1970s. The opening of the OALF offices had therefore strengthened the Borana interpretation that there was a concerted effort to undermine their control of pastoral resources in key parts of their territory. A demonstration is organised in Yaaballoo to close down the offices, and meetings are held in Yaaballoo between Borana and Gabra elders to avoid conflict. Some Gabra openly claim ownership rights to Borana wells and threaten the Borana with taking over control in Dirree, with the Islamic brothers' support.[33] The OALF leader agrees to close the new offices.
- Tension, however, is running very high. during the second half of November 1991, a serious clash occurred between Borana and Gabra in Yaaballoo town and in a village close to the town, where the Gabra had gathered. Many Gabra were killed. Many flee to Finchawa, in the Gujji-Oromo country; protracted armed conflict starts between Borana and Gujji as well.
- By the beginning of 1992 the war has extended to the Mooyyale district, where the combined Garri and Gabra Migo forces fight against the Borana.
- In April 1992, the EPRDF succeeded in organising peace talks, but the *abbaa gadaa* of the Borana[34] was shot on his way home (EPPG 1992a, 1). As reported by EPPG, since then and up to

31 Information provided by local elders.

32 They are the three largest towns in Dirree.

33 Personal communication by elders in Yaaballoo.

34 He is a very prestigious traditional leader, the symbolic guide of all the Borana. He managed to escape.

June 1992 the Borana were attacked by the Garri-Gabra Migo 6-8 times, with serious clashes at the end of June. The battle started on June 26 in Chirecha, expanding to Tuka and Hiddilola before being stopped by EPRDF intervention. About 200 Garri-Gabra have been killed (EPPG 1992a, 1). The Garri-Gabra forces are reinforced by returning Garri and Gabra from Somalia and are probably financially supported and equipped by allied Marrehan and Islamic interests (EPPG 1992a, 1).

- In July 1992 Jaatani Ali, a prestigious Borana member of the fallen *Derg* administration and former administrator of the Borana region, is murdered in Nairobi.
- The war coincides with a serious drought in 1991 and 1992. The concentration of cattle in 'safe havens' leads, in combination with the drought, to serious overgrazing and almost total loss of livestock in these areas.[35] The inhabitants of the conflict areas flee to Kenya, mostly to Walda and Banissa,[36] two new refugee camps assisted by UNHCR-Kenya and other organisations.[37] The remaining population is assisted with intensive food relief in their home areas by CARE International and Norwegian Church Aid.

Everything seems to indicate that the 1991-92 war was just the most recent violent episode in a long-standing inter-ethnic dispute over pastoral resources between competing ethnic groups. The massive return of returnees and refugees supported by UNHCR had merely been the trigger for renewed confrontation between them.

6.4 A New Wave of Returnees and the Somali Claim

From December 1992 to July 1993 UNHCR, in collaboration with the concerned national agencies and local administrators, assisted the repatriation of 44,294 people from Walda camp inside Kenya to Mooyyale district.[38] The returnees were settled in Dukiso, Eel

35 In Meelbanaa area, to the south of Meegga, where I was in 1990 and in 1993, the loss was over 90%.

36 At first the Borana moved to Sololo. They were later taken to Walda (EPPG 1992a, 1). The Garri and the Gabra fled both to Walda and to Banissa.

37 Official figures vary from organisation to organisation and from time to time. In July 1992 in Walda there were 38,000 registered refugees (EPPG 1992a, 2). In Banissa, in August 1992, 35,000 Garri were registered. In the same period 48,601 and 10,800 Borana were further assisted in Mooyyale shelter (EPPG 1992b, 2). The EPPG's own estimation was lower than the reported population (EPPG 1992b, 2-3) and in a later registration by UNHCR/Banissa 18,322 people were found in Banissa (ARRA 1993, 2).

38 Some of the refugees had already returned home spontaneously.

Lei, Eel Goof, Ardha Olla, and various localities around Mooyyale (Mooyyale town outskirts) (ARRA 1993, Annex 1).

Table 3 shows the estimated Mooyyale district population by various localities, according to UNHCR documentation updated to June 1993 [tab. 3].[39]

Table 3 Estimated Mooyyale District Population According to UNHCR, June 1993

Location	Inhabitants	Kenyan Refugees	Total
Moyale Town	44,470		
Moyale outskirts	21,693		
Eel Lei	14,531		
Eel Gof	8,909		
Chilanko	4,000		
Qadadu ma	4,208	3,200 Adjuran	
Kata ma	1,800	1,400 Adjuran	
Dukiso	4,049		
Ardha Olla	2,203		
Tuka	11,624		
Others	7,953		
Total	125,440	5,100	130,540

The left-hand column includes residents and returnees, that is, all people who are considered as belonging to the district. The comparison with the 1984 census is interesting. According to the latter, the population in Mooyyale district was about 27,000. At the natural rate of increase estimated at 2.9% (EPPG 1992b, 1), the population should be less than 33,000 people in 1993. These figures indicate that returnees exceed the residents by about 280%.[40] Even considering a large measure of under-reporting during the 1984 census and UNHCR over-estimation of the 1993 population through double counting, it is evident that many people originally not belonging to the district had joined the 'returnee' group. During the 1970s, the environment simply could not have sustained such a large number of people. Even through the 1980s, after the refugees' departure, national and international organisations have been repeatedly forced to assist with food distribution and rehabilitation programmes between

39 Data provided by UNHCR office, Addis Ababa in September 1993.

40 In fact, out of a total of 125,440 people only 33,000 have been in Mooyyale district through the 1980s. The difference, some 92,440 people, have come into the district between 1986 and 1993.

1,000 and 1,500 destitute Borana families in Dollolo Makala and associated centres (RRC, UNICEF, Band Aid 1989). In the same period, the Garri and the Gabra Migo had the opportunity to split their polygynous or extended families, placing some members in the rural areas in the eastern part of Mooyyale district and others in the cross-border assisted camps. Rural herders could, in this way, get indirect access to food distributed in the camps.[41]

It was feasible in the early 1990s for Kenyan Garri and Gabra, and Garri from Somalia, to join the Ethiopian refugee/returnee group. They could, in fact, easily be accepted by the Ethiopian Garri by exploiting their kinship links. Regarding acceptance by authorities in the camps it can be noted that UNHCR registration and repatriation procedures were simply based on each individual's statement of identity.[42] Although the Garri Kofar could potentially be identified because most do not speak Oromo, the Garri Liiban and the Garri Gallana can speak both Oromo and Somali, while the Gabra all speak Oromo.

Pastoralists from Kenya and Somalia are likely to have joined the Ethiopian refugees/returnees group in various phases. Already in the late 70s, many guerrillas are said to have entered Ethiopia from Somalia and Kenya. Under economic stress, they may have chosen to join the Ethiopian refugees to be assisted in the camps. In the late 1980s, the incentive of the repatriation grants no doubt opened the way for the 'return' of people not originally belonging to Borana province. Later on, when the grant was reduced, food rations could still play an important role for poor pastoralists. The serious Somali crisis, the 1991-92 drought and occasional clashes in Kenya were further reasons for Kenyan and Somali citizens to be registered in the new camps.[43] The status of returnee anyway assures, at least in theory, long-term assistance by the UN and other agencies, with special emphasis on food security, health care, school facilities, future participation in development initiatives and hence access to natural resources.

The individual motivations of pastoralists also overlap with old political goals based on ethnic lines. By transferring as many Garri-Gabra 'returnees' as possible into the administrative units of the Borana zone the old goal of getting access to Borana-controlled resources may have been achieved. Such a strategy can only be explained in the framework of the changes in the administrative settings of the

41 Cross-border trade of grain from UNHCR refugees camps in Somalia to Ethiopian rural areas and of livestock in the opposite direction remained substantial throughout the 1980s (UNRISD 1993, 13).

42 For example, the phenomena of double registration and double 'repatriation', in order to get the rehabilitation grant twice, was very common already in the 1980s. Similarly, external pastoralists may have joined the group with false statements.

43 Suftu, Dolo Oddo and, later on, Banissa and Waldo.

regions. At the end of the 1980s, the old administrative organisation of the south was rearranged, with the establishment of the Borana Administrative Region. The new region included the former districts of both the Borana and Arero provinces of the Sidamo region. After the fall of the Derg regime, the Ethiopian state was reformed with the introduction of federalism and decentralisation (Doornbos et al. 1992, 4). New ethnically based regions have been established, with strong autonomy over land use and land allocations within their respective regions. However, the regional borders are still not yet entirely demarcated, and they are a source of potential conflict. Borana Administrative Region, with minor adjustments, has been renamed Borana Administrative Zone, a subdivision of Region 4 (Oromia). Region Five (Somali) has already officially claimed Mooyyale and Liiban districts and other areas temporarily assigned to Region 4 (Oromia). The regional affiliation of the Mooyyale district will greatly influence the destinies of the three ethnic groups. If it is assigned to Region Four, the Borana are likely to maintain control over their wells and surrounding pastures, otherwise they will probably lose these resources to the Garri and Gabra Migo.[44]

The Proclamation on the Establishment of the Regions, published in the *Negarit Gazeta* (1991),[45] indicates that the regional affiliation of disputed administrative units will depend on the results of the 1994 national census. In controversial cases, the councils of the two regions may jointly agree on a solution. The organisation of a local referendum is one of the possibilities which are presently being talked about.[46] In both cases, census or referendum, the presence of many 'returnees' in the district is likely to greatly influence the outcome. The Garri, with their dual Oromo and Somali identity, will, play a crucial political role.[47] Again, as in the 1960s and 1970s, the Somali objective of territorial expansion overlaps with the specific Garri-Gabra Migo desire to get a larger share of Borana pastoral resources. In the present context, however, the dispute is placed within an inter-regional rather than international arena.

The conflicting Oromo and Somali interests over where the border should be drawn between their respective regions have affected the OALF. The Garri, who form the majority of the party, have for long felt under-represented. During a recent internal party crisis, the

44 The same applies to the Borana and other Somali groups in Liiban district.

45 The *Negarit Gazeta* is the Ethiopian official gazette of laws, orders and notices.

46 The referendum has already been experimented elsewhere by Region 4.

47 The Garri may not present a compact front. Those who have been staying in Borana area living side by side with the Borana may chose an Oromo identity, while those classified as 'returnees', mostly affiliated to the OALF, are likely to support the Somali claim.

OALF Arsi Oromo leader,[48] Siraji Haji Isaq, was temporarily suspended from the Council of Representatives in Addis Ababa. He was formally reinstated in April 1992 flanked by Sheik Ibrahim Abdallah, a Garri representative who had previously been living in Somalia. It is reported, however, that presently Siraji is only partially involved in national politics. The crisis and the change of OALF leadership may well indicate a shift in party policy from a pro-Oromo (Arsi) to a pro-Somali (Garri) orientation.

By 1993, the 1984 Mooyyale district population, which was already unable to sustain itself, had grown about four times. Such an extraordinary demographic increase in just ten years can only be sustained through food relief. We can therefore conclude that international aid is part of regional and local political strategies.

The experts employed by international and national humanitarian organisations tend to base their planning on interviews with local political leaders and government officials. Very seldom does the planning process reach down to the grassroots.[49] The local administrators have considerable institutional means at their disposal to exercise pressure on the formulation and implementation of relief and rehabilitation plans. In Mooyyale district all activities related to the returnees and refugees are coordinated by the Moyale Task Force, a body formed by representatives of the responsible international and national agencies and all government organisations and non-governmental organisations implementing activities.[50] The Task Force is chaired by the local District Officer.

Local politicians are thus, informally and formally, enabled to address international aid agencies based on their political strategies. Such an opportunity gives them enormous influence over poor pastoral families facing serious survival problems. It is probably not by chance that the largest concentration of returnees is found in Mooyyale district, where Garri and Gabra candidates won the election under the banner of the Oromo Abbo Liberation Front (EPPG 1992a, 1).

That the manipulation of international aid has become a new instrument in an old inter-ethnic game fought over control of natural resources will become increasingly apparent in the next section, which discusses UNHCR rehabilitation plans for 'returnees' in the

48 The Arsi are another large Oromo section, living north and north east of the Borana and the Gujji, included into a different region during the Derg, and now in a different Zone of Oromya region.

49 The problem has been pin-pointed at the 1992 Symposium for the Horn of Africa on the Social and Economic Aspects of Mass Voluntary Return Movements of refugees: "It is unlikely that this information will be gained from brief field visits by overworked and inexperienced staff" (UNRISD 1993, 21).

50 ARA (Administration for Refugees Affairs), RRC (Relief and Rehabilitation Commission) and UNHCR (United Nations High Commissioner for Refugees) play the major role.

area, and the likely impact of these plans on traditional Boran resource management strategies.

6.5 Borana Land Tenure and Pastoral Practices

Despite growing involvement by the Borana in agriculture, especially after the 1983-84 drought, pastoralism is still the dominant economic activity in the area. In the region, there are only two permanent rivers, the Dawa and the Ganale, in the northeastern corner of Boranaland. Over the rest of the area, except in the extreme west, the Borana can only rely on traditional wells[51] for watering their stock during the dry season.[52] In *Dirree*, wells are found in localities where the aquifers are reasonably close to the surface. A group of nearby wells, hereafter called 'well complex', and the surrounding grazing area is called *madda* in Borana (Hogg 1993, 69). The relatively short distances between well complexes – normally between 20 and 40 km[53] – in combination with Borana herding practices allow for a highly efficient form of cattle pastoralism in *Dirree*.[54]

Helland (1980, 60-1) and Upton (1986, 23) suggest that dry season water supply is probably the critical limiting factor determining livestock carrying capacity. Consequently, the Borana management system mainly regulates ownership of and access to permanent water points, especially wells, rather than the pastures themselves. The people utilising a particular well complex live in small villages dispersed throughout the *madda*. The villages are mostly situated within a 16 km radius of the wells, a distance which allows the cattle to go to and back from the water in a day (Upton 1986, 23). Their livestock can graze freely throughout the rangeland[55] and, if conditions are favourable, they usually cultivate a small plot near to the village. Except for the more intensively cultivated areas around the main towns, such as Yaaballoo, Arero, Meegga, Hiddilola and Mooyyale,[56]

51 Borana traditional wells may be more than 40 meters deep. They have been admired by many travellers since the end of the 19th century (Smith 1897; Vannutelli, Citerni 1899; Hodson 1927). Technical details on structure and water productivity are given in ILCA reports (Donaldson 1983; Cossins 1983).

52 The crucial importance of these 'deep' wells has been underlined by Helland (1980, 62-3).

53 Maps of the well complexes are provided by Helland (1980, 74) and Cossins (1983, 6-7).

54 On the rangeland see Helland 1980; Cossins 1983; Upton 1986.

55 With the exception of cultivated plots and limited 'reserve' areas (Hogg 1993, 70).

56 Urban centres have grown up, since the incorporation of the area into the Ethiopian Empire at the turn of the last century, in those 'better watered' places suited to

land for cultivation is easily available[57] and plots are not subject to permanent ownership rights.[58] As access to wells indirectly means access to the surrounding pastures and farm plots, rights in land are indirectly defined in terms of rights in wells.

6.5.1 Rights in Wells

Well digging or re-digging,[59] which requires considerable labour investment, is normatively distinguished from, but related to, the rules regulating access to and utilisation of wells.

The work required in digging the well is promoted and coordinated by the *konfii*.[60] In the past, it was the mobilisation of manpower and the heifers, bulls or oxen necessary to feed the workers which was particularly burdensome. More recently, due to the availability of machinery for hire and the possibility of paying daily workers in cash, cash contributions are becoming an increasingly important part of the work. After termination of the work, the *konfii* will be considered the *abbaa eelaa* ('father of the well'). The *konfii* slaughters the first heifer at the well site. Other animals will be contributed by other lineages or by the associated clan. Each successive heifer, or cash of an equivalent value, is alternatively provided by members of each clan or lineage contributing to the excavation of the well.

During the dry season, Borana cattle are watered every third day. Consequently, the utilisation of wells is characterised by a three-day rotation, each day being utilised by different herding units. Ideally, each day of utilisation should be assigned to a different clan which institutionally participated in the excavation. The daily utilisation of the well is ordered by reference to set positions, each position being assigned to a different herding unit. All positions, except for the second and the last, are reserved for the descent sections that originally invested in the well digging. A particular position in the watering roster therefore indicates the nature of that individual's clan's title to the well.

Ownership, however, does not imply exclusive rights of access. The second and the last positions in the watering roster are always

agriculture. While some cultivation may always have been practised by Borana, the major impetus came from the Amhara who settled in the area after Menelik's conquest.

57 The limiting factor is rather the availability of oxen for ploughing.

58 Land is neither sold nor inherited.

59 During the rainy season earth tends to fall into the wells. If not regularly maintained the wells will soon become unusable.

60 In case of re-digging the *konfii* should obtain permission from the *abbaa gofe* ('father of the collapsed well').

reserved for people who did not participate in the original well investment and who may belong to different descent sections or even to different ethnic groups.[61] Position two must be given either to a traditional leader (*hayyuu*), to a member of a defined group of clans (*sunsum*) or in-laws (*soddaa*). The latter should preferably be a real in-law of somebody holding ownership rights, or, secondarily, in a classificatory sense, any person belonging to the wife-giving moiety of the *abbaa eelaa*. The last position is reserved for a person in an emergency. Rights of access inherent in positions second and last are only temporary and not inheritable; they are lost when the well-user leaves.

The work needed to operate a well is jointly provided by all herding units utilising it on a given day. The manpower requirement is high, water being lifted by a human chain of up to 20 men or more. Regular maintenance work is jointly undertaken by all well users. The coordination of all activities regarding a given well and problems of access are discussed at the *kora eelaa* ('assembly of the well') (Bassi 1992c, 329-30; app. 1).

6.5.2 Division of the Herd

To allow for the different needs of their livestock, Borana split their herds into *loon warraa* (lactating cattle) and *loon fooraa* (dry cattle). The lactating cattle are kept in the main village, providing milk to the residents. The dry cattle mainly consist of those animals either temporarily dry or beef cattle. *Warraa* herds always have priority over *fooraa* herds regarding both access to water and pastures. The *fooraa* herds are kept in mobile satellite camps by young herders. During the rains, they are ideally sent to the lowlands, where highly nutritive seasonal grasses become available. During the dry season, they tend to return to their home *madda*. Due to high demand by the *warraa* herds, *fooraa* herds are not allowed to be watered in several of the wells complexes. Among the nine deep well complexes in *Dirree*, *fooraa* herds are only allowed at Irdaar, Dhaas, Weebi, Eel Goof and Eel Lei.[62]

61 Any person belonging to any ethnic group can anyway utilise a well by joining the herding unit of a person enjoying rights of access.

62 Data collected in the field in 1989-90.

6.6 UNHCR/RRC Rehabilitation Plans

The returnees settled in Mooyyale district have mainly been assisted by food relief and health care.[63] It is, however, planned to shift from relief to rehabilitation. For this purpose, RRC (Relief and Rehabilitation Commission), in collaboration with other agencies, has elaborated a proposal based on joint UNHCR/ARA and joint RRC/UNHCR/ARRA/WFP/WSSA missions between April and June 1993 (ARRA 1993). The proposal includes two major components, the repatriation of the 18,322 refugees still living in Banissa camp and the rehabilitation of 85,273 returnees and displaced in Mooyyale and Arero districts (ARRA 1993, 3). The repatriation is to be implemented by ARA complemented by UNHCR: the returnees are to be settled in 9 localities in Mooyyale and Arero districts, with large numbers in Chilanko (10,140), Eel Deer (2,202), Hudet (2,202) and Waacille (2,164) (ARRA 1993, 7 and Annex 1).

The rehabilitation programme is intended to be coordinated by RRC and includes the following major sectors: health care, water supply, school rehabilitation, grinding mills, agriculture and road rehabilitation. Food will continue to be distributed for one year to Banissa returnees and for 6 months to the others (1993: annex 8). The agricultural component is the most relevant one, with a requested budget of US$ 3,306,290. It includes the distribution of various agricultural inputs[64] to all sites except Mooyyale town and a restocking programme (1993, 12, annexes 3, 4 and 5). The main objective of the programme is to settle pastoralists by promoting agriculture,[65] a common strategy in East Africa after drought. However, Hogg observes how government policies emphasising settlement and agriculture have encouraged population and livestock concentration causing increased desertification (1987, 47) and vulnerability to drought (1987, 57). Knowledge already built about this area places a serious question mark over the sustainability of the proposal. The potentiality for agriculture in the Borana area has been discussed in detail in *Ecological Map of South Western Sidamo* (Assefa, Bille, Corra 1984),

63 International agencies, particularly UNHCR, are the major donors: RRC, ARA and UNHCR are all playing a coordinating role with EPPG entrusted to perform monitoring. Food distribution is implemented by Mekane Yesus, a national NGO, assisted by ARA staff; Médecins Sans Frontières has been assisting the Ministry of Health in health care provision, by rebuilding damaged infrastructure, providing medical equipment and drugs and running feeding centres; AICF (Action International Contre la Faim) has recently installed two motor pumps in Eel Goof and Eel Lei and EWWCA has built a water system for Mooyyale town by pumping water from Eel Goof aquifers.

64 Hand tools, oxen, seeds, fertiliser, pesticides, etc.

65 The restocking component, limited to one goat, one ewe and one heifer per family to half of the assisted people (1993, annex 5 and 6), cannot be seriously taken into consideration for reconstituting a viable herd within the suggested rehabilitation time.

an ILCA (International Livestock Centre for Africa) study which, unfortunately, was not extended beyond 39° east, including only the western corner of Mooyyale district. This publication suggests that some expansion of agriculture should be allowed, but only within specific limits and under certain conditions (Assefa, Bille, Corra 1984, 28). From the climatic point of view only in the sub-humid (annual rainfall around 900 mm) and in the upper semi-arid zone (annual rainfall around 650 mm) (Assefa, Bile, Corra 1984, 19-20) may agriculture be expected to be successful, with possibilities of crop failure in the latter zone (Assefa, Bille, Corra 1984, 6). The same limits are indicated by Bille in his climatological study which includes the whole of Mooyyale district. He claims that, given the bimodal pattern of rainfall in the area and the high variability and irregular spatial distribution of annual rainfall, "limited cropping could be tested in these areas with a rainfall over 700 mm, and may be possible, with an accepted risk of total failure in some years, in areas defined by the 600 mm isohyet" (Bille 1983, 27).

Based on the likely isohyets drawn by Bille (1983, 12) – which are only approximate for lack of reliable data – in Mooyyale district there is no sub-humid area, while only the area around Mooyyale town itself falls within the upper semi-arid category, with a yearly rainfall higher than 600 mm. Areas such as Waacille, which are intended for agricultural expansion under the rehabilitation plan, are well below the limit.[66] Eel Goof and Eel Lei, where large numbers of pastoralists have been settled, are just on the limit, but the composition of the tree and shrub communities[67] corresponds to the vegetation of the lower semiarid zone as described in the 1984 ILCA publication, hence outside the recommended climatic zones. The optimism shown by some development experts regarding the potentiality for agriculture in Eel Goof and Eel Lei may be the result of short-sighted judgment based on exceptional post-drought rains in the area.

An ILCA environmental study of Eel Goof and Eel Lei shows that the area is intensely eroded (Bille, Assefa, Corra 1983, 26) because of over-utilisation which has lasted for centuries, "long enough for all top soils to be destroyed and washed away" (Bille, Assefa, Corra 1983, 18). Bush clearance and direct soil exposure to water runoff, associated with cultivation, can only accelerate the process of land degradation.

66 During 1981 and 1982, two exceptionally rainy years, Waacille received respectively 399 and 551 mm. Mooyyale, which is characterised by a 704 mm average annual rainfall, in the same years received respectively 1,144 and 2,512 mm (Bille, Selassie 1983, 10, 12).

67 In Eel Goof and Eel Lei *Commipliora spp.* and *Acacia bussei* are dominant (Bille, Eshete, Corra 1983, 21).

The Borana Integrated Rehabilitation Project,[68] which started life as a relief project in 1981, offers an interesting example of a similar approach to the proposed RRC rehabilitation plan in the same environment. The rehabilitation component of the project started in 1985, intending to encourage settlement based on crop farming (RRC, UNICEF, Band Aid 1989, 1). Like the present RRC rehabilitation proposal, assistance entailed the distribution of hand tools, seeds, oxen and other agricultural inputs and the installation of a mechanised water system. In the early days, a tractor was also used (RRC, UNICEF, Band Aid 1989, 47-50). By 1986, 1,540 families living in Dollolo Makala (500 families) and another six settlements,[69] had been assisted. By 1988, despite the location of all the sites in either the sub-humid or upper semi-arid zones as defined by ILCA (1984), it was evident that the over US$ 750,000 provided by the donors[70] through RRC had failed to achieve the desired objective. The agricultural activities, in fact, 'were not producing any measure of food sufficiency' and the families remained on food rations provided by NCA (Norwegian Church Aid) (RRC, UNICEF, Band Aid 1989, i). Even the livestock distributed to farmers were dying at an excessive rate (RRC, UNICEF, Band Aid 1989, i). An evaluation carried out for RRC, UNICEF and Band Aid concluded that "the strategy of settling nomads (and turning them into farmers) which underlies the project, is not workable, considering agro-climatic, land, and cultural factors" (RRC, UNICEF, Band Aid 1989, i). In 1993 I visited Dollolo Makala. Only a few huts of the old settlement were remaining. I was told that most of the people had moved to the new assisted camps around Mooyyale. If this is the result with only 1,500 families settled in a 'better watered' area, what can be expected of the 11,858 families to be settled by RRC in an even less suitable area?

6.7 Replacing Traditional Rights

Perhaps the most worrying aspect of the repatriation and rehabilitation proposal does not lie in the technical aspects of the plan, but rather in the implications for resource use and inter-ethnic conflict.

Historical sources indicate that during the last century, the Garri have progressively achieved greater access to Borana-controlled pastoral resources. In the first phase, this was achieved by using diplomacy in colonial settings. Later they failed with direct military action. Now they have succeeded by using international aid. As a result

68 During the initial phases this initiative was known as Dollolo Makala Project.

69 These six settlements are Gonbissa, Mio, Chobi Mena, Argane and Tuka (two sites).

70 Band Aid, UNICEF, the Italian, Swiss, Japanese and British governments were the major donors (RRC, UNICEF, Band Aid 1989, 24).

of this, the Borana are reported to have retreated to the east of the Mooyyale-Waacille road, abandoning important well complexes such as Eel Goof and Eel Lei.[71] This may have a potentially devastating impact on Borana's adaptive strategies.

Borana herd management is based on wide-ranging access to pastoral resources. Eel Goof and Eel Lei are two out of the nine well complexes to which *fooraa* (dry cattle) herds could traditionally be sent during the dry season. The permanent loss of these wells or even their environmental degradation will seriously affect the viability of the Borana pastoral system.

There is little doubt that the 1991-92 war, with its destructive effects on all those living in the southern rangelands, was partly caused by UNHCR repatriation operations in the area over the last decade. Despite that experience, the lesson has still not been learnt. The repatriation policy has still not changed. More and more Garri and Gabra Migo returnees are being brought to live in the Borana area.[72] If the current operation will successfully be implemented, it will lead to the permanent replacement of one ethnic group by another.

At the end of 1993, an extremely tense situation prevailed in the Mooyyale and *Liiban* districts. Borana pastoralists, in retaliation for the massive resettlement of Garri and Gabra Migo in their territory, prevented the implementation of the repatriation programme in Banissa camp and warned UNHCR officials not to take returnees to Waacille and Hudet. The situation is likely to deteriorate further over the coming years as Boran livestock herds build up to their pre-drought population levels.[73]

6.8 An Alternative Policy

The present impasse in *Dirree* has its roots in long-standing interethnic competition over pastoral resources between pastoral groups. Whatever the political choices facing government and humanitarian organisations, what is certain is that it is extremely difficult to differentiate residents from returnees and real from infiltrated returnees. In this context, the role that international and national agencies can play should not be underestimated. Above all their interventions should avoid:

71 Personal communication by UN officials and Borana pastoralists.

72 One of the first UNHCR conditions for assisting refugees to repatriate is: "there must have taken place a 'substantial and permanent' change in the conditions which led to the original refugee flow" (UNRISD 1993, 13).

73 Already in the 1960s Haberland had commented how the handover of Waacille and Walena Borana territory to the Garri had exacerbated already difficult inter-relations between the two groups (1963, 146).

- degradation of natural resources, which in the long run will lead to increased poverty and food dependency;
- further inter-ethnic conflict, which is the main cause of both the present crisis and the failure of previous development projects in the region.

These goals can hopefully be achieved if development and rehabilitation activities:

- are based on a sound knowledge of the environment and the existing production system;
- preserve long-established and efficient mechanisms of control over the exploitation of natural resources;
- are based on broad inter-ethnic consensus.

History demonstrates that the Garri, Gabra, and the Borana can coexist harmoniously. Firstly, they share a common language. Secondly, they have been collaboratively utilising pastoral resources, dating back to at least the end of the 19th century. Thirdly, intermarriage between the Borana and Garri communities is widespread.

As there cannot be any development without inter-ethnic peace, solutions have to be found to the current inter-ethnic conflict over access to local resources. Traditional rights over resources are a key issue. In the early 1960s, Haberland wrote that the Garri who had gone to Waacille continued to consider themselves temporary users of Borana-owned wells (1963, 146).[74] The Borana's normative correlation between investment in well digging and ownership rights, as well as the distinction between ownership rights and temporary right of access, was acknowledged by the Garri pastoralists. Over the years, the Garri and Gabra have shared the utilisation of wells and pastures with the Borana, and there is a possibility that the former have contributed to the maintenance of these wells. Consequently, there exists a solid historical foundation to encourage dialogue between these groups.

74 He added that the Garri were failing to maintain the wells, which were progressively collapsing unless the Borana carried out the work (1963, 146).

7 Customary Institutions in Contemporary Politics, Borana Zone, Oromia, Ethiopia

Summary 7.1 Introduction. – 7.2 The Pre-Colonial Settlelment of the Peoples of Borana District and Borana Zone. – 7.3 Administrative Demarcation Until 1991. – 7.4 The Demographic Politics of Space from 1991. – 7.5 Two Types of Customary Institutions. – 7.6 Violence and Elections. – 7.7 Co-Option of Elders and Customary Leaders. – 7.8 Conclusion.

7.1 Introduction

Scholars, development experts, and governmental officers interpret customary institutions in varying ways. Since these institutions lack legal or constitutional recognition from the state, most sociologists and political scientists typically categorise them as informal. Elizabeth Watson (2001, 4, 18) attempted to apply this prevailing theoretical model to natural resource management in the Borana Zone but encountered a discrepancy, as Borana 'indigenous' institutions function in a rather formal manner. Indeed, the functionalist branch of anthropology has demonstrated how roles of authority, decision-making and juridical procedures, norms, and institutions are legitimised

* Adapted from the following original publication: Bassi, M. 2012. "Customary Institutions in Contemporary Politics, Borana Zone, Oromia, Ethiopia". Tronvoll, K.; Hagmann, T. (eds), *Contested Power in Ethiopia: Traditional Authorities and Multi-party Elections*. Leiden: Brill, 221-50. https://doi.org/10.1163/9789004218499_010.

or formalised in non-industrial polities. However, a limitation of functionalism was its tendency to ethnographically treat customary institutions in isolation from colonial or post-colonial states. The formal/informal theoretical divide reflects diverse disciplinary and methodological approaches to the study of social reality. Customary institutions are considered 'formal' when viewed from the perspective of local actors and anthropologists; they are deemed 'informal' when evaluated solely through the legitimating prism of the nation-state.

With the emergence of the concept of indigenous rights, the dichotomy mentioned can be considered outdated. Indeed, the expanding body of international law concerning indigenous and tribal peoples establishes a legal framework for recognising customary law, institutions, and territorial rights. Self-determination serves as the overarching political principle, defining an independent decision-making space regarding the management of natural resources and development. However, in practice, the implementation of these rights varies significantly across different continents and is contingent upon the extent to which international law has been incorporated into national legislation. Despite the existence of various fully established and still operational customary institutions among the peoples of Ethiopia, the internal political discourse and the international discourse on development have, thus far, largely omitted any reference to indigenous rights in Ethiopia, and more generally, in Africa.

The post-*Derg* government of Ethiopia has shown full awareness of indigenous mechanisms' potential for conflict resolution. Attempts to institutionalise the contribution of elders in this field were made in Oromia back in 1992 before the Oromo Liberation Front withdrew from the Transitional Government of Ethiopia (TGE) (Lata 1999).[1] More structured attempts to involve elders in an advisory role have been made in the Afar and the Somali regions (Tafere 2006, 93-4; Vaughan, Tronvoll 2003, 39; Lister 2004, 26; Hagmann 2007).

In the field of development, attention to customary institutions has primarily been focused on the pastoral sector. The pastoral lowlands of Ethiopia experienced less impact from the imperial and socialist land reforms forcibly implemented by the Ethiopian governments (Tache, Oba 2009, 412-13). Governance of the natural resources essential to pastoralism has remained fundamentally rooted in customary elements. The contemporary significance of these customary institutions is acknowledged in an international report commissioned by the International Fund for Agricultural Development (IFAD) and prepared for the Pastoral Community Development Project (PCDP) – an initiative by the World Bank, IFAD, and the Government of Ethiopia

1 The OLF was one of the three major political organisations that formed the TGE after the fall of the Derg government in 1991, after decades of armed struggle within the Oromo speaking areas of Ethiopia.

aimed at alleviating poverty among pastoralists. The report asserts that "the PCDP is based on the assumption that pastoral livelihoods can be improved by strengthening the self-management capabilities of indigenous institutions" (Waters-Bayer 2003, 2). Furthermore, the report advocates for capacity-building within both governmental and indigenous institutions among the Somali, the Afar, the Borana, and various ethnic groups in South Omo.

The Pastoralist Communication Initiative (PCI) has been particularly active in the field of advocacy. Its initial objective was to obtain a chapter dedicated to pastoralism in the National Poverty Reduction Paper. In line with the poverty reduction strategy of ensuring citizens' participation and institutional responsiveness, PCI supported the dialogue between the pastoralists and the Government of Ethiopia. Along with various initiatives in the 'formal' political sector, from February 2004 on it tried to work through the customary institutions. This initiative was in line with the policy adopted by the Oromiya Pastoral Development Commission and included an explicit reference to the need to integrate the pastoralists' customary institutions (OPDC 2003). Customary leaders in the study area were invited to several local and regional meetings and gatherings facilitated by PCI.[2] The PCI advocacy initiatives run in parallel to the efforts made from 1998 onwards by civil society and the government of Ethiopia with the International Pastoralist Day.[3]

Most of the aforementioned initiatives to involve customary leaders are theoretically grounded in the concepts of 'direct' or 'participatory' democracy, suggesting the capacity of poor and marginalised groups to influence policy outcomes outside the conventional mechanisms of electoral representation. This issue is particularly pertinent in Ethiopia, a country grappling with seriously flawed mechanisms of formal representation and accountability to constituents (Lister 2004, 13-14, 28-30). Customary institutions are often depicted as a 'bridge' with the community (Hagmann 2005, 529) or a "ready-made set of participatory structures" (Watson 2001, 15, 18). As articulated by Sarah Lister (2004, 27), there is an assumption that "the interaction between formal and traditional systems mediates between citizen interests and policy outcomes, thus fulfilling a 'representation' function". Despite these assumptions, the Ethiopian federal policy on pastoralism entirely disregards customary institutions and advocates

2 They include the meeting held in Yaaballoo in 2004, the Global Pastoralists Gathering held in Turmi, South Omo in 2005 and the Horn of Africa Regional Pastoralists Gathering held in Qarsaa Dambii in 2006, again in Borana Zone.

3 This initiative started with local meetings organised by civil society with the participation of local governmental officers. The role of the government increased over the years. In 2005 a large gathering was organised in Dire Dawa, under the leading role of the Ministry of Federal Affairs, with the participation of several customary leaders.

a development model that starkly opposes the customary governance of natural resources (FDRE 2002).

In this chapter I will analyse the outcome of the interface of customary with state politics in the pastoral area of the Borana, taking as my main reference the 2004 referendum on the definition of the border between Oromia Regional State (Region 4) and Somali Regional State (Region 5) as well as the 2005 national elections.[4] In the conclusion, I will address the risk involved in dealing with customary institutions in a theoretical framework of 'direct democracy', without any reference to the international notion of indigenous rights and the inherent legal instruments and development procedures.

7.2 The Pre-Colonial Settlelment of the Peoples of Borana District and Borana Zone

The area considered in this study is politically characterised by the interaction of various primary groups.[5] They can be broadly classified along the Oromo and Somali linguistic divide. Since the 1991 change of government, the Borana administrative area has progressively shrunk to the east, a process that has its historical roots in the southward and westward expansion of the Somali-speaking groups and is well recorded in oral as well as in written sources.

In 1896, just before its incorporation into the Ethiopian state, Italian explorer Vittorio Bòttego's second expedition crossed this region (see map 1 for localities mentioned in the historical sources). The area had already been explored by Donaldson-Smith, Bòttego and others. On this occasion Bòttego received the mandate to expand and reinforce Italian colonial influence, signing protectorate treaties with the local leaders and establishing a military post in the important trade centre of Luuq (Vannutelli, Citerni 1899, 14). Accordingly, the explorers carefully collected information about the distribution of local groups and their trade relations. The rock 'Dacà-Barru' (Dakaa Barruu), on the caravan route along the Dawa River, was identified as the marker of the old border between the Borana (Oromo) and the

4 This study was implemented in two phases of fieldwork during the 2005 national elections and draws on the author's previous research experiences in the area. Interviews were mainly conducted in Borana Zone with elders and customary leaders of the Borana, the Gabra and the Guji. Other interviews were held with elders of the Degodia in Filtu and of the Garri in Moyyale. In Filtu and Moyyale, the local administrators assisted with identifying knowledgeable elders, and provided a place for the interviews in government offices. An article on local history and ethnic conflict based on this research was published in the *Journal of Eastern African Studies* (Bassi 2010).

5 Primary groups are individuals sharing a common identity and exercising coherent governance over a broad and sometimes scattered range of natural resources. They also share a common language (Bassi 2010, 224; 2011).

Muslims (Somali). According to the cartography drawn up by Achille Dardano in Rome (Vannutelli, Citerni 1899), this rock is located on the southern side of the Dawa River, corresponding to present-day Mandera. The locality of 'Bua-Herere', probably not far from present-day Ramu, was the field of a major battle that occurred 50 years before Bòttego's expedition. The Somali guides of the expedition recounted that the Somali had gathered from Luuq and Bardera to fight against the Borana. The Somali alliance won, forcing the Borana to retreat beyond the 'Sancuràr' (Sankuraar) wells, a locality reported on Dardano's cartography as being to the north-east of Eel Deer. 'Sancuràr' was considered the border between the Borana and the Somali at the time of Bòttego's second expedition. The Muslim groups identified on their route were the 'Garra-Marra' (Garrimarro) living in a small triangle at the confluence of the Dawa and the Ganale Rivers, the 'Garra-Ganana' along the Mandera tract of the Dawa River, and the 'Garra-Lìvin' along the caravan route roughly between present-day Malka Mari and Sancuràr.[6] The 'Garra-Ganana' were said to be Somali, but they were able to speak Borana. The 'Garra-Lìvin' identified themselves as Somali and Muslim, but the explorers considered them to be culturally and linguistically closer to the Borana (Vannutelli, Citerni 1899, 136-9).[7]

This cultural affinity can be explained by the Borana hegemony in the region. The Ajuran and the Garre were part of a Borana network of alliance until the Somali effectively challenged the Borana power in the mid-19th century (Goto 1972; Oba 1996, 123-4, 128-9; Haberland 1963, 141-2). The encroachment of new Somali clans into the region started in the mid-18th century (Oba 1996). Günther Schlee has found that the expression *Warr Libin* is used still today in Northern Kenya to stress cross-ethnic solidarity based on the ancient Borana-centred alliance (2007, 424-26). The 'Garra-Lìvin', or 'Gère Lìban', were probably the Garre group most closely tied to the *Warr Libin*.

The 19th century resurgence of international trade favoured the emergence of new city-states in the interior of southern Somalia including Luuq (Luling 2002, 3, 21). The account provided by the survivors of Bòttego's exploration describes the existence of a Somali trade network including the towns of Luuq and Baardheere (Bardera). Luling has also outlined Luuq's links to Geledi, the coastal and

6 In Dardano's cartography this section of the caravan route appears to be close to the likely course of the Dawa River, but they were far from it: the explorers had lost sight of the Dawa River and were not aware of its northwards turn.

7 'Sancuràr' may correspond to 'San Kural' in Donaldson Smith (1896) who crossed the area in March 1895. In this source, the border between the Borana and the 'Gère Lìban' is set at Aimola, east of San Kural. The 'Garra Ganana' are here reported with the name 'Gère Badi'. Donaldson classifies the Gère Lìban among the 'Galla' (Oromo) and he claims that they are not Muslim, thus confirming the strong cultural affinity of this group with the Borana (1896, 134).

Swahili towns, and Awdheeglee (2002, 184). Such city-states interlinked the nearby local clans in a web of trade relations. The 'Garra-Ganana', and the 'Garra-Lìvin' mentioned by Vannutelli and Citerni thus became part of the Luuq confederation. The Degodia, another Somali clan encountered by the explorers to the east of the Ganale River, were excluded, having been described as an "independent tribe that is normally an enemy of Lugh" (Vannutelli, Citerni 1899, 90, author's transl.). In the mid-19th century, this network appears to have been scaled up into a military alliance against the Borana Oromo to gain control of trade. Indeed, Bòttego and his colleagues were told by their Garre friends that fifty years earlier anyone advancing beyond 'Dacà-Barru' without permission would have been killed (Vannutelli, Citerni 1899, 136, 149). By the time of Bòttego's expedition, after the Bua-Herere defeat of the Borana, several tolls were still imposed on Somali caravans crossing into Borana country, as well as fees for watering at wells and for grazing animals. This indicates that trade relations favoured the emergence of the notion of a border before the incorporation of the region into the colonial or imperial states. The following account provided by Duuba Dima suggests that the same notion was applied to grazing:

> Grazing in Borana territory was subject to a non-trespassing rule. Other groups could apply by conforming to a formal procedure demanding them to stop at the boundary. Access for grazing was accorded by the hayyuu, the customary leaders of the Borana.[8]

The westwards movement by the Somali was confirmed in the interviews made during my 2005 fieldwork with both Degodia (Somali) and Borana (Oromo) elders.[9] The Degodia justified Somali expansion as a defensive reaction to the cruel attitude of the Borana, a 'pagan' group, towards the Muslims. The Borana mentioned the presence of several relatively recent Borana tombs deep inside current Somali territory, including in Luuq. Indeed, Vannutelli and Citerni reported the presence of numerous Oromo tombs along the same caravan route between 'Dacà-Barru' and Bua-Herere. As for Luuq itself, the explorers described a Somali-dominated multi-ethnic town, with the presence of many Oromo slaves (1899, 82, 139).

8 Interview with Duuba Dima, 9 August 2005. Duuba Dima was a *balabat* (intermediate leader during the imperial era), son of the main *balabat* of *Liiban* region during the Italian occupation. This statement is based on Duuba's father account of the old times.

9 Various interviews, August 2005.

7.3 Administrative Demarcation Until 1991

By the time of the Ethiopian conquest, Borana territory extended from Teltelle to the confluence of the Dawa and Ganale Rivers. Despite the penetration of the Degodia and Mareexaan Somali clans and the bilingual Garre communities into the eastern sector of their territory from the 1920s onwards and, especially, during the Italian colonial era, this large territory came to be identified as a 'Borana' administrative space within the Ethiopian state.[10] After the Italians were defeated, the old provinces of Borana and Welayta were merged into the Sidamo Region. Still, in 1991, Borana Province (*awraja*) was a major administrative division of the Sidamo region and was subdivided into two districts (*woreda*): Liiban and Doolo. Liiban District took its name from the portion of the Borana customary territory known by the name of *Liiban* that was bordered by the Dawa and Ganale Rivers and extended eastwards to the confluence of the two rivers. The customary *Liiban*[11] included Doolo District, an area that by 1991 was mainly inhabited by Mareexaan and Degodia Somali. The western portion of the Borana customary territory was under Areero Province, subdivided into Teltelle, Dirree, Yaaballoo, Areero, Mooyyale, Burji and Hagaramaram districts. Except Burji and Hagaramaram districts – inhabited by the Burji and the Guji Oromo respectively – Areero Province was mainly inhabited by the Borana. The districts of Yaaballo, Areero and Mooyyale included the whole of *Dirree*, a second important customary region of the Borana that was often coupled with *Liiban* to indicate the Borana homelands and ritual centres. *Dirree* is the Borana customary territory to the southwest of the Dawa River and north of the escarpment that roughly divides Ethiopia from Kenya. *Dirree* is characterised by the presence of the famous *tulaa* wells. The *tulaa* are clusters of deep wells found in nine localities. They impressed early travellers with their remarkable physical structures. More recently, they have attracted the attention of pastoral development experts because of the important role they continue to play in contemporary pastoralism. Both foreign and indigenous scholars have studied their complex social and normative implications. The Gabra, an Oromo-speaking community, and the Garre had regular access to some of the wells located in the customary *Dirree*.

10 Details of the historical process of penetration of the Muslim groups into Borana territory are provided by Belete Bizuneh (1999), Boke Tache and Gufu Oba (2009, 415-18), Bassi (1997; 2010), Haberland (1963), Gufu Oba (1996), Getachew Kassa (1983), Fekadu Adugna (2004, 75-7).

11 In this chapter I differentiate customary from administrative geographical units by using italics for the first.

7.4 The Demographic Politics of Space from 1991

The collapse of the Somali state in 1991 set in motion a massive movement of population and clans from Somalia to Kenya and Ethiopia. According to its mandate, the United Nations High Commissioner for Refugees (UNHCR) was very active in assisting the refugees and promoting repatriation in coordination with the concerned governments. These settings facilitated the enhancement by the Muslim groups of what I have elsewhere called the 'demographic politics of space', a "planned attempt to gain control over land by means of forced or voluntary migration" (Bassi 2010, 241). I introduced this concept by building on Clapham's notion of 'the new politics of space' that defined the politics involved in the process of demarcation of ethnic-based regions and other administrative boundaries after the introduction of federalism in Ethiopia (2002, 25-30). Inside the study area, the local politicised elites managed to manipulate politics and demographic movements by exploiting Ethiopian macro-politics. After its brief institutional involvement in the Transitional Government of Ethiopia (TGE) and its withdrawal in 1992, the OLF re-entered into clandestine activity and established one of its military branches in northern Kenya, just across the border with Ethiopia (Schlee 2003, 358-62).

When the Tigray People's Liberation Front (TPLF)[12] entered the area, it arbitrated on the conflict that had broken out between the Borana and the Muslim groups, connected with the arrival of refugees. The Borana were accused of supporting the OLF, a factor that generated mistrust with the TPLF. The Muslim minorities within Borana territory were politically empowered, in a context of a general disregard for fundamental human and political rights (Bassi 1997; Schlee 2003, 358; Vaughan, Tronvoll 2003, 134; Lister 2004, 24; Bassi 2010, 231-2). This was the time when the TGE was re-drawing the administrative borders of the constituent regional states of the emerging federal Ethiopia. The large Oromo and Somali regional states were subdivided into more manageable units or administrative zones. The Somali living in *Liiban* and the new groups of Somali refugees and returnees favoured a further massive demographic influx of Somali refugees and Kenyan Somalis into *Liiban*. Similarly, the Garre and the Gabra moved into *Dirree* (Bassi 1997; Adugna 2004, 98-104). UNHCR was working under the pressure of the emergency, with little opportunity to differentiate between proper returnees and those who were simply claiming that status. The demographic politics of space was thus strongly sustained and funded by international aid, in terms

12 The TPLF was the Tigray-based armed organisation that took the leadership of the TGE.

of support to individuals, services provided in the returnees' settlements, and infrastructural development (Bassi 1997; Adugna 2004, 37-40, 113-14; Yusuf 1996, 133-4, 138-9). For instance, Filtu, just a small village before 1991, became a district administrative centre with the key support of Italian NGOs.[13]

By 1994 an entire administrative zone had been created out of the territory previously perceived as a 'Borana' administrative space, and put under the administration of the Somali Regional State. Liban Zone is composed of the districts of Doolo, Filtu and Mooyyale. Doolo and Filtu were cut out of the old Borana Province (Liiban), and Mooyyale was cut from Areero Province (Dirree). The addition of Mooyyale District was made possible by the Garre's shift from an Oromo identity – which they had used to resettle as returnees in the Borana territory – to a Somali identity. Of the three districts, only Dolo was inhabited mainly by Somalis before 1991.

The remaining parts of what used to be Borana Province and Arero Province in Sidamo Region were re-organised into the Borana Zone of Oromia. This is an area that includes the customary territory of two Oromo primary groups, the Borana and the Guji. In 2002 Borana Zone was again subdivided into Borana Zone and Guji Zone, with Yaaballo and Nagelle as respective administrative centres. Despite the ethnic names, even these new administrative divisions do not correspond to the two groups' customary territories.

7.5 Two Types of Customary Institutions

Generally speaking, the Somalis give prominence to patrilineal genealogy as a key element of customary social and political organisation. Luling (2002, 2-3) has outlined three models of political organisation. Among the mobile pastoralists of northern Somalia, the lineage represents the main corporate group. This is a residential group with corporate control over water points. Ioan Lewis (1999) has stressed the egalitarian process of decision-making in meetings, and the relevance of the 'contract' (*heer* or *xeer*) among lineages and clans to add flexibility to the genealogical structure in building larger alliances. In the agricultural and agro-pastoral areas of Southern Somalia, clanship is the main organisational principle. Alien groups can be incorporated into the clan through fictional kinship. The internal segmentation of the clan is reflected in political representation, with 'a definite and permanent administrative organisation' built on the office of the headman of each lineage and at various levels (I. Lewis 1994, 136). Under particular circumstances, strong centralised

13 For more details on these issues see also ch. 6 in this book.

institutions may develop, as in the case of city-states like Mogadishu, Marka, Baraawe, Geledi, and Luuq. This is the ‘urban model’ analysed by Luling, which is strongly associated with trade. In its typical form, it consists of a tied alliance, or federation, of clans or lineages, under the unifying symbol of a sultan (Luling 2002, 81, 176-8).

The Somali groups of the study area are all mobile pastoralists,[14] but they also show elements of the second and third institutional models. The intermediation with the British colonial authorities favoured the emergence of the figure of Gababa Mohammed Guracha among the Garre. He handed down his leadership to his son Hassan Gababa Mohammed. Gababa led the Garre from Kenya to Qadadaduma and then to Ethiopia in the early 1920s. His son Hassan assisted the Ethiopians with road construction and received the imperial title of *grazmatch* (literally, ‘commander of the left-wing’) before the Italian invasion. After the Italian invasion, he was appointed to the position of administrator at the sub-district level (Haberland 1963, 338; Kassa 1983, 39, 41). In turn, Hassan’s son became a prominent figure in the Western Somali Liberation Front (WSLF). Elements of hereditary and centralised leadership were emerging in interaction with the colonial and modern states. Indeed it is reported that Mohamed Hassan Gababa has started using the title of ‘Sultan’ of the Garre.

The Degodia have developed the characteristics of the agro-pastoral Somali model. Fekadu Adugna (2004, 37-40, 113-14) reported that by the time he carried out his fieldwork, the customary leaders of the Degodia appeared to be fully incorporated into modern politics, to a point where the two structures were hardly distinguishable. Tobias Hagmann (2007, 32, 38-9) has described the institutional and constitutional process that led the Somali Regional State to establish a ‘customary’ structure of councils (*guurti*) at regional, zone and district levels alongside the administrative structure. He also noted that the districts and *kebele* (the lowest administrative division) in the Somali Regional State were redrawn and assigned to particular lineages and clans (Hagmann 2007, 41). The interaction with the state’s administrative structure may have favoured a process of both hardening and formalisation of the customary headman structure among the Degodia, at each level of clan segmentation.

The customary institutions of the Oromo reflect a different model, whose structural analogies are rather to be found in the interior of East Africa. Clanship is still a fundamental element of identity and solidarity, but the relation with natural resources is mediated by the political integrative action of the generational class system (Tornay 1988; 1991, 24; 1995; Bassi 2005, 274-9). The generational class

14 The term ‘mobile people’ is increasingly replacing ‘nomadic people’ as it is more inclusive in describing different patterns of relations between pastoralists, land and natural resources, including seasonal migrations on a regular basis.

system of the Oromo is called *gadaa*.[15] The main element of the *gadaa* system is a mobile centre (*yaa'a gadaa* or *caffee*) whose responsibility is entrusted to a new generational class every eight years (a *gadaa* period). The generational class is represented by elected and titled leaders who represent the main segments (either territorial or genealogical) of the political unit organised under a single *gadaa* centre. During this period the generational class is known as *gadaa* or *luba* – referring to a central stage of the *gadaa* life cycle – with overall responsibility for the political community at large. As they are scattered over a large and diverse territory, the Oromo have established various *gadaa* centres in Ethiopia, each providing the governance structure of a certain territory.[16]

Institutional dualism is characteristic of the Oromo. The *qaalluu*-ship constitutes the second ideological pole of Oromo governance, complementing the *gadaa* (Legesse 1973; 2000). *Qaalluu* is a hereditary office whose sacredness is expressed in the myths of origin. There are several *qaalluu* among the Oromo, but some have acquired a special institutional significance. At the beginning of the 19th century, the unity of the Oromo was expressed by the pilgrimage to the *abbaa muudaa* (literally, 'father of the anointment'), ending in the house of the *qaalluu* for blessing. Several authors reported pilgrimages (*muuda*) from western and central Ethiopia to southern Ethiopia, either to the *qaalluu* of the Guji, Borana or Arsi (Knutsson 1967, 135-56; Hassen 1990, 7-9). During the 19th century, the alliance built in northern Kenya around the Borana was symbolised by an analogous long-distance pilgrimage from the lowlands of northern Kenya to the two *qaalluu* of the Borana in southern Ethiopia. The pilgrimage was undertaken both by Oromo individuals and delegates from other linguistic groups. These long-distance Oromo pilgrimages were interrupted by the Abyssinian conquest of Oromo country, which started during the second half of the 19th century, and by the British conquest of Kenya. The *muuda* have now been scaled down to an internal affair, confined to each Oromo territorial sub-group, with different configurations in each *gadaa* centre.

Among the Borana, each generational class (*luba*) is ritually represented by six *hayyuu adulaa*. The first to be nominated is known as the *arboora*; the entire generational class takes his personal name. The second and the third are the *kontoma*. The six *adulaa* are selected when they are kids. They go through a long ritual and training process (Bassi 2005, 171-3). When they reach the *gadaa* stage,

15 The *gadaa* system of the Borana Oromo was described in detail by Asmarom Legesse (1973) and chosen by Bernardi (1995) as reference case of the generational model in his classification of age class systems.

16 The Oromo are the largest nation in Eastern Africa.

the first three become the three *abbaa gadaa* (literally 'the father' of the eight-year *gadaa* period). They lead three different villages that together form the *yaa'aa gadaa*. The *yaa'aa arboraa* is the senior one, led by the *abbaa gadaa arboraa*. The other two are the *yaa'aa kontomaa*, led by the *abbaa gadaa kontomaa*. The *yaa'aa gadaa* is also formed by other officers, including several *hayyuu garbaa* and *hayyuu meedichaa*, plus several other assistants and ritual officers (Legesse 1973; Baxter 1978a). The Borana also have five recognised *qaalluu*. Two of them have greater relevance, as they are associated with each of the moieties. The Borana social and economic life is regulated by a wide range of different types of meetings, each implemented according to specific procedures and according to highly articulated sets of law (*seera*) and norms (*aadaa*). The most engaging gatherings are the *koraa gosaa* (assembly of the clan), organised annually by each clan, and the *Gumii Gaayoo*, the general assembly organised every eight years by the *yaa'aa arbooraa*. Decisions are formally made by consensus during meetings and assemblies, with the retired *gadaa* officers acting as competent facilitators. They retain political authority even after they have completed their service in the *yaa'aa* (Bassi 2005).

To the north of the Borana live the Guji Oromo, whose southern sections are engaged in agro-pastoralism. While among the Borana the *gadaa* system has remained fully operative throughout their history, among the Guji it has seen a revival since the fall of the Derg government in 1991. Structurally speaking, the Guji differ because they had a separate *gadaa* centre a different set of *gadaa* leaders for each territorial section, and a single *qaalluu* (Hinnant 1978).

The Gabra Malbee are based in the Kenyan lowlands to the west and south-west of the Borana, to the east of Lake Turkana. They also speak Oromo. Like the Borana, they have preserved a fully active *gadaa* system, but are internally divided into five phratries, each with its *gadaa* centre and *qaalluu*. Each fratry is associated with a separate territory and has a main ritual site along the escarpment on the border with Ethiopia (Torry 1978; Schlee 1998; Tablino 1999, 34; Kassam 2006; Watson 2010, 205). Several of these ritual sites are located in what is normally considered the territory of the Borana. Indeed Aneesa Kassam (2006) has clearly outlined the strong interdependence of the two systems. The mechanisms of ritual coordination between the generational class systems of the Gabra and the Borana have been described by Günther Schlee (1998). At the cultural level, the basic values of the Gabra outlined by Paolo Tablino ([1980] 1999, 245-61) – *aadaa* (custom), *luba* (generation set), *jila* (ceremony), *nagaya* (peace), *rooba* (rain), and *Waaqa* (God) – correspond to the pivotal values of the Borana described by Paul Baxter (1965; 1978; 1990). The relations between the two groups used to be excellent until the recent conflict in 2005.

A separate group of Gabra live among the Borana in Ethiopia, sharing natural resources. During the 2004 and 2005 field interviews I was told that the Gabra Miigo used to have their own *yaa'a* in *Dirree*, but it was abandoned after their conversion to Islam. Many Gabra Miigo were forced into becoming refugees in Somalia after the irredentist Somali war of 1977-78. With the collapse of the Somali state, they were re-integrated as returnees and later re-established good relations with the Borana by reconstituting their *yaa'aa* in Weebi. The senior leaders of the reconstituted *yaa'aa Gabraa* said that they are still struggling to figure out the mechanism of *luba* affiliation and the timing of the transition ceremony. As in the case of the Gabra Malbe, in the *yaa'aa* of the Gabra Miigo there was no *abbaa gadaa*.

The customary institutions of the Oromo groups respond to their internal logic, in the sense that they did not take shape in interaction with the colonial or modern state, or as a response to trade. Indeed, among the Borana the overlapping of customary and governmental offices by the same person was carefully avoided. The two domains were perceived to be sharply separated and to contradict each other. The Amhara conquerors tried to co-opt the two main *qaalluu* by appointing them as *balabat* or imperial intermediary chiefs. The *qaalluu*, however, transferred the office to other members of their family (Donham 1986, 44-5). At the time of my doctoral fieldwork (1989-90), when relations between the Ethiopian government and the Borana were considered excellent and a fair number of Borana were in the local administration (including at the district level), I was still unable to identify a single customary leader involved in the administration, even at the lowest administrative level of peasant association. The reason given was always the same – the need to protect the internal processes and promote the well-being of the people. Despite the separation of personnel and the lack of official recognition, the customary institutions of the Borana continued to play a key role in the governance of natural resources and family and interpersonal relations in rural areas. The division of responsibilities between the state and the customary sector was well-defined and reciprocally acknowledged (Bassi 2005).[17] In the latest phase of the *Derg*, this customary system was used to sustain the highest levels of livestock production for export in Ethiopia.

17 See also ch. 4 in this book.

7.6 Violence and Elections

Several scholars have observed how the administrative space in federal Ethiopia came to be too closely identified with ethnic affiliation, a phenomenon that has generated various localised, but violent, ethnic conflicts across the country. This trend was particularly acute in the pastoral areas (Markakis 2003; Kefale 2004; Bruchhaus 2008; Hagmann, Mulugeta 2008). The case discussed here of the Borana and their Muslim neighbours provides a good illustration of this point. The Borana were displaced from districts that the federal government entrusted to the Somali Regional State administration. They were dispossessed of their wells – including those in Eel Goof and Eel Laye, two important *tulaa* localities, and in Udat – and from the rangelands served by them.[18] Herders and well owners were actively prevented by the army and the local militia from re-entering their customary territory. The Borana were reported to have been exposed to extrajudicial killings, arbitrary detention, and torture in military camps, especially during the period 1992-96. The displaced communities from both *Liiban* and *Dirree* found themselves in the condition of internally displaced persons, albeit hosted by their Borana neighbours and unrecognised by the national and international authorities. The concentration of population and livestock in the remaining lands of the Borana produced a high environmental impact, deterioration of pastures, and increased poverty and exposure to drought (Tache, Oba 2009, 420).

During the 1990s, the Borana tried to stop the territorial expansion of the Muslim groups by engaging in several armed conflicts. In 1991-92 they clashed with the Gabra, the Garre, and the Mareexaan. Later, the Gabra and the Mareexaan rebuilt good relations with the Borana by recognising their customary pastoral rights. The Degodia – who had earlier preserved good relations with the Borana, both in Ethiopia and Kenya – in the early 1990s joined the Garre in the demographic politics of space. Serious clashes between the Degodia and the Borana took place in Ethiopia in 1997 and 2001, inside the Borana's customary territory (Bassi 1997; Adugna 2004, 79-91, 98-9, 103-7, 124; Schlee 2007; Tache, Oba 2009). The conflict also extended across the Kenyan border, as shown by the 'Bagalla' massacre

18 The lists of the lost wells in these two *tulaa* localities with the record of their legitimate owners were collected by Gufu Oba (1996, 125) before the outbreak of the current territorial dispute. Similar lists from these and other localities from which the Borana have been displaced were independently gathered by myself in 1993 and by other researchers. The complex customary system of rights over permanent water points and the customary interdependence of water and land rights were addressed by Helland (1980), Gufu Oba (1998), Boku Tache (2000) and myself (Bassi 2005, 261-3).

that occurred in Wajir District in 1998, this time in the Degodia's customary territory (Schlee 2007, 420-2).

Before, during and after these clashes, the Borana elders tried to draw the attention of the competent state institutions to the problems they were facing. For instance, they appealed orally to the President of Oromia, Kumaa Dammaqsaa, and the President of Ethiopia, Nagaso Gidada, during the 1996 *Gumii Gaayoo* assembly (Hukka 1997, 27-8, quoted in Oba 1998, 35, 63), and again to the new president of Oromia, Juneydin Sado, and several other regional and local level governmental officers during the 2004 *Gumii Gaayoo* assembly (Tache, Oba 2009, 420).[19] During PCI-facilitated local, national and international gatherings, elders and customary leaders also complained about their shrinking territory due to both external factors and the expansion of agriculture into key pastoral lands. In addition, they have submitted several written appeals to various governmental offices at federal, regional and zone levels with attached documentation concerning the territorial complaint and human rights abuses (Elders 1996, 1997, 2004; Boorana Oromo Elders 2001; IDPs 2004; Jaldeessaa, s.d.; Oromo Community, s.d.).[20]

The territorial threat posed by the demographic politics of space had drawn the customary leaders of the Borana out of the dichotomist model of interrelation between state and customary institutions. This is a statement I recorded in 2005 from a highly esteemed Borana elder:

> Concerning the involvement of the customary leadership, it was very clearly felt that they had been extremely active regarding the land dispute from 1992 onwards by leading delegations at *woreda* and regional state level. They went to Addis Ababa and raised the issue again at every *Gumii Gaayoo* from 1992 onwards in the presence of top officials from the OPDO (Oromo People's Democratic Organisation) at federal and regional levels. They specifically complained about Eel Goof, Eel Laye, Udat, and a vast area beyond that includes Chilanko.

Already during the 1991-92 inter-ethnic crisis, the *abbaa gadaa arbooraa* Boruu Guyyoo Boruu engaged in the inter-ethnic peace negotiations arbitrated by the TPLF. In 1992 he was assassinated while actively engaged in the issue. This event marked a turning point in the deterioration of relations between the Borana customary leaders

19 The participation of both the federal and regional state presidents shows the high reputation of this customary assembly, although it is not legally recognised in Ethiopia.

20 Despite repeated efforts, I was unable to access the documentation that was presented by the Somali side to the governmental institutions.

and the TPLF, right at the time when the politicised elites and the customary leaders of the Muslim groups of the region were aligning themselves with the TPLF on pro-government positions.

The customary leaders' involvement in state politics scaled up to full electoral activism on the occasion of the 2004 referendum organised by the federal government to address the border issue between the Oromia Regional State (Region 4) and the Somali Regional State (Region 5). As Boku Tache and Gufu Oba have explained, the Borana feared that the referendum "was held as a means of giving legitimacy to the claims of the Somali in what has always been their customary territory" (2009, 421). Indeed, the referendum was the constitutional instrument to address regional border issues, but Oromo persons who had been displaced before 2000 could not return to their homes. A local human rights organisation reports that this was a deliberate choice jointly made by the presidents of the Somali and Oromo regions, due to the "absence of sufficient documents for justification and categorization of earlier evacuation" (Guteta 2004, 3-4). This means that the referendum was not organised in the areas from which the Borana had been displaced since 1992, but only in localities still contested in 2004. These localities were either *kebele* (the lower administrative level, here taken to include both urban and rural areas) where only a few Somalis resided, or small localities purposely cut out in a way to assure that there was a Somali or Garre majority, including pockets of refugees within the Borana territory (Adugna 2004, 61, 124-6; Tache, Oba 2009, 420-3). The pro-Somali front was counting on the strong federal support it had enjoyed since 1992 and on the alignment on the Somali side of groups living among the Borana such as the Gabra and the Mareexaan.

During the referendum, the threat of losing most of their territory pushed the Borana customary leaders into a new phase of active engagement with the governmental officers of Oromia – and hence into negotiations with the Oromo People's Democratic Organisation (OPDO), the Oromo party affiliated to the ruling Ethiopian Peoples' Revolutionary Democratic Front (EPRDF). The same elder explained:

> The *gadaa* leaders have been extremely active on occasion of the referendum, leading appeals. They tried to go to Moyyaale to report about the cheating that was taking place in the registration phase. His car [the car in which *abbaa gadaa arbooraa* Liiban Jaldeessaa was travelling] was smashed, as was the car of an administrator of Borana Zone.

The *abbaa gadaa* Liiban Jaldeesaa not only led delegations, negotiated with governmental officers and actively campaigned for the vote; he also filed a formal letter of complaint about the abuse of customary grazing rights, abuses of human rights including illegal

detention, disappeared persons and violence against women, and various perceived violations in the preparations for the referendum (Jaldeessaa, s.d.).

Disengagement from state politics from 1991 to 2004 produced the deepest crisis in modern times for the Borana, jeopardising their survival as a primary group. The referendum had re-opened the dialogue between the OPDO officers and the customary leaders of the Borana. These were the pre-conditions that – together with a perceived possibility of a relatively fair electoral competition – in the 2005 federal elections roused the Borana from their usual "political apathy" (Tronvoll, Aadland 1995, 42-4; Pausewang, Tronvoll, Aalen 2002, 38; Bassi 2010, 237-8). The OPDO tried to gain the trust of the Oromo customary leaders in an attempt to mobilise them on their side in an open electoral campaign. Lacking any institutional mechanism for co-opting elders, the OPDO officers negotiated with the various leaders on a personal basis. Among the possible rewards for their electoral support were the establishment of a legal mechanism similar to the one in the Somali Regional State, and the option for the customary leaders to be direct candidates in the forthcoming local elections. The OPDO officers also used the possibility to raise lower administrative divisions to the level of the district and to create new districts for their electoral campaign.

The reforms introduced in 2002 had reduced the functions of the zones and favoured the direct transfer of budget from the Regional State to the districts (Vaughan 2006, 188-9). The establishment of a new district was, therefore, a good opportunity for the urbanised elites, but it also threatened members of other primary groups living in the area with exclusion, as had been the case with the Oromo living in the Somali Regional State. The various Oromo groups became mutually suspicious about the existence of secret agreements between OPDO officers and the customary leaders of the other groups. One of the *abbaa gadaa* of the Guji and the customary leaders of the Gabra Miigo gave their open support to the OPDO. On the other hand, the Borana *abbaa gadaa arboora* was fairly ambivalent, in a 'being and not being', 'coming and going', 'attending and retrieving', attitude, similar to the way he regarded advocacy efforts. He did not take any public stand on the vote.

The overall participation in the 2005 federal elections by Oromo pastoralists in the Borana and Guji zones emerges from an analysis of the results of the ballot, as summarised in Tables 4 and 5 below. The parties that managed to present candidates were the OPDO component of the EPRDF (present in all constituencies), the Oromo National Congress (ONC) component of the United Ethiopian Democratic Forces (UEDF), the Oromo Federalist Democratic Movement (OFDM), and the Coalition for Unity and Democracy (CUD). Of these parties, all but the CUD expressed a federal ideology. Despite flaws

and claims of abuse, the candidates from the federal opposition parties managed to win or to seriously challenge the OPDO candidates, in all the constituencies in which they were present.[21] At the national level, the CUD seriously challenged the EPRDF, but in Borana and Guji zones their candidates remained below 17% in all constituencies, and 10% in all the constituencies where a candidate of a federal opposition party also competed. These results show that, from the available choices, people expressed a clear preference for federalism.[22]

Table 4 Elections results in Borana Zone, 2005 (Source: National Election Board of Ethiopia, 2005)

Constituency	Candidate elected to the House of Peoples' Representatives	Other registered candidates
Hagaramaram 48% of registered voters	Dembela Halakie, UEDF, 54.35%	• Yenenesh Kebede Haleke EPRDF (OPDO), 39.16% • Ermiyas Lende Hribo, CUD, 3.82% • Biru Mona Gelede, OFDM, 2.67%
Melkasoda (a constituency by itself under Hagaramaram) 60% of registered voters	Oda Muda, UEDF, 72.48%	• Abidulkadr Sano Adem, EPRDF (OPDO), 22.90% • Getachew Bekele Ayele, CUD, 4.62%
Mooyyale (including Dirree) 66% of registered voters	Tuke Liban Duke, UEDF, 49.81%	• Alaka Senbiro Torbi, EPRDF (OPDO), 36.68% • Dida Duba Unoko, CUD; 9.13% • 2 independent candidates (3.34%, 1.04%)
Yabelo (including Teltelle) 83% of registered voters	Tadese Bahiru Beyene, EPRDF (OPDO), 83.26%	• Tsegaye G/Hiywet Kasa, CUD, 16.74%
Kercha (a division of Hagaramarm District) 72% of registered voter	Tadese Galgalo Jalido, EPRDF (OPDO), 48.54%	• Kute Safay Kolobo, UEDF, 44.12% • Edema Mijene Beriso, CUD, 6.03% • Siyum Halake Amado, OFDM, 1.32%

21 Further details on the 2005 federal elections are given in Bassi 2005.

22 This election, like all the previous ones, was affected by the absence of the OLF.

Table 5 Election results in Guji Zone (Source: National Election Board of Ethiopia, 2005)

Constituency	Candidate elected to the House of Peoples' Representatives	Other registered candidates
Bore 78% of registered voters	Ato Damboba Boku, OFDM, 62.44%	• Wako Jarso Godana, EPRDF (OPDO), 30.03% • Ashebir Tuta Demekisa, GSAP, 7.53%
Kibre Mengist (Adoola) 76%	Meseret Abebe, EPRDF (OPDO), 49.02%	• Tirfe Tadesse Sifan, UEDF, 42.70% + three independent candidates (4%, 2.66%, 1.63%)
Nagelle (Liiban) 85% of registered voters	Woldemariam Wako, EPRDF (OPDO) – 70.34%	• Getu Hailemikael Wache Shege, CUD, 17% • Ahmed Mohammed Haro, OLUF (4.84%) • Mehammed Hasen Jara, OALF (4.31%) • Mehamed Hasen Dokele, GSAP (2.00%) + 2 independent candidates (below 1%)
Uraga (also spelt Oraga) 71% of registered voters	Bedo Jiso Tukolu, EPRDF (OPDO), 100%	None

The ballot was peacefully held on May 15 but given the recent experience with the Somali Region and the tendency to identify the administrative space with specific ethnic groups and sub-groups, mistrust about ethnic favouritism by the ruling party grew into open warfare. After the referendum had temporarily frozen the regional boundary, the Oromo-Somali conflict turned into an intra-Oromo conflict in concomitance with the definition of the administrative spaces internal to the Oromia Regional State.

The conflict initially broke out between the Guji and the Gabra Miigo, with large-scale and protracted attacks by the Guji on the two small towns of Surupa and Finchawa, and some other rural localities, starting in April 2005. Rumours had been circulating about the establishment of a Gabra district extending between the Borana and the Guji. As I have noted elsewhere, these attacks did not fit in with the normal pattern of pastoral raiding. The number of raiders involved, the coordination, the armament and logistics used, the attack on urbanised settlements, the deliberate attempts to kill women and children, and the burning of houses instead recalled the symbolism

of ethnic cleansing (Bassi 2010, 239).[23] Indeed, it was reported that 43,000 people had been displaced. In July 2005 a similar attack was launched on Turbi – a small town in Northern Kenya mainly inhabited by the Gabra Malbee – with the likely involvement of the Borana from Ethiopia. 70 people were reportedly killed, of which 22 were children.[24] In Ethiopia, rumours had been spreading about an alliance between the Gabra Malbee and the Gabra Miigoo to enhance a demographic strategy similar to the one adopted by the Somalis, with cross-border population movements to change the demographic balance.

In Ethiopia, the Borana customary leaders took on responsibility for mediating – in coordination with the government – between the Gabra Miigoo and the Guji.[25] This is in line with the overall customary responsibility of the Borana on the territory at stake. Unfortunately, this attempt developed into a new war between the Borana and the Gabra Miigoo on one side and the Guji on the other, starting in May 2006, when the latter attempted to enter the Borana customary territory without customary permission. The two parts engaged in heavy fighting for two weeks, with an estimated 100-150 casualties and 24,000 new displaced. The conflict continued at a lower intensity for several months. In 2007 Jaldessa Borbor, the *abbaa gadaa kontomaa* of the Borana (Konitu clan), was assassinated by a Guji.

Violent inter-ethnic clashes connected to the administrative setup have continued since, involving the Borana in heavy clashes with the Garre in Udat and surroundings in 2008 and again in 2009,[26] as well as with the Konso on the western side of their customary territory in 2008.

7.7 Co-Option of Elders and Customary Leaders

The engagement with the customary institutions in southern Ethiopia merely resulted in a process of co-option. This is true both of the

23 These modalities, which had been recorded in Ethiopia during several previous violent episodes, occurred during the referendum along an Oromo/Somali divide, in border areas other than the Borana Zone.

24 Watson (2010, 206) notes the new nature of this conflict, for which “new explanations must be found”. I agree about the transformations in the relations with space she suggested in her article, but I would also consider the transnational component of the demographic politics of space alongside the religious dimension mentioned by Watson. The Turbi massacre shows cross-border dynamics similar to those of the 1998 ‘Bagalla’ massacre of the Degodia.

25 Interview with Hiddo Galgallo, *abbaa gadaa kontooma* of the Borana, Hawattu clan, August 2005.

26 The conflict with the Garre has temporarily displaced a large number of people, estimated as high as 100,000.

formal structure of the Somali Regional State and personal relations with customary leaders of the southern Oromo. Lister (2004, 13-14, 26-30) criticises the practice of paying the *amakari* (the elders nominated in the *guurti* councils in the Somali Regional State) a salary, noting that in practice they have been extensively utilised to mobilise political and electoral support for the ruling party. She has doubts about their capacity to put forward an independent articulation of interests within their own community and about the actual incorporation of the elders' views into official decision-making. Accordingly, she expresses some scepticism about the possibility of building effective alternative channels of representation in an unconducive political environment. Hagmann arrives at similar conclusions. He noted that the elections and the need to check the activities of the Ogaden National Liberation Front (ONLF), the Somali-based insurgent organisation, led to state recognition. Despite the presence in the regional constitution of objective criteria for the nomination of the *amakari*, their selection was more a matter of opportunistic selection by the government than the outcome of an internal process. The result was the establishment of a "government-controlled system of elders", used to mobilise political and electoral support, disseminate the policies of the government, and assist in matters of security (Hagmann 2007, 37-40; 2005, 529; Hagmann, Khalif 2006, 31).

Among the southern Oromo, the possibilities of choosing which elders to co-opt are far more limited, since the customary leaders are selected in their youth according to internal dynamics. Here the options are restricted to co-opting elders that do not hold formal titles in the customary system – as used to happen with the imperial *balabat* system –, to negotiating at a personal level, or to trying to influence the process of internal selection among those groups that do not strictly apply the customary rules. The symbolic value and impact of elders other than the *gadaa*-related customary leaders would of course be quite irrelevant; hence the OPDO based its informal system of co-option on the two remaining options.

When involved in state politics, customary leaders act in a field for which they have received no explicit or implicit mandate, and they are not answerable to the customary rules and procedures. They are therefore neither legitimate nor accountable to their community anymore: they act as individuals.[27] The absence of formal mechanisms of accountability and representation while acting in the modern arena was indeed identified by Boku Tache and Ben Irwin (2003, 42) during an applied experience with SOS Sahel. In the absence of a clear institutional mechanism to regulate the interaction between

27 A similar problem of legitimacy has been raised concerning the *guurti* elders by Hagmann and Mulugeta (2008, 28).

the customary institutions on the one side and the government and development organisations on the other, any action taken by the customary leaders can be interpreted by the community as being motivated by self-interest.

Similar mechanisms of mistrust engage the inter-ethnic arena. I have elsewhere discussed the role of customary institutions in assuring regulated access to the natural resources available to the primary group (Bassi 2010, 224). This implies that customary leaders embody the collective responsibility of gaining or maintaining a viable pool of resources. This corporate interest used to be mitigated by forms of cross-ethnic solidarity and by obligations for shared use of pastoral resources, an obvious response to mobility and the need to respond flexibly to environmental hazards (Bassi 2011). These mechanisms were indeed still capable of rebuilding collaborative cross-ethnic relations despite the harsh conflicts that involved the Borana in the early 1990s. As mentioned above, the Gabra Miigoo re-established themselves among the Borana through their revived *yaa'aa* and managed to live in peace among the Borana despite the Borana being simultaneously on bad terms with the Gabra Malbee. Conversely, the abuse of customary rules by some Guji families was indicated as the main cause of the Borana-Guji conflict. Disregarding customary resource tenure has been a major complaint in most oral and written appeals made by Borana elders and customary leaders (Elders 1996; 2004; RCCHE 2003). On the Somali side, the pastoral component has to some extent recognised that the returnees, the refugees and other political elites have exacerbated the conflict. This awareness led to the peace agreement between the Borana and the Mareexaan and to the latter's re-engagement with pastoralism, despite their recent harsh conflict with the Borana (Adugna 2004, v, 104, 127, 137).

7.8 Conclusion

When engaging in state politics, customary leaders may still play their customary role of assuring the well-being of their community, while engaging in the most destructive cross-ethnic practices. The 'bridge', in fact, builds synergies across the opportunistic motives of the various actors. Co-option takes the shape of an exchange of favours between the ruling party and the co-opted ethnic groups. On the one hand, the ruling party makes the most of the ethnic solidarity implicit in a shared identity – as symbolised by the customary leaders – to bring the entire group into its camp in electoral politics and for its strategic aims concerning insurgency. On the other hand, the ethnic group obtains concessions on its territorial claim, at the expense of its neighbours. It was these overlapping federal, national and local motives in a context of abuses of fundamental human and

political rights that led to the enhancement of the demographic politics of space, and ultimately to the ethnic cleansing[28] of the Borana from the area administratively entrusted to the Somali Regional State. It was the defensive reaction to these politics, and the replication of some of these elements in the process of defining the administrative space within Oromia, that led to the most destructive episodes of ethnic violence in the region, including cross-border violence. The mechanisms of formal and informal co-option also 'bridge' the interests of various peripheral social components, thereby forming ethnic blocs such as the pastoralists and the urbanised elites of the same ethnic group. As Hagmann and Mohamud H. Khalif noted, the party and the state officials "have nurtured these ethno-political conflicts by providing money, weapons, and political support to their respective Somali and Oromo kin groups" (2006, 34).

The customary mechanisms of accountability and responsibility no longer work in the altered context of the modern arena, while the 'direct' democracy theoretical framework, and the discourse on pastoralists' participation in development, work as a curtain in the international context, giving the impression that an alternative democracy is in place. Under unregulated dynamics of co-option, both the ruling party and the co-opted group can pursue their opportunistic interests by bypassing both democratic and customary rules.

The challenge, then, is to achieve the integration of the state and the customary dimensions of governance while also safeguarding the accountability and balancing mechanisms of both domains. In international discourse, this means guaranteeing first-, second- and third-generation human rights. While the abuse of political rights has been under some scrutiny in Ethiopia, little has been said about the collective rights of the indigenous and tribal peoples. The International Labour Organization (ILO) Convention No. 169 and the United Nations Declaration on the Rights of Indigenous Peoples set the guidelines for the recognition of customary law and procedures, indigenous tenure systems, and self-determination in development.[29] The provisions contained in international law and the experience of indigenous peoples in Europe, America and Australia aim at defining specific sectors for which the indigenous institutions are competent within the overall state jurisdiction, and to establish an agreed procedural interface, thereby ensuring a high degree of autonomy to the indigenous institutional settings. These principles are in line with the practices already in place in Borana before 1991, albeit this

28 The case here described fits with the definition of 'policy of ethnic cleansing' theorised by Petrovic (1994, 9, 11, 19) with reference to Bosnia and Herzegovina.

29 'Convention Concerning Indigenous and Tribal Peoples in Independent Countries', ILO C169, 27 June 1989 and 'United Nations Declaration on the Rights of Indigenous Peoples', A/RES/61/295, 2 October 2007.

reciprocally acknowledged arrangement was taking place at the informal level. More efforts are required to set up an institutional interface that can take into account the specificities of the Ethiopian mobile pastoralists. This seems to be the most viable way of avoiding the violence produced by the perverse modalities of the current interaction between customary and state politics.

Part 3
Gadaa in Current Governance

Introduction to Part 3

In this third section, the focus shifts from the local context of the Borana to the broader Oromo and Ethiopian perspectives. The first essay was written for a workshop on Oromo nationalism in Gothenburg in 1994, organised by Paul Baxter, Jan Hultin and Alessandro Triulzi. In Chapter 8, I explore the theme already raised in the introduction to this volume: the symbolic value of *gadaa* for the ethno-national struggle of the Oromo, key to the process of revitalising this institution after the fall of the Derg regime in 1991. This publication perhaps most clearly expresses a difference from the perspective of the Oromo insiders. In terms of the essential characteristics of the Borana political system, I highlight some differences from the mainstream view that sees the *gadaa* institution as a system of government rather than a complex mode of governance. Secondly, I draw a clear distinction between *gadaa* as an institution practised by the Borana, and by extension other Oromo pastoralist groups, and *gadaa* as a political symbol in the realm of Oromo nationalism. I suspect that it is because of the positions expressed in this essay that, in the debate between Baxter and Legesse over the political significance of the *gadaa* institution, some Oromo and Ethiopian colleagues have tended to place me in Baxter's field. Many years later, it seems particularly useful to re-present the text published in 1996 in its original form, especially for the benefit of the emerging generation of Oromo scholars.

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The second essay presented here (Bassi 2019b) reflects a very different style from all the others, as it consists of policy recommendations. I developed it for the 2019 annual conference of the Oromo Studies Association (OSA), which took place in Ethiopia. This essay builds on the critique made in Part 2 of this volume and extends the discussion to the issue of Ethiopian minorities, both national and ethnic minorities within newly demarcated administrative spaces, and occupational groups comprising pastoral and smallholder agricultural communities. The development policies of the Ethiopian state are depriving these communities of access to basic resources, leading to a significant increase in the number of internally displaced persons (IDPs). About the *gadaa* institution in Oromia Regional State, it is suggested that the co-option of customary leaders cannot be considered as an alternative to the full implementation of internationally defined human and political rights. Moreover, international best practices applied to indigenous and tribal peoples can serve as an effective model for incorporating this important institution into contemporary governance, especially to secure basic common resources, especially land, water and air.

8 Power's Ambiguity or the Political Significance of *Gadaa*

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Gadaa is certainly a very strong symbol of Oromo identity, but, as with most symbols, it may have multiple meanings. Among the people still practising it as an ongoing institution, it affects a wide range of social phenomena, including prescriptive rules, ceremonies, rites, public offices and actual physical villages enhancing political meanings. Each manifestation holds symbolic meanings which influence both the conceptions and social relations. When an Oromo nationalist talks about *gadaa*, he may not be interested in the constellation of symbols of *gadaa* practice, but rather in the institution as a whole. *Gadaa* becomes a conceptual abstraction, something in which all Oromo are supposed to identify themselves because they recognise it as a root feature of Oromo culture or as a

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symbol of a pan-Oromo national political identity (as distinct from the Ethiopian national identity) (Baxter 1994a). The recent debate on the application of the principles or values of *gadaa* to a modern state[1] is part of this process.

The conceptualisation of *gadaa* with this second meaning is the outcome of a long tradition of Oromo studies which has, by and large, legitimated Oromo nationalists to stress the central political role of the system. However, when shifting from *gadaa* as a symbol of identity to *gadaa* as a political practice we are moving from one domain to another. Baxter's criticism of the classical political interpretation of the *gadaa* system (1978a) and, more recently, of its applicability to a modern polity (Baxter 1990, 236; 1994b, 260; 1994a, 177-84) constitutes a warning of the possibility that some misinterpretations may have occurred.

8.1 The Prevailing Model Within Oromo Studies

The earlier accounts of the Oromo political system have probably been affected by a lack of analytical instruments. The European travellers or missionaries of the 19th and early 20th centuries could only interpret the ethnographic data against the background of the known political concepts and models.[2] Oromo polity appeared to be structured and ordered, showing some elements of political centralisation. The society was guided by institutional leaders differentiated by a variety of formal titles and the internal political discourse was dominated by a constant reference to widely accepted oral norms and laws. The various authors have, consequently, translated Oromo titles and institutions with terms and equivalent concepts which referred to current Western political systems,[3] particularly to Western democracies. However, there was very little critical analysis of the functions, powers, and operational rules inherent in the various Oromo political offices and institutions.

Later, when the characteristics of Oromo polity were formulated in more technical terms, the ethnographic descriptions had become the ethnographic reality, a process certainly favoured by the scarcity of research in the specific field of political anthropology.

The analogies with Western state systems have, for instance, been expressed indirectly by stressing a bureaucratic character in the

1 Asmarom Legesse (1987) and Lemmu Baissa (1994) are, among others, relevant contributors to this topic.

2 The instruments for analysing the great variety of African political systems have only developed with the growth of comparative political anthropology.

3 For example, Salviac directly translates various Oromo titles and institutions into "*premier magistrate*", "*assesseur*", "*juges*", "*parlement*", "*gouvernement*" and "*minister*" (Salviac 1901, 183-4).

gadaa polity, an interpretation which may have originated from the following statement by Herbert Lewis:

> certain characteristics of Jimma government, particularly those that seem most bureaucratic [...] were typical [...] of the "republican" Galla. (1965, 126)

Lewis's book is certainly one of the few relevant contributions to the political anthropology of the Oromo. However, it refers to an Oromo monarchy whose protagonists had completely abandoned the *gadaa* system; he was forced to rely on older or less specialistic sources to reconstruct the *gadaa* type of polity. Despite references to the functional specificity of the different *gadaa* offices, in several passages Lewis introduces many restrictive remarks[4] on such a feature, which is accepted as an "ideal pattern" (H. Lewis 1965, 28). Indeed, he explicitly expresses doubts about Salviac's translations (H. Lewis 1965, 28). According to his interpretation, the ideal pattern should be regarded as a feature that concretely developed only with the formation of a monarchy. Two years later we can read, from an authoritative European anthropologist, that "the leading positions of the class in power can be said to constitute a bureaucracy in Weber's sense" (Knutsson 1967, 167), thus giving a concrete dimension to the ideal pattern.

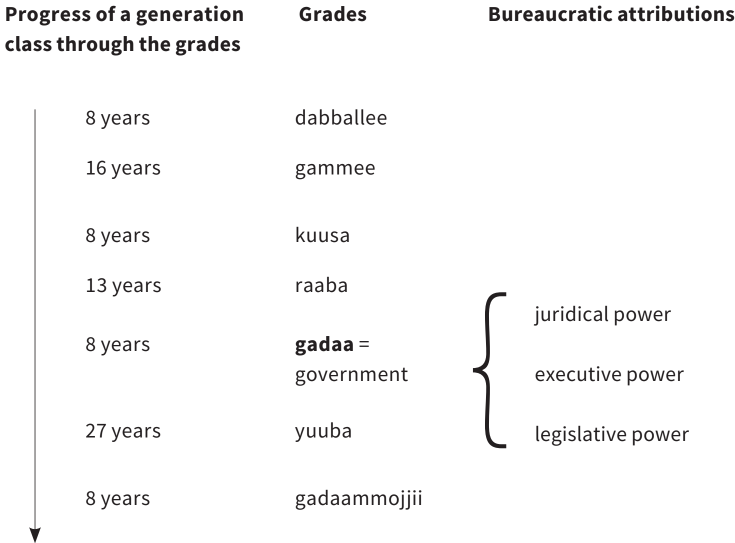
These kinds of scholarly traditions have probably influenced later scholars more than is generally assumed. For example, Asmarom Legesse, whose systematic study has so strongly marked the current ideas on *gadaa*, writes "that the core band has already developed some characteristics of a functionally differentiated bureaucracy" (1973, 69).[5] As a result, most descriptions of the *gadaa* system seem to respond to a general model consisting of a generation class acquiring the leadership of the *gadaa* council (called *yaa'a* in Borana) for 8 years and, with it, acquiring the political (as well as the ritual) power and the capacity to 'govern' for 8 years. During such a period of 'government' the members of the class are called *gadaa* (or *luba* among some Oromo groups). The cyclical replacement of the 'class in power', a typical feature of the '*gadaa* government', is considered a rotation in the control of the political power and, consequently, it is sometimes regarded as a basis for the Oromo, or *gadaa*, democracy, as opposed to the Amhara 'imperialism' and 'despotism' **[tab. 6]**.

In their prevailing use, such terms as 'power', 'government', 'centre', and other correlated expressions refer either to ambiguous or

4 He explicitly expresses doubts about Salviac's translations (H. Lewis 1965, 28).

5 Elsewhere in the book Asmarom seems critical of that same view. He explicitly states that the Borana "have little inclination to parcel out specific tasks to individual officers [...] in the manner of bureaucratic organizations" and that "the assembly has little internal differentiation in terms of functional tasks" (Legesse 1973, 69).

Table 6 The prevailing model of *gadaa* as a bureaucratic institution



Progress of a generation class through the grades	Grades	Bureaucratic attributions
8 years	dabballee	
16 years	gammee	
8 years	kuusa	
13 years	raaba	
8 years	**gadaa** = government	juridical power executive power legislative power
27 years	yuuba	
8 years	gadaammojjii	

too wide political categories. Even in the narrow field of political anthropology, they have been used with different meanings. For a rational attempt to apply the *gadaa* political philosophy to a socially and economically differentiated modern Oromo polity, the terms of the discussion must be clarified, and the political significance of the *gadaa* system needs to be analysed in its proper context. I will try to illustrate my views using the results of the research I have carried out among the Borana Oromo of Southern Ethiopia.[6] The majority of the Borana of Ethiopia follow their traditional religion and among the Oromo groups the strongest attachment to and observance of *gadaa*.

6 This paper is primarily based on data collected in Southern Ethiopia in 1989 and 1990 as part of the requirements for a doctoral program at the *Istituto Universitario Orientale*, Naples. More extensive ethnographic evidence can be found in the author's doctoral thesis (Bassi 1992c), which is currently undergoing further analytical elaboration. The author extends gratitude to Dr. Berhanu Abebe and Dr. Taddese Beyene for their assistance from Ethiopian academic institutions, and acknowledges Dr. Bernardi and Dr. Triulzi for their academic guidance. Special thanks are also extended to Dr. Baxter for providing comments on this paper.

8.2 Assembly Organisation and Decision Making

Perhaps the dominant element of Borana polity is not the *gadaa* system, but rather, as Baxter and Uri Almagor were already suggesting during the 70s (1978b, 19), their complex, articulated and structured assembly organisation. There are assemblies of different types, concerning different types of social groups, as well as of different levels, involving larger groups in a pyramidal assembly structure. All binding decisions, concerning virtually all spheres of social activity,[7] have to be reached during an assembly. They include money or cattle collections for collective investments or for assisting the needy, arrangements for the management and use of natural resources and all juridical proceedings. Each issue is discussed in the appropriate assembly context.[8]

The modalities through which binding decisions are reached are strictly regulated by specific and complex procedural rules. Broadly speaking, decisions are taken by consensus under the guide of the institutional leadership. The prerogatives of the institutional leaders, as well as the limits to their decisional power, are implicitly fixed by the procedural rules, by the assembly's behavioural practices and, more explicitly, by the dominant political ethos.[9]

8.2.1 Participation in Decision Making

The decisions taken during an assembly can only involve the members of the community concerned with that specific assembly. The married men of the same community can either be represented or participate personally.[10] Therefore, through the overwhelming assembly organisation, all binding decisions are reached by consensus with the direct or indirect participation of the persons involved. Once the individual or his representative has accepted a resolution, there is no need to enforce it by the use or by the threat of an executive force. The formation of consensus, however, is not a spontaneous process. Several procedural items and expedients are used to avoid

7 Decisions regarding the allocation of manpower within the family are excluded since they fall under the competence of single *abbaa waraa* ('father of the family'). Domestic disputes are, however, discussed at the assemblies.

8 Assemblies may be held frequently and in any place; the organisation of and the participation in assemblies can be considered among the most demanding engagements in Borana and are certainly the elders' main job and responsibility.

9 The egalitarian ethos of the Borana has several times been stressed by Baxter. See, for example, Baxter 1994a, 183.

10 Borana assemblies, therefore, fall within Kuper's 'community-in council' category (1971, 14).

or to get out of impasse situations. There are also specific procedural means, which I have elsewhere called 'procedural sanctions', used to persuade individuals to accept the assembly's will. Sometimes the pressure exercised by the assembly and its leaders on individuals is so heavy as to be considered full coercion.

The lack of executive powers by the *abbaa bokuu*[11] and by the assembly of the Oromo was already noted during the 19th century by Massaja (1886, 79, 172). Hence, the characteristics here described may not be exclusive to the present-day Borana, but they may also apply to the highland Oromo during the mid-19th century.[12]

We can thus conclude that, in Borana polity, coercion is directly exercised within the assembly context, taking the form of persuasion, even if that is sometimes an exasperated one. The leaders, by their prerogatives, play an important role in exercising this type of coercion/persuasion and they may be able to obtain some public goals, such as the maintenance of the *yaa'a* or an investment for digging a well. In this sense they have some executive capacity, but, since they do not control any executive force, they are not invested with what is usually implied by 'executive power'.

8.2.2 The Rhetorical Use of the Juridical Sanctions

The Borana legal system fits the general pattern described above. Borana customary law is characterised by a relatively large number of juridical sanctions. They include heavy fines, corporal punishments and others. The curse (*abaarsa*), implying both a metaphysical dimension and the community's ostracism, may end up in banishment.[13] Sometimes the oral law contains the enunciation of the proper sanction to be applied in the case of law-breaking. However, if the ethnographer moves his attention from the theoretical statements of law to its practical application, then it becomes evident that the heaviest sanctions are only rhetorically used to persuade individuals to accept court resolutions rather than being applied and enforced (Bassi 1992b).[14] This is in line with Dinsa Lepisa's study, which, while emphasising the authoritative character of Borana law, after evaluating a significant number of cases concludes that the Oromo legal system

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11 Among several Oromo sections the title of *abbaa bokuu* is equivalent to the *abbaa gadaa* of the Borana.

12 Massaja is one of the few 19th century authors providing some observations on specific aspects of the political process among the Oromo.

13 For a comment see Baxter 1990, 238. For a systematic account of Oromo legal institutions see Lepisa 1975.

14 See also ch. 3 in this book.

is oriented towards arbitration and compensation rather than punishment (Lepisa 1975, 86). Hence, as in the case of the village tribunals of the Bunyoro (Beattie 1960, 69), the juridical practice of the Borana seems to aim at the restoration of good relations rather than at the punishment of an offender.

8.2.3 The General Assembly and the Legislative Process

Among some Oromo groups, a general assembly may be gathered, whose legislative role for the entire community has rightly been stressed. I refer especially to the Borana *Gumii Gaayoo* (the 'crowd' at the place 'Gaayo'), which is the supreme juridical and formal legislative body. However, it would be misleading to think of it in terms of a central and permanent legislative body on the model of a modern parliament. The *Gumii Gaayoo* meets only periodically, once every *gadaa* period (8 years), and the number of laws proclaimed during each general assembly is quite limited. Asmarom Legesse lists twelve laws (Legesse 1973, 93-9) announced during the 1966 assembly. Since the same laws were reported as 'cardinal laws' also during the 1988 assembly (Abdullahi Shongolo 1992; 1994) they are legal re-statements. Shongolo also describes a few supplementary laws.

The proclamation of laws at the *Gumii Gaayoo* is only the final phase of a wider legislative process taking place through the long debates at all types of assemblies. Among the Borana, as elsewhere, norms are expressed in a variety of ways, ranging from old and new social practices to concepts and values embodied in ritual performances. Such a wide normative domain falls under the Borana category *aadaa*. When a dispute arises, it is taken to the assembly where people are confronted with the established norms. In this context norms of any kind need to be verbally expressed and hence verbally re-elaborated. Conflict resolution may need non-ambiguous normative statements which have binding value. Such statements are the oral laws, *seera*, which can be defined as that specific category of verbally expressed norms, which are elaborated and applied in the assembly context. Only a few of the commonly applied laws are formally announced at the *Gumii Gaayoo*. While important, this gathering is not the exclusive legislative and juridical assembly. It is, however, an integral component of the assembly organisation.

8.3 The Power of the *Gadaa* Officers and the Borana 'Government'

The stress usually put on the political power of the *gadaa* class is probably a consequence of failure to recognise the different qualities of the ritual and the political powers. Bernardi (1984) has shown that in societies regulated by age and generational class systems, the two types of power are interrelated but not identical. He defines power in terms of "the capacity to perform social activity" (Bernardi 1984, 59). Such a capacity can be ritual, political, and so on in the different grades of the system. When taking a leading role at the *yaa'a gadaa*, the six *hayyuu aduulaa*, including the three *abbaa gadaa*,[15] are the representatives of the *gadaa* generational class. However, this does not imply that the class members as a whole and the class representatives are also the political leaders of the Borana.

The term *yaa'a* ('yaa' is the root of the plural form of the verb 'to go', 'to move') is used to describe any mobile village whose members co-reside to perform ceremonies on behalf of the whole Borana community. There is the *yaa'a gadaa*, led by the *abbaa gadaa arbooraa*, and five *yaa'a qaalluu* ('village of the *qaalluu*'), each led by a different *qaalluu*. The *yaa'a gadaa* is in turn divided into three coordinated sub-villages, each led by one *abbaa gadaa*.[16]

Despite being a political centre, for reasons which I will explain later, the *yaa'a gadaa* should not be considered a centre of government. I never saw or heard from the elders about the necessity to implement or 'execute' a decision formally taken at the *yaa'a gadaa*, other than providing the human and material resources needed to maintain the *yaa'a* itself and to perform the inherent ceremonies. I neither heard of nor witnessed any behaviour suggesting that the *yaa'a gadaa* was the appropriate forum for discussing issues not resolved within lower assembly contexts. According to my Borana interlocutors, "the *yaa'a* members are kept too busy with rituals".

The different titles, such as *hayyuu aduulaa*, *hayyuu garbaa*, *hayyuu meedicha* and various *abbaa gadaa* point up different attributes, such as the individual's generation class, and which *yaa'a* he serves based on his class and clan membership and to the order of his nomination. Title differences may imply different ritual statuses and different assignments during the performance at a *yaa'a*, but not a differentiated political responsibility, let alone differentiated administrative or executive duties.

15 The six *hayyuu aduulaa* are nominated at an earlier grade of the *gadaa* cycle. The three among them that are first mentioned during the public announcement will become the three *abbaa gadaa* when their generational class reaches the *gadaa* grade.

16 There is also *a yaa'a rabaa*, related to the *gadaa* institution, which is not relevant in this discussion.

Political power should be identified with the capacity, within the various assemblies, to take over certain leading roles. During all types of assembly, the members of the *gadaa* class do not enjoy any decisional prerogative compared to the non-*gadaa*. The decisional influence grows with age and experience. Since the members of the *gadaa* class are relatively young, or even very young, they have very limited political power.

The situation is more complex concerning the six class representatives, the *hayyuu aduulaa*. Permanence in the *yaa'a* is a prerequisite for institutional political leadership. The taking over of the most important formal roles during the assemblies is reserved for those who have been invested with titles such as *abbaa gadaa*, *qaalluu*, *hayyuu*, and *jallaaba*, which correspond to certain roles at the various *yaa'a*.[17] The *hayyuu aduulaa* are only a minority among the various officers in service at any given time at the *yaa'a gadaa*. All the officers are equally entitled to institutional political leadership. Several Borana commenters have claimed that the *hayyuu aduulaa* have often shown less capacity than other types of *hayyuu* because they are chosen when they are too young to be properly evaluated. Moreover, the *wara qaalluu* descent segments[18] are represented by their own leaders at the respective *yaa'a qaalluu*.

Most important is the fact that entitlement to formal leadership is only a *potential* social capacity: the *actual* assignment of authoritative roles is largely conditioned by the consensus of the community involved in any given assembly. Only those who are considered capable of adequately responding to the responsibilities assigned to them have political prestige and authority. This requires some definite qualities, such as knowledge of both substantive laws and procedural rules and rhetorical skills. All these skills may grow with the experience and practice of assembly activity, and it is only over time that a political leader gains the trust of the people. This is why, in all assemblies, I have happened to attend, the *yaa'a* officers currently in service, including the representatives of the *hayyuu aduulaa*, have shown smaller political authority than older and 'retired' *hayyuu*. The *gadaa* officers in service, despite having a central ritual responsibility, are not regarded as those with the capacity to chair an important assembly, to act as a judge or to solve practical problems, other than those regarding their ritual activities at the *yaa'a*.

17 Only the *jallaaba*, the institutional leaders of lower level, can eventually be nominated without having resided at one of the *yaa'a*. For example, some Muslim elders living in Garba Tula received the *meedich* bracelets from the *qaallu* of the Sabbo moiety as a sign of appointment (Baxter, personal communication). Since those *jallaaba* must be chosen by *a hayyuu* or by the *qaallu*, the source of their legitimacy is anyway related to the *yaa'a*.

18 Borana descent sections are known as either *wara qaalluu* or *wara bokkuu*.

In this context, if the *gadaa* officers have to be considered the 'class in power', then it is their ritual power which has to be stressed, since in the assembly context they do not exercise more political authority than 'retired' leaders, nor do they represent a centre of government. If the term government has to be applied to Borana polity, then it may be better described as a 'diffused government', following Lucy Mair's well known definition of a government which can be said to consist of the whole adult male population (1962, 78).

8.4 Political Centre and Integration

I have elsewhere suggested that clans are the basic units of Borana political organisation.[19] The *gadaa* system plays a key role in integrating those units (Bassi 1994). The officers in service at any given time at the *yaa'a* embody the major clan divisions. The *hayyuu's* common action and their common residence at the *yaa'a gadaa* symbolise inter-clan unity and inter-clan cooperation. Through the performance of *gadaa* rituals, they serve as intermediaries between the human and spiritual realms, fostering the *Borana nagaa* ('the Peace of the Borana') (Baxter 1965, 1978a; Bulcha 1996; Helland 1996; Oba 1996). They are the ritual guarantees of inter-clan peace, to which they devote a minimum of eight years of their lives. Only after such an experience, hence when they have become conscious of the critical importance of promoting good inter-clan relations, are they allowed to lead their own clans. At that point, they will be able to value the interests of the Borana as a whole above and higher than their immediate corporate interests.[20]

Institutional political leadership, therefore, is legitimated by the formative ritual experience at the *yaa'a* and, consequently, it possesses a divine dimension. The divine source of the leader's power is symbolised, for instance, by the *rufa* turban, which they wear during the *yaa'a* rituals and, later, during the assemblies. The *rufa* combines the colours black and blue, both of which in Oromo are called *gurracha*, the colour of *Waaqa* (literally 'sky' and 'God'), passing from blue to black with the coming of night. Furthermore, it is kept on the head and hence is up like the sky. It is said that it should never touch the ground, just as the sky, the domain of *Waaqa* ('God'), does not touch the earth, the domain of man. The *rufa* symbolises the sky and the divinity. The person wearing it is consequently a bridge between the

19 Borana clans fulfil all requisites of corporate groups as defined by Allott, Epstein and Gluckman (1969, 41).

20 See chs. 1 and 2 in this book.

sky and the earth, hence a mediator between the social (human) and the divine worlds.

We can thus conclude that the *yaa'a gadaa* is not a centre of government, but it is a political centre, a centre of ritual super-integration which bears a direct political effect on the process of formation, and on the legitimation of, the institutional leadership.

The *gadaa* offices – *hayyuu aduulaa*, *hayyuu garbaa* and *hayyuu medichaa* – are equally divided among the major descent sections. This prevents political competition, though such competition may emerge at a lower level of descent segmentation, among adjacent clans, or within clans. The clan corporately selects its candidate for appointment as *hayyuu* or *abbaa gadaa*[21] and also provides the human[22] and material resources[23] that are necessary for being accepted by others and for the maintenance of the *yaa'a* and the performance of the inherent ceremonies. The *yaa'a* activities are implemented with the contribution individually provided by the various officers residing at the *yaa'a*, who are in turn supported by their own descent section.[24]

8.5 *Gadaa* and Kingdoms: Two Alternative Political Philosophies

The ritual and political integration achieved through the *gadaa* system has significant economic implications. Despite intense competition for scarce water resources, clans and other social entities avoid physical clashes. Residential groups are organised on an inter-clan basis, fostering pastoral cooperation among members of different clans (Oba 1996; Helland 1996). The exploitation of all natural resources occurs on an inter-clan basis and appears to be extremely efficient and highly coordinated. These features differentiate the Borana from other segmented pastoral societies since they recall the achievements of African kingdoms as described by Fortes and

21 In the literature it is often recorded that these officers are 'elected'. The term refers to the process of internal selection. Once the descent section has selected the person, the candidate starts a campaign by visiting the *yaa'a* and other influential elders for being accepted and achieve the final ritual nomination.

22 The 'helpers' of each *hayyuu* are classified into *makala* ('messengers', 'pastoral assistants') and *jallaaba* ('assistant', who help the *hayyuu* in the coordination of his ritual-political activities).

23 The material resources can be either *kaato* (legitimate contribution to the *yaa'a* members), mainly cattle to be slaughtered during the ceremonies, and *galata* (literally 'thanks'), consisting in cows or cash, *harakee* (alcoholic spirits) or other goods handed over to the *yaa'a* members in order to push a certain candidature for an office. The latter, though widely practised, is considered illegitimate.

24 The *hayyuu aduulaa* can also collect cattle or the equivalent money (*kaato*) and assistants from among their own generation class mates.

Evans-Pritchard (1940).[25] However, whereas kingdoms and, more generally, states may impose law and political decisions by the use, or potential use, of an organised force – whose control is delegated to certain social entities – the Borana maintain their internal order by consensus and persuasion, which, in turn, are obtained by diffused and intense participation in decision-making within the assemblies. The two political systems radically differ in their operational modalities. Though the assembly procedures may be as coercive as the use of physical force, the political philosophy inherent in Borana's polity seems to be opposite to that of African kingdoms. On the other hand, similar practical achievements would rather suggest that Borana polity is an alternative to kingdoms.

The Borana have successfully developed an egalitarian but efficient political system in a pastoral context, with the *gadaa* system promoting social integration. It seems that the Oromo were able to apply the same institution to the agricultural environment of the Ethiopian highlands. However, whereas the Borana *gadaa* integrates clans, among the highland Oromo of the 19th century "the gada assemblies and officers were territorially organized institutions, uniting contiguous local districts" (H. Lewis 1965, 29). In the agricultural highlands, clans were no longer corporate groups and the organisational capacity had shifted to the local communities, a process facilitated by the clan fragmentation related to the migration and by the closer bond to land inherent in agricultural activity. Moreover, under certain historical and environmental circumstances, the *gadaa* type of polity was replaced by a state system, as in the case of the Oromo monarchies (H. Lewis 1996).

8.6 The Oromo Democracy

Borana polity, with *gadaa* as just one component, can indeed be regarded as a democracy in the strict sense of "government of the people, by the people, for the people" (Lincoln). The widespread participation in decision-making and the political process, spanning the juridical, legislative, and other fields and moving effectively from the base to the centre, arguably renders it even more democratic than modern states based on the division of powers and universal suffrage. However, Borana's polity lacks several features typically associated with modern democratic states. To emphasise, I would mention some of them, although they are quite evident. The *gadaa* system operates in an unstratified and non-specialised society, achieving political

25 The demographic consistency of the Borana is also comparable to the African kingdoms as described by Fortes and Evans-Pritchard (1940, 7).

integration among clans – groups that are analogous to one another. Nowadays, even in Borana country, *gadaa* is effective only in the rural context. Traders, social workers, public employees and others are not affected, since they refer to the Ethiopian legal system and administrative structure.[26] Borana polity lacks a bureaucratic administrative structure, a centrally or peripherally controlled organised force, or a delegation of executive power. Consequently, it does not produce a national budget. No division of powers is conceived as in modern democracies, since the institutional leaders, during the assemblies, are at the same time active in the juridical and the legislative fields, as well as in persuasive relations with their people.

I wonder if the use of such ambiguous words as 'government', 'class in power', and 'alternation of power', as well as of more specific but less applicable expressions such as 'reigning set', 'parliament' and 'bureaucracy' are a response to the unproved, but dominant, ideological assumption that a centralised state based on the use of an organised force is a more efficient polity. From this perspective, those terms implicitly invite a direct comparison between the Oromo and Ethiopian polities, suggesting equal efficiency but marked differences highlighted by the term 'democracy', emphasising the moral superiority of the Oromo system (Baxter 1994a, 177). However, in doing so, the genuine peculiarity and value of the Borana and *gadaa* political philosophy are implicitly undermined.

8.7 A Modern Oromo Polity

Perhaps the true problem is not the application of the *gadaa* principles to the emerging unitary, stratified and specialised Oromo nation, but the construction of a polity compatible with the old and still operative political practices. This is certainly a very serious challenge to the Oromo politicians. Without entering this extremely complex and muddling subject, I think it worthwhile to outline some of the elements which I think have emerged from the above analysis, hoping to contribute to a debate which, in my opinion, can only be constructive.

A very critical element concerns 'despotism' which is not avoided, as generally thought, by a rotation of the group 'in power', since there are no structures of government into which corporate groups periodically enter and exit. For the same reason the giving up of 'power', also mentioned by Baxter (1994a, 183), maybe a false problem. After having invested heavily in the specialistic training of one of its members, the clan and the community do not have any interest

26 It is possible that this is simply the result of political submission. These activities are the ones in which non-Borana are engaged as well. Had the Borana remained autonomous, their own polity might have differently accommodated modernity.

in losing a capable leader. Rather, the political power of the institutional leadership is limited, at any given moment, by the rules and practices of the decisional procedures, by the political ethos and by an absence of delegation of executive power.

The peculiarity of the Borana polity lies in the widespread and decentralised participation in all forms of decision-making at various assemblies, with a general flow from peripheral assemblies to higher pyramidal councils and assemblies, or, in development terminology, from bottom to top. The practices and procedures of these assemblies, not subordinated to the *gadaa* system, have also been emphasised as central 'republican' elements of Oromo political culture and values, as well as democratic practices in Oromo life (H. Lewis 1993, 5-6, 9).[27] There is no reason to believe that such political elements are incompatible with a modern polity, although certain decisions may require faster procedures.

27 Lewis' observations are very interesting because they were drawn from two different highland Oromo communities, one of which was previously a monarchy.

9 Relativistic International Development and Its Potential for Implementing Self-Determination in Ethiopia: Policy Recommendations

Summary 9.1 Strengthening Civil Society and Human Rights. – 9.2 Pastoralism. – 9.3 Small-Holding Farmers. – 9.4 Customary Governance. – 9.5 Special Case: Lower Omo Valley. – 9.6 Special Case: Internal Border Issue.

These policy recommendations were prepared on the occasion of the 33rd Annual Conference of the Oromo Studies Association (Finfinne/Addis Ababa, 2019). They are built upon the arguments I have presented in two open-source articles (Bassi 2014; Bassi 2019a), summarised in this introduction.

My 2014 article was focused on the abuse of minority rights in Ethiopia. The central argument posited that the developmental ideology embraced by the ruling party was incompatible with both multiparty democracy and the respect for minority rights, two principles

* Adapted from the following original publication: Bassi, M. (2019). "Relativistic international development and its potential for implementing self-determination in Ethiopia: Policy recommendations". Jalata, K. et al. (eds), *A New Frontier: Ushering in Lasting Change in Oromia, Ethiopia and the Horn of Africa*. 33rd Annual Conference Proceedings, July 26-28, 2019, Rift Valley University – Conference Hall, Finfinnee, Oromia, Oromo Studies Association, 281-93.

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formally protected by the Constitution of the Federal Democratic Republic of Ethiopia (FDRE Constitution). The ruling party's highly centralistic and undemocratic practices resulted in severe abuses of the rights of pastoralists, ethnic minorities, and smallholding farmers (Box 1). Special attention was devoted to the livelihood crisis expected to arise from the construction of the Gibe 3 dam among the peoples living downstream of the dam. The Social and Environmental Impact Assessment fell short of meeting the standards required for their diverse languages and identities, as well as their social, political, and economic marginality. Given their disadvantage in the national arena, the environmental consequences of eliminating the river's regular flooding in a very dry area, along with the direct large-scale 'grabbing' of their territory for industrial irrigated agriculture, cannot be offset by gains in terms of standard development and salaried jobs.

In my 2014 article, I challenged critics who questioned the FDRE Constitution's emphasis on the self-determination of the 'nation, nationalities, and peoples' of the country. During the process of designing new administrative boundaries based on the prevalent native language of the inhabitants, the idea of univocal identification of administrative spaces with a single ethnicity prevailed. This feature was considered to be the origin of ethnic clashes along administrative borders, resulting in large-scale displacement of the population – a problem that continues to impact Ethiopian politics. Instead, I have suggested that the introduction of multi-national federalism is deeply justified by the specific political history of the country (Bassi 2019a). The negative ethnic conflict side effects are not inherent to the adopted constitutional model. Rather, it is the consequence of the "failed implementation of complementary key components of the FDRE Constitution, especially respect for fundamental political and minority rights" (Bassi 2014, 47, 68; 2019a).

The starting point of my 2019 article is that more than a decade of Gross Domestic Product (GDP) growth exceeding 10% failed to prevent the emergence of inequalities and widespread discontent. This scenario fuelled *Qeerroo*'s protest, its harsh repression by the government, and the 2018 escalation of the protest at a federal level. At the crossroads between democratising and disintegrating (Lata 1999), the ruling coalition took the virtuous path that, in 2019, led to the Nobel Peace Award for Prime Minister Abiy Ahmed Ali. It is, therefore, the right time to reconsider the ideological stands and political practices that have so far impeded the full implementation of the FDRE multinational and democratic Constitution.

In the article, I draw a parallel between the early practices of international development, solely focused on achieving GDP growth, and the Ethiopian developmental policy. Both have resulted in similar negative side effects, rhetorically implying well-being for all but,

Box 1. Official United Nations reports on serious minority rights violations in Ethiopia, delivered between 2006 and 2010

CRC. "Consideration of Reports Submitted by States Parties under Article 44 of the Convention. Concluding Observations: Ethiopia", United Nations Committee on the Rights of the Child. Forty-third session, CRC/C/ETH/CO/3, 1 November 2006.

McDougall, G. "Implementation of the General Assembly Resolution 60/251 of March 2006 entitled 'Human Rights Council'. Report of the independent expert on minority issues. Addendum. Mission to Ethiopia (28 November-12 December 2006)", United Nations Human Rights Council, Fourth Session, A/HRC/4/9/Add.3, 28 February 2007.

CERD. "Consideration of the Reports Submitted by States Parties under Article 9 of the Convention. Concluding observations of the Committee on the Elimination of Racial Discrimination. Ethiopia", United Nations Committee on the Elimination of Racial Discrimination, Seventieth Session, 19 February to 9 March 2007, CERD/C/ETH/CO/15, 20 June 2007.

CERD. "Consideration of the Reports Submitted by States Parties under Article 9 of the Convention. Concluding observations of the Committee on the Elimination of Racial Discrimination. Ethiopia", United Nations Committee on the Elimination of Racial Discrimination, Seventy-fifth session, 3-28 August 2009, CERD/C/ETH/CO/7-16, 7 September 2009.

CaT. "Consideration of Reports Submitted by States Parties under Article 19 of the Convention. Concluding Observations of the Committee against Torture. Advanced Unedited Version. Ethiopia", United Nations Committee against Torture, Forty-fifth session, CAT/C/ETH/CO/1, 1-19 November 2010.

(Source: Bassi 2019)

in practice, marginalising and dispossessing certain disadvantaged categories. The parallelism extends to the political field. As happened in several African states soon after decolonisation, the ruling party gained political support by mobilising national resources, but democratic accountability was strongly reduced by the establishment of single-party systems. In Ethiopia too the Ethiopian People's Revolutionary Democratic Front (EPRDF) has established a de facto single-party system, despite the constitutional democratic provisions.

Strong international criticism against the early practices prompted

the emergence of alternative paradigms of development [tab. 7] and the adoption of new human rights instruments.

Table 7 Schematic representation of the main paradigms of development (Bassi 2019a)

DEVELOPMENT PARADIGM	MAIN DISCIPLINARY DOMAIN	MAIN INDICATORS
Economic growth	Macroeconomics *Later*: microeconomics + political sciences	GDP *Later*: World Governance Index
Social equity	Sociology Amarthya Sen's theories	Human Development Index
Environmental sustainability	Environmental sciences	Biodiversity, pollution and climate indicators
Beneficiaries' active role	Development studies Applied, engaged and militant Anthropology Engaged and militant sociology	Emic and holistic indicators on conditions of life of specific communities or social groups

The critical review of this international process reveals that the corrective measures have progressively been informed by a growing 'relativistic attitude', defined as "giving consideration to the relevance of specific articulations of culture, formal or informal norms and local conditions, in ways that impact the implementation of development" (Bassi 2019a).

The relativistic attitude is especially associated with third-generation human rights [tab. 8], consisting of instruments of international law that recognise collective cultural and territorial rights, including customary institutions and norms. Such treaties and conventions establish development procedures that allow indigenous peoples and communities to gain more control over the development choices that can affect their livelihoods. The expansion of human rights is reflected in a wide array of best practices and voluntary guidelines in the realm of responsible business. It is also evident in binding internal directives and procedures adopted by international financial organisations, UN agencies, and legislation by national governments, especially concerning prescriptions related to the implementation of Social and Environmental Impact Assessments.

Table 8 Some human rights instruments supporting a relativistic approach to development. (Bassi 2019a)

<table>
<tr><th>CULTURAL UNIVERSALISM
Context and culture differences are seen as irrelevant to the development process</th><th>DESCRIPTIVE (WEAK) RELATIVISM
Context and culture differences are considered key factors of development planning, with cross-cultural approach</th><th>NORMATIVE RELATIVISM
Context and culture differences determine the development agenda</th></tr>
<tr><td colspan="3">FIRST GENERATION HUMAN RIGHTS
• Universal Declaration of Human Rights (1948)
• International covenants on civil and political rights (1966)</td></tr>
<tr><td>ECONOMIC GROWTH PARADIGM:
Good governance component</td><td colspan="2">Respect for first generation human rights is considered a precondition for enforcement of second and third generation human rights</td></tr>
<tr><td colspan="3">SECOND GENERATION HUMAN RIGHTS
• International Covenants Economic, Social and Cultural Rights (1966)
• Convention on the Elimination of All Forms of Discrimination against Women (1979)</td></tr>
<tr><td>SOCIAL EQUALITY PARADIGM:
Basic needs</td><td>SOCIAL EQUALITY PARADIGM:
• Human development (recognition of categorical inequalities)
• Gender issues</td><td>Third generation human rights were developed to assure, under specific constraints, implementation of second generation human rights</td></tr>
<tr><td colspan="3">THIRD GENERATION HUMAN RIGHTS
• International covenants and declarations on tribal and indigenous peoples (ILO 169, 1989; UNDRIP, 2007)
• Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)
• United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (2018)
• Procedural rights in development
• Policy Framework for Pastoralism in Africa (2010)</td></tr>
<tr><td>The economic growth paradigm has incorporated procedural rights either in the form of binding social and environmental assessments or as voluntary guidelines and responsible business</td><td>BENEFICIARIES' ACTIVE ROLE PARADIGM:
• Participatory rural development</td><td>BENEFICIARIES' ACTIVE ROLE PARADIGM:
• Ethno-development and other approaches based on self-determination in development
• Self-reliance
• Endogenous development
• Communitarianism
• Pastoral development (IFAD approach)</td></tr>
<tr><td colspan="3">MILLENNIUM DEVELOPMENT DECLARATION (MILLENNIUM GOALS) (2000)
Economic growth + basic needs + women's equality</td></tr>
<tr><td colspan="3">MILLENNIUM DEVELOPMENT DECLARATION (SUSTAINABLE DEVELOPMENT GOALS) (2015)
The relativistic approach is possible in relation to some of the goals</td></tr>
</table>

The relativistic shift in human rights and international development is rooted in the concept of self-determination, exercised by sub-national groups – a characteristic shared with the FDRE Constitution. In international law, this transition occurred simultaneously with a change in the legal interpretation of the concept of self-determination. There was a shift from the political emphasis on secession as part of the decolonisation process to providing distinct institutional space and decision-making capacity in development and policy within existing states (Anaya, Lenoir, Rogers 2009, 58-79; Quane 2011; Waller 2018).

Undoubtedly, the international experience can offer valuable inspiration for the policy shift currently needed in Ethiopia. The relativistic aspect of the FDRE Constitution, which strongly emphasises self-determination, was overlooked under the highly centralistic, technocratic, and top-down developmental policy. The implementation of self-determination was limited to the creation of 'ethnic-based' administrative spaces. Owing to imbalances in power relations within the ruling coalition, marginalised groups lacked the influence to shape policy.

The ongoing political transformation in the country presents a remarkable opportunity to transcend the existing developmental ideology and fully harness the potential of the FDRE Constitution in promoting a relativistic approach to development. This approach involves acknowledging and accommodating the diverse traditions, values, and cultures within the country. Concerning the specific challenges faced by farmers, pastoralists, and ethnic minorities, third-generation human rights and best practices in international development already offer valuable insights and indications for potential solutions.

9.1 Strengthening Civil Society and Human Rights

The FDRE Constitution introduced electoral liberal democracy in the country and is highly detailed in terms of protecting human rights. UN experts have noted that the FDRE Constitution even includes provisions allowing cases to be brought at the national level based on violations of international treaties to which Ethiopia is a party but have not yet been adopted into national legislation (Ziegler 2005, 11; McDougall 2007, 7, 18, 27). However, scholars have emphasised the discrepancy in Ethiopia between the formal principles internationally claimed and the political practices adopted by the ruling party. There is, therefore, an urgent need to take measures that may facilitate the implementation of constitutional principles.

The establishment of effective multi-party democracy is, of course, the general precondition for all other components. Third-generation human rights cannot be properly implemented without the respect

of fundamental political rights, including freedom of association, expression, press, and an independent judiciary. There is, however, also a need to dedicate specific attention to minority rights, and this, in turn, requires the establishment of a strong and independent civil society.

In international development, awareness has grown about the need to accompany economic growth with specific attention to good governance, with civil society providing a key pillar. This is the area where Ethiopia is diverging from the liberal-democratic model. With the adoption of the *Charities and Societies Proclamation No. 621/2009*, the government has significantly limited civil society's independent action. Civil society organisations (CSOs) are the key instruments of expression for local communities and disadvantaged categories. Internationally, they have been crucial to the emergence of the development paradigm based on the beneficiary's active role and, given their capacity to relate to specific local contexts, are key to the implementation of relativistic development measures and approaches.

The revision of Proclamation No. 621/2009, therefore, deserves high priority. It needs to take place in conjunction with a radical change in the role assigned to CSOs in development and human rights. This includes:

- Establishing mechanisms to involve CSOs in the systematic monitoring of human and minority rights.
- Strengthening CSOs and enabling them to engage in local processes for the protection of the community's collective and procedural rights.

9.2 Pastoralism

Pastoralism holds significant relevance for Ethiopia, both in terms of the extension of pastoral areas and the impact of conflict and refugee flows in these regions. Despite explicit protections for pastoralists outlined in the FDRE Constitution, the pastoral policy adopted by the Ethiopian government thus far aims at eliminating mobile pastoralism (Bassi 2019a). This Ethiopian pastoral policy stands in contrast to the most advanced international policy recommendations. While pastoralists have not yet achieved the adoption of any pertinent international declaration or convention, a broad consensus is emerging internationally regarding the necessary measures to support pastoralists, including a relevant component of relativistic measures (Bassi 2017). In terms of policy, in 2011 the African Union adopted the *Policy Framework for Pastoralism in Africa: Securing, Protecting and Improving the Lives, Livelihoods and Rights of Pastoralist Communities* (AU 2010) (Box 2).

Box 2. The African Union Policy Framework for Pastoralism

The *African Union Policy Framework for Pastoralism* builds on elements that are also considered in the *African Union Framework and Guidelines on Land Policy in Africa*, including transboundary and regional cooperation, acknowledgement of the legitimacy of indigenous land rights systems and institutions, the importance of informal land rights and the need to build an interface between customary and state institutions. The *Policy Framework for Pastoralism in Africa* is highly detailed on mobility, considered the prerequisite of pastoralism and the most appropriate livelihoods strategy. It acknowledges the problems created by various processes of rangeland expropriation and outlines a number of rights belonging to pastoralists, including (AU 2010, 7, 11, 14):

• improving the governance of pastoral rangelands and thereby securing access to rangelands for pastoralists;

• recognisingcommunal landholdings;

• legitimisingtraditional pastoral institutions and providing an interface between customary institutions and state-led systems, with special reference to conflict resolution, management of land, tenure, mobility, and interaction between pastoralists and other interest groups;

• ensuring consent and compensation in relation to development projects and investment in pastoral Areas.

(Source: IFAD 2018a: 11-12)

Moreover, IFAD has developed practical guidelines that are entirely aligned with the African Union *Policy Framework for Pastoralism,* promoting self-determination in development initiatives involving pastoralists and pastoral areas (IFAD 2018b).

It is therefore crucial to thoroughly revise the country's pastoral policy in line with international indications and to implement new projects, considering relativistic best practices.

9.3 Small-Holding Farmers

Ethiopian small-holding farmers have been significantly impacted by land dispossession without adequate compensation. At the individual level, this occurred due to foreign, domestic, and governmental

investment in industrial agriculture, as well as the consequences of the expansion of towns and industrial development, particularly in the areas around Addis Ababa and in the surrounding portions of Oromia and the Southern Nations, Nationalities, and Peoples' Region.

Land grabbing has also operated at a collective scale, especially against agro-pastoral groups, to a degree that seriously threatens the survival of entire identity groups. This issue has been addressed in the UN reports listed in Box 1. In evident contradiction with the protections contained in Article 40(5) of the FDRE Constitution, the process of large-scale expropriation of collective land was made legal by the Preamble and Article 5(3) of the *FDRE Rural Land Administration and Use Proclamation* (2005). There is, therefore, an urgent need to revise this proclamation and establish redressive mechanisms in line with both the FDRE Constitution and international best practices.

The global response to the impact of the post-2008 global rush for land resulted in the adoption of the *UN Declaration on the Rights of Peasants* in 2018. While this is not a binding international legal instrument, it offers essential guidelines that well-intentioned governments can adopt and subsequently legislate. Many of the articles within the declaration contain relativistic measures that are highly relevant to Ethiopian small-holding farmers **[tab. 9]**.

Table 9 Selected articles of the UN Declaration on the Rights of Peasants

ARTICLES IN THE UN DECLARATION	DESCRIPTIVE CONTENT	RELEVANCE TO ETHIOPIA
Art. 2, comma 3 Art. 5 on social and environmental impact assessment	Strong provisions for consultation of farmers before adopting and implementing legislation and policy that may affect them	It gives protection against land grabs and the consequence of the construction of the Gibe 3 dam
Art 17, comma 1, 3, 4, and 5 Art. 24, comma 2	It establishes strong land rights, at both individual and collective level, including customary land tenure not currently protected by law. It explicitly condemns eviction of farmers, including as a punitive measure or as a consequence of legislation	It gives protection against land grabs, both to individuals and in relation to large-scale land dispossession of small agro-pastoral groups, especially in the South West of the country Relativistic approach
Art. 17, comma 5	'Peasants and other people working in rural areas who have been arbitrarily or unlawfully deprived of their lands have the right, individually and/or collectively, in association with others or as a community, to return to their land of which they were arbitrarily or unlawfully deprived […]'	It promotes restitution of land

Art. 21, comma 1, 2 and 4	It established the right of access to water and to safe and clean water, and it provides for restoration from chemical and poisoning of water bodies	Highly relevant to water pollution in relation to mining (for instance in Guji area) and industrial agriculture (for instance in the lower Omo valley or in relation to floral industry in the highlands). It qualifies the curtailing of the Omo River regular flooding as an abuse.
Art. 23, comma 2 Art. 26, comma 1, 2 and 3	They protect traditional knowledge and medicinal plants. They affirm right to enjoy the farming community's own culture and freely pursue its cultural development	Relativistic approach
Art. 15, comma 4 and 5	Food sovereignty is recognised	Relativistic approach, by establishing self-determination by communities of farmers in agricultural development

Many of the relativistic principles established under this Declaration were already practised by some international organisations. The International Fund for African Development (IFAD) mandates all actors funded by them to apply the Free, Prior and Informed Consent (FPIC) in all projects likely to affect land access and/or use rights of communities (IFAD 2015). IFAD has also adopted a robust land tenure policy whereby customary, informal, and collective tenure of farmers must be seriously taken into account (IFAD 2008).

In practical terms, promoting the rights of smallholding farmers can be achieved by establishing a country-level platform on land issues, with active participation from Civil Society Organisations (CSOs) expressing the views of local farmers. This kind of initiative could be supported by the International Land Coalition, a global civil society association with specific expertise in this field. IFAD is the most suitable UN agency to finance the necessary concrete activities in support of farmers, as part of its regular international mandate.

Under the pressure of the Sustainable Development Goals to integrate development objectives with biodiversity conservation, due consideration should be given to the existence in Ethiopia of various subsistence-oriented agricultural, pastoral, and agro/pastoral systems with high biodiversity value. These systems are rooted in local and indigenous knowledge and customary governance, including collective land tenure, in ways that are unique to Ethiopia. They often ensure the conservation of endemic wild and agro-biodiversity. Specific attention should be given to them with the possibility of engaging farmers in improving their livelihoods without compromising the biodiversity and cultural value of their agricultural or pastoral landscapes.

In line with the *UN Declaration on the Rights of Peasants*, this should be done by fully respecting the food sovereignty[1] of the involved local communities. Agroecology and ICCAs/Territories of Life[2] provide tested and comprehensive approaches to achieve this goal. Several UN agencies and bilateral development cooperation may support such processes, including UNDP, UNEP, and FAO.

9.4 Customary Governance

The *Indigenous and Tribal Peoples Convention* (ILO 169) and the *UN Declaration on the Rights of Indigenous Peoples* (UNDRIP) are two key instruments of international law that legitimise customary institutions and laws, establishing their relevance to development. Customary elements, including collective territorial rights, gain significance in conjunction with procedural prescriptions, especially the Free, Prior, and Informed Consent (FPIC). Internationally, numerous local groups are developing 'community protocols' to enable external actors to properly adhere to the required procedures.

In Ethiopia, indigenous rights are not officially recognised. However, irrespective of the issue of indigeneity, Ethiopia possesses an extraordinary heritage of customary institutions. The FDRE Constitution already acknowledges the importance of customary law and delegates power to decentralised institutions and governmental units for the establishment and implementation of policies. There is no constraint on these decentralised organs to better implement the constitutional provisions for self-determination by creating their own governance and consultative mechanisms, in line with the core values of the various nations, nationalities, and peoples of the country.

The Oromo have pioneered significant experiences by informally involving *gadaa* leaders in governance related to development and inter-ethnic conflict (Bassi 2010; 2012).[3] This involvement extends to the field of biodiversity conservation. In an EU-funded project by SOS Sahel-Ethiopia, the juniper national forests in Borana were protected with the direct involvement of *gadaa* elders (Tache, Irwin

1 Food sovereignty is a human right developed by civil society in response to the global land grab. With art. 15 of the *UN Declaration on the Rights of Peasants* it has entered international law. It refers to self-determination in the field of agricultural development. Comma 4 of the same article provides the definition: "This includes the right to participate in decision-making processes on food and agriculture policy and the right to healthy and adequate food produced through ecologically sound and sustainable methods that respect their cultures".

2 For more information please refer to the ICCA Consortium website, `https://www.iccaconsortium.org/`.

3 Chs. 6 and 7 in this book.

2003). In 2007, *gadaa* leaders of the Borana, along with other elders and community representatives, delivered the Yaaballo Statement on the Borana Conserved Landscape, expressing the intention to conserve biodiversity by demanding control over the development process (Bassi, Tache, Sora 2008; Bassi, Tache 2011). *Gadaa* expresses the deepest values of the Oromo (Megerssa, Kassam 2019), and where it is still operative, it is the key institution regulating the allocation of land rights and the use of water. It operates through a diffuse link to all relevant rural residential and socio-economic units. Decisions are collectively made with full participation from all concerned extended families through an articulated range of thematic assemblies (Bassi 2005; Megerssa, Kassam 2019, 212-35). It is, therefore, possible to rely on *gadaa* as an advisory institution, with a 'custodianship' role of safeguarding the core values and key resources.

More generally, in Ethiopia, customary institutions can be involved in governance when dealing with policy, development, and conservation initiatives that may affect the well-being of rural communities. Through their established indigenous assembly institutions (Ayyaana 2019) or, where relevant, alternative institutional devices, they can give visibility to marginalised, disadvantaged, and otherwise 'invisible' rural communities.

9.5 Special Case: Lower Omo Valley

The construction of the Gibe 3 dam poses a serious threat to the survival of the peoples of the lower Omo Valley due to two significant side effects:

- Downstream elimination of the Omo regular flooding: the flood was key in watering the soil and fertilisation, in an extremely dry area. It was the environmental factors that allowed the subsistence of a dense population through pastoralism, flood-retreat agriculture, fishing, hunting, and beekeeping.
- Regularisation of water flow enabling irrigation and expansion of industrial agriculture: the government's policy of large-scale acquisition of the most productive territories in the lower Omo Valley implies massive-scale 'grabbing' of common land, displacement, and *de facto* forced resettlement.

Since the Gibe 3 dam has already been constructed, its environmental damage is irreversible. However, there is still much that can be done in terms of addressing its social and environmental impact. The challenge lies in the economic, social, and political disadvantage of these marginalised peoples, making solutions difficult to identify. This case demands special attention and requires the mobilisation of international support, experts, think tanks, and bilateral

development cooperation agencies. The intervention needs to be based on the self-determination of the Lower Omo Peoples, as defined in terms of indigenous rights.

As suggested by David Turton:

> […] a targeted and well funded programme of compensation, livelihood reconstruction and benefit sharing should be put in place. Amongst other things, this should focus on ways of integrating irrigated agriculture with subsistence herding. Above all, and given the knowledge, experience and expertise of the affected people, they should be the ones to take the lead in arriving at the most effective solutions and in planning specific strategies, with the government and NGOs playing a supportive and facilitating role. (D. Turton 2018, 61)

The redressive solutions may involve a thorough revision of the current plans, encompassing both the cost-benefit analysis of the dam and the allocation of land rights between investors, the government, and the indigenous communities.

9.6 Special Case: Internal Border Issue

Ethnic clashes related to internal administrative borders demand priority attention, necessitating a combination of measures. Each conflict has its local dynamics, preventing the identification of a solution useful for all contexts. However, certain general elements can contribute to the construction of peaceful local relations.

Kjetil Tronvoll has highlighted a feature of Ethiopian political culture that justified the disregard for minority rights as defined under international law. It consists of the idea that self-determination replicated at all administrative levels could protect the interests of minorities by channelling their demands through the formal governmental structure (Tronvoll 2000, 19). However, under conditions of absolute power exercised at the regional and local administrative levels, communities that find themselves as minorities within each administrative space are likely to face harsh abuses. This situation has led individuals and 'ethnic entrepreneurs' into a life-or-death struggle to obtain their own 'ethnically' connoted political space or to be included in it. Protecting minority rights with independent civil society and monitoring mechanisms would therefore be of great help.

As mentioned, each case of ethnic conflict needs to be addressed with *ad hoc* negotiation mechanisms. In this process, due consideration should be given to customary territorial rights and abuses that occurred in the demarcation of new administrative borders. The well-documented case of the Borana section of the Oromo along the

Somali-Oromo border illustrates that the government did not take a neutral position but sided with one or the other ethnic community based on its own strategic military and electoral objectives. As a result of this process, the Borana have been squeezed into a portion of their pre-1991 territory, losing access to key economic and symbolic resources, including ritual grounds and the sacred *tulaa* wells of Eel Goof and Eel Laee (Bassi 1997; Adugna 2004; Tache, Oba 2009; Bassi 2010).

Epilogue
In Praise of Oral Creativity

Summary 1 Introduction to the Epilogue. – 2 On the Borana Calendrical System: A Preliminary Field Report.

1 Introduction to the Epilogue

In this epilogue, I return to my research on the traditional calendar of the Borana carried out in the Sololo area (northern Kenya) in 1986, re-publishing the preliminary report published in 1988. I must admit that I have not undertaken any further systematic verification of the astronomical feasibility of the ethno-astronomical model presented here, for example by computer simulation. However, the model has been constructed through robust ethnographic research and has stood the test of time. Since the publication of the report, I have become aware of other studies that had anticipated some of the elements discussed in the article. Concerning the timekeeping system of the Mursi of southwestern Ethiopia, David Turton and Clive Ruggles (1978) had already pointed out that in lunisolar calendars such as the Borana's, 'institutionalised disagreement' about month and day can occur. This disagreement is eventually resolved by 'retrospective

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adjustments' of which the participants may not be aware. This feature is fully confirmed in the research report republished here, where the name of a lunar month may be repeated based on astronomical observation, thus adding an intercalary month, even if the participants do not explicitly refer to it as an 'intercalary' month: the *ayyaantu* (experts in observing the sky) simply adjust the names of the days and months to match the observed astronomical conjunctions between the stars and the moon.

Ten years later, Ruggles (1987) provided a critical assessment of Asmarom Legesse's ethnographic account of the Borana system of time reckoning (Legesse 1973). Using an astronomically based deductive approach, he was able to identify the shortcomings of Legesse's account and to hypothesise the basic mechanisms that I had discovered in my ethnographic work with Bante Abbagala. These include the fact that the system may work on the basis of the right ascension of the stars, the relevance of the sidereal months of 27.3 days, the presence of retrospective adjustment and the intercalation of days and months. When I wrote the research report here republished (Bassi 1988b), I was not aware of Ruggles' article. We therefore arrived at the same conclusions independently, using different methods.

If the ethno-astronomical model described here is correct, there are other consequential considerations worth highlighting. The first is that the Borana calendar is, to my knowledge, the only lunisolar calendar on Earth capable of maintaining correspondence with the seasons solely by evaluating the right ascension position of the celestial bodies, combined with the position and phase of the moon in relation to the stars. This is achieved without reference to regular natural events, the sun or the heliacal rising of the stars, and without the need for mathematically based corrections or intercalations.

The second consideration is that it is highly probable that the mechanism of month intercalation underpins the eight-year periodisation of the *gadaa* institution, even if this may not be consciously recognised by the participants. In fact, the intercalary month would have to be added in sequences of 3, 3 and 2 years, with a deviation that becomes significant after a few cycles. As mentioned in the introduction to this volume, the eight-year *gadaa* period is the fundamental segment in the Oromo concept of time and history (Legesse 1973; Megerssa, Kassam 2004; 2019).

The third consideration is that the Oromo calendar does not consist of the classical configuration of tables to be followed sequentially to determine the day, month and year. Instead, it is a system of decoding the positions of celestial bodies to ensure the maintenance of certain astrological correspondences: the name of the day and month is derived directly from the 'reading' of the sky. Specifically, a given position of the Moon in 27 sidereal sectors corresponds

to one of the 27 day names (*ayyaana*).[1] Each position of the celestial sphere relative to the horizon at a given time of day, evaluated indirectly by the phase of the moon, corresponds to one of the twelve names of the months (*ji'a*). As in many astrological systems, it is believed that the position of the moon in certain sidereal sectors corresponds to a certain characterisation or destiny for individuals born on that day (Megerssa, Kassam 2019, 121-7). Like all ceremonial calendars, every ceremony, every public or family ritual, and every ritual act within complex celebrations must be performed in a predetermined month (*ji'a*) and day (*ayyaana*). Among the Oromo, even the time of day devoted to certain ritual acts is strictly regulated. Consequently, due to the empirical process of cosmological decoding, every ritual act, including the rites and ceremonies for which the *gadaa* officers are responsible to ensure the well-being (*nagaa*) of their political community, must be performed when certain astral configurations occur, i.e. when the sky appears 'receptive', thus allowing the connection between man and *Waaqa Gurraacha* (the 'Black Sky', the unitary divine entity). This cultural construction seems to correspond to the concept of 'naturalistic philosophy' theorised by Antonino Serina (2023) for many peoples of Africa, classical antiquity and the Far East.

Some new data has emerged on the main issue addressed in the research report republished here, namely whether there is a relationship between the Borana calendar and the 'archaeo-astronomical' site of Namoratunga II found in northern Kenya. Based on the ethnography of the Macha and the Tulama in the agricultural highlands, Megerssa and Kassam have presented a more articulated system of Oromo time reckoning. They highlight the attention paid to equinoxes and solstices, assessed by the declination of the sun in relation to landmarks. They link this to the ancient centres of *Abbaa Muudaa* in the northern and central highlands of Ethiopia, and to New Year festivals that are particularly relevant in the agricultural highlands, including the current *Irreechaa* festival (Megerssa, Kassam 2019, 131-47). Today, the Borana are perfectly capable of determining the seasons without reference to the sun and without the use of landmarks to assess the declination of celestial bodies. This contrasting ethnographic evidence need not be seen as contradictory. It may simply be that in different parts of Oromia, *ayyaantu* (experts in observing the sky) use different components of the calendrical system, in different combinations. On the one hand, there are analogies between the system used by the highland Oromo and the declination-based functioning of the Namoratunga II site. The settings

1 Ayyaana means 'day', but it is also a complex religious concept, with many meanings, central in Oromo world-view (Megerssa 2005; Kassam, Megerssa 2019, ch. 5).

of Namoratunga II suggest the existence of some kind of stratification or the presence of a sacerdotal class, a feature that seems rather incompatible with the current organisation of the Borana Oromo. However, as Megerssa and Kassam (2005) point out, it is difficult to establish a direct link between Namoratunga II and the distant ancient centres of the Oromo in the Ethiopian highlands. On the other hand, we find the Borana living in the vicinity of Namoratunga II, but using a system based solely on right ascension. Nevertheless, it is difficult to dismiss the correspondence between the orientation of the Namoratunga II pillars in 300 BC and the stars used by the Borana and other Oromo today, as outlined by Lynch and Robbins (1978). These stars do not seem to stand out for any functional reason: they are not brighter than others, and their right ascension angular distance is not regular. This forces the *ayyaantu* (experts in observing the sky) into the complicated procedure of evaluating conjunctions with the moon described in the report here republished. It is therefore reasonable to assume that there are ritual, symbolic and historical reasons for focusing attention on these stars, until a new system of evaluation, compatible with pastoral livelihoods, was developed by the Borana Oromo or some of their ancestors.

The two systems of observation – using landmark pillars to check declination in Namoratunga II and right ascension conjunctions between the moon and stars by the Borana – may have co-existed for a long time, allowing comparison, evaluation and adjustment. Eventually, the astronomical shift in the declination of the stars due to the change in the orientation of the Earth's axis made the use of the pillars at Namoratunga II impractical.

2 On the Borana Calendrical System: A Preliminary Field Report

Several anthropologists, including Pecci (1941), Baxter (1954), Haberland (1963), and Legesse (1973), have collected data about the calendar of the Borana of northern Kenya and southern Ethiopia. Only Legesse organised his information in a system based on astronomical observation. However, Doyle (1986, 286-7) noted that his description appears to exhibit some astronomical incongruities. Doyle suggests a new interpretation of Legesse's data. This paper aims to present new field information on the calendrical system of the Borana. Most of the

Paragraph 1.2 is adapted from the following original publication: Bassi, M. (1988). "On the Borana Calendrical System: A Preliminary Field Report". *Current Anthropology*, 29(4), 619-24. https://doi.org/10.1086/203682.

data have been provided by my friend, Bante Abbagala, a respected elder and an expert in sky observation and the calendar (*ayyaantu*).

The Borana calendar appears to be unaffected by the patterns of the agricultural cycle. The sequence of months and days is perceived as cyclic, lacking a discernible starting point. This calendar primarily serves ritual purposes, with each ceremony designated to occur on a specific day (refer to Baxter 1954; Haberland 1963; Legesse 1973 for further details).

The astronomical nature of the Borana calendar demands specialised knowledge in sky observation, typically guarded and passed down from father to son. The individuals possessing this expertise, *ayyaantu*, are consulted by the community for various matters, including determining dates for rituals, weather forecasting, and divination. Those seeking consultations usually bring symbolic gifts such as a small amount of tobacco and/or coffee beans; these offerings are not considered payments. It is worth noting that *ayyaantu* share the same subsistence resources and engage in similar social activities as the rest of the community. They lack formal recognition or insignia; they do not constitute a corporation, nor do they regularly convene for meetings or consultations with one another. However, occasional exchanges of opinions may occur if they happen to meet.

According to Legesse, the Borana year comprises 12 named lunar months **[tab. 10]**. A lunar month (*ji'a*, the same word used for 'moon') corresponds to the synodic period of the moon, approximately 29.5 days. In the Borana context, a month starts on the day when a new moon is observed, making it either 29 or 30 days in duration (Legesse 1973, 180). In this paper, 'new moon' refers to the moon's first visible day after the astronomical 'zero phase'. It is noteworthy that the Borana new moon typically occurs one day after the astronomical new moon.

Legesse reports that the Borana year is 11 days shorter than the solar year, resulting in a lack of alignment between years and seasons (1973, 181). The calendar does not have weeks, but Legesse identifies a cycle of 27 named days, referred to as a "ceremonial month" (1973, 184). This ceremonial month, lasting for 27 days does not synchronise with the lunar month, which can be either 29 or 30 days long. Consequently, each lunar month commences on a distinct day or, more precisely, on a different set of two or three successive days (1973, 186) (refer to Table 10).

For a specific month to consistently commence on the same set of days each year, 13 ceremonial cycles (each spanning 27 days) must equal 12 lunar months (each spanning 29.48 days). As there exists a discrepancy of 2.76 days between the 13 ceremonial months and the 12 lunar months, Legesse posits that the system carries a yearly error of 3 days (1973, 184, 187). According to his account, this annual error does not accumulate because it is rectified through observations

Table 10 Borana months, their alternative initial days, and conjunctions used for calendrical correction according to Legesse (SOURCE: Legesse 1973, 183, fig. 7.2; 181, fig. 7.1)

Month	Alternative Initial Days	Conjunction		
		Between Waning Moon and Triangulum	Between New Moon and One of the Seven Stars	[Conjunction Number]
Birra	Gardaduma Sonsa Rurruma	14 (full moon)		[1]
Çiḳawa	Lumasa Gidada	12		[2]
Sadasaa	Ruda Areri Dura	9		[3]
Abrasa	Areri Ballo	7		[4]
Ammaji	Adula Dura Adula Balla	5		[5]
Gurranḍala	Garba Dura Garba Balla Garba Dullacha	3		[6]
Bittottessa	Bita Ḳara Bita L̇ama	1 (new moon)	Triangulum (Lami)	[7]
Çamsa	Sorsa Algajima		Pleiades (Busan)	[8]
Bufa	Arb Walla		Aldebaran (Baqqalcha)	[9]
Waçabajji	Basa Dura Basa Ballo		Bellatrix (Algajima)	[10]
Obora Gudda	Carra Ṁaganatti Jarra Maganatti Briti Salban Dura		Central Orion (Arb Gaddu)	[11]
Obora Diḳḳa	Salban Balle Balban Dullacha		Saiph (Urji Walla) Sirius (Basa)	[12]

of conjunctions between the moon and one of the seven stars or constellations on specific days (refer to Table 10, columns 3 and 4). Legesse suggests that conjunctions numbered 1 and, particularly, 7 serve as the year's checkpoints, utilised for error correction; when these astronomical events occur, the day is established through inductive reasoning (1973, 185).

A first astronomical discrepancy within the system described by Legesse has been highlighted by Doyle: the conjunctions numbered 7 through 12 in Table 10 cannot occur astronomically as indicated. Doyle, relying on the lunar sidereal rate, has calculated the moon's position at the commencement of each synodic month, starting from the conjunction between the new moon and Triangulum. According to Doyle's estimations, after one lunar month, the new moon and the Pleiades (no. 8) would indeed be in conjunction. However, at the beginning of the subsequent month, the new moon would rise slightly beyond Bellatrix instead of Aldebaran (no. 9), and in the subsequent month, it would rise past Sirius instead of Bellatrix (no. 10) (Doyle 1986, 286).

As an alternative explanation, Doyle entertains the possibility that the term "conjunction" might be interpreted as "rising single-file" rather than "rising with", as implied by Legesse. Under this interpretation, the moon and stars would be considered in conjunction when they shared the same "horizon position", with declination rather than right-ascension being the compared parameter. Doyle's hypothesis

gains support from the fact that all the conjunctions specified by Legesse align correctly if the 300 B.C. declinations of the seven stars are compared with the lunar declination between August 7, 1983, and July 28, 1984. The date 300 B.C. has been proposed by Lynch and Robbins (1978) for the archaeological site Namoratunga II (east of Lake Turkana), where 19 basalt pillars are believed to have served as reference points to establish the horizon position of the stars mentioned by Legesse. The astronomical function of these pillars has been scrutinised by Soper (1982). Doyle suggests that the Borana calendar might operate in terms of declination and speculates that it might have been devised around 300 B.C. (1986, 287).

The second astronomical inconsistency in the calendrical system described by Legesse pertains to the annual cycle. The Borana year, consisting of 12 synodic months (equivalent to 354 days), is 11 days shorter than the solar year (Legesse 1973, 180). According to Legesse (1973, 183, 185, 187-188), on the first day of the month *Bittottessa*, the new moon aligns with Triangulum. This alignment should theoretically occur every year. Given that a new moon consistently appears at approximately the same location in the sky (just above the western horizon) and at the same time (just after sunset), if observations are made at this time, the stars should occupy the same position in the sky, using the horizon as a reference, after one solar year. Therefore, if a conjunction between the new moon of the month *Bittottessa* and Triangulum is observed during a year, after 12 synodic months (at the commencement of the month *Bittottessa* again), the new moon will be sighted approximately in the same position in the sky. However, Triangulum will require eleven additional days to reach that point. On average, Triangulum will be approximately 11° to the east of the new moon. With each successive year, this angular distance will increase by 11° until it becomes untenable to consider the new moon of the month *Bittottessa* in conjunction with Triangulum.

The new field data I have collected reveal that the current Borana calendar does not rely on declination. Instead, each named day signifies a specific right-ascension lunar position, determined by the lunar sidereal period, which is approximately 27.3 days in duration. Since a month extends for about 2 days beyond the sidereal period, each consecutive month begins approximately 2 days after the completion of the 27.3-day cycle. The approximate 2-day shift in the cycle of 27 named days at the beginning of each subsequent month effectively aligns the sidereal and synodic lunar periods. To compensate for the 11-day disparity between the Borana year and the solar year, intercalary months are introduced, offering a practical adjustment mechanism.

The constellation of stars utilised to establish the days (*ayyaana*) and months (*ji'a*) is referred to as *urji Dahaa* **[tab. 11]**. These stars constitute the sole celestial references associated with the Borana

Table 11 Urji Dahaa (stars used by Borana as reference points)

Borana Name	Astronomical Name	Astronomical Position (2000.0)	
		Right Ascension	Declination
Lami	Sheratan (β Ari)	1h 55m	20° 48′
	Hamal (α Ari)	2h 07m	23° 28′
Busan	Pleiades (η Tau)	3h 47m	24° 06′
Baqqalch Sors	Aldebaran (α Tau)	4h 36m	16° 31′
Baqqalch Algajim	Bellatrix (γ Ori)	5h 25m	6° 21′
Arb Gaddu	Mintaka (δ Ori)	5h 32m	−0° 18′
	Alnilam (ε Ori)	5h 36m	−1° 12′
	Alnitak (ζ Ori)	5h 41m	−1° 57′
Baqqalch Walla	Betelgeuse (α Ori)	5h 55m	7° 24′
Baqqalch Basa Guddo	Sirius (α CMa)	6h 45m	−16° 43′
Baqqalch Basa Diqqo	Procyon (α CMi)	7h 39m	5° 13′

calendar. The position of the Pleiades is determined in relation to Alcyone, the brightest star within this group. The astronomical names have been assigned by identifying the stars as indicated by Bante on W. Tirion's charts (Menzel, Pasachoff 1983, 162-317). There are some differences between these data and Legesse's account:

- *Lami*, identified as Triangulum by Legesse, is denoted as Sheratan and Hamal according to Bante.
- *Baqqalch Walla*, designated as Saiph by Legesse, corresponds to Betelgeuse.
- *Baqqalch Basa Diqqo*, an eighth Borana star, is not mentioned by Legesse.

These variations highlight discrepancies in the identification of specific stars between the accounts provided by Bante and Legesse.

Astronomical observations are conducted each month over eight or nine successive nights when the moon approaches the eight stars. Bante determines the positions of celestial bodies by gauging the shortest distance between them and an imaginary north-south datum line, practically established by facing either east or west. Essentially,

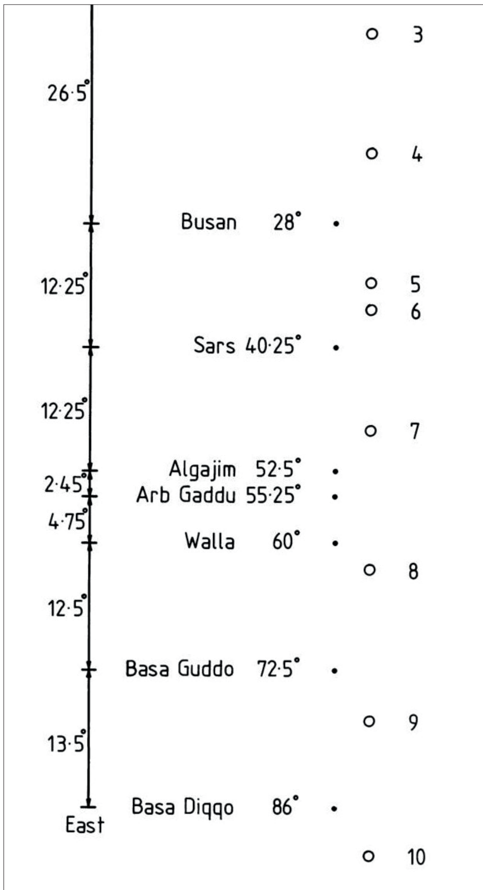

Figure 3
Observed conjunctions

only the right ascension is taken into account, with no consideration for declination. Figure 3 illustrates the right-ascension position of the relevant celestial bodies as seen and recorded over nine consecutive nights during my fieldwork.

In Figure 3, the first column on the left indicates the angular distance between two successive stars (or groups of stars) of *urji Dahaa*; the second column from the left reports the Oromo name of each star (for the equivalent astronomical name, please consult Table 11), followed on the right by the indication of the angular right-ascension distance from Sheratan, the westernmost star of *urji Dahaa*, and dots graphically indicating the position of each star; the small circles in the next column from the left represent the observed right-ascension

positions of the moon with respect to the stars in different moments, determined without instruments but using Tirion's charts (Menzel, Pasachoff 1983, 162-317), directly in the field; the column on the right reports the progressive number of each observation, with the corresponding night and time provided **[tab. 12]**. Positions 8 to 10 were determined with the aid of the astronomical almanac since cloud cover precluded direct observation. The group of stars identified as *Busan* by the Borana (Pleiades) is represented in the figure by Alcyone, while the group *Arb Gaddu* by Alnilam, the central one; both stars of *Lami* are shown because of their considerable angular distance and the important role of the western one, Sheratan.

On the initial night of observation, Bante said that if the moon appeared east of the western star of *Lami* (Sheratan) – between the two stars of the constellation – it would be considered in conjunction with *Lami*.

Position 1, September 20, 10 P.M.: The moon was situated west of *Lami*, and there was no immediate conjunction. However, confirmation had to be postponed until morning as the moon gradually moves eastward during the night.

Position 2, September 21, 5:30 A.M.: By this time, the moon had passed the first star of *Lami*. It could tentatively be considered in conjunction with Lami, but a conclusive assessment required verification on subsequent nights.

On the second night, following the provisional establishment of a conjunction with *Lami* from the previous night, an anticipation arose for a conjunction with *Busan*. However, this anticipation needed confirmation.

Position 3, September 21, 11 P.M.: Tentatively considered in conjunction with *Busan*.

On the third night, under the same assumption as the previous night, Bante tentatively predicted a conjunction with *Baqqalch Sors*.

Position 4, September 22, 11 P.M.: Tentatively considered in conjunction with *Baqqalch Sors*.

The fourth night served as a verification night: If the moon did not progress beyond (to the east of) *Baqqalch Sors*, the conjunction would be with Baqqalch Sors instead of *Baqqalch Algajim*, as anticipated. In such a case, the preceding interpretation of conjunctions would need correction.

Position 5, September 24, 12:15 A.M.: The moon remained west of Baqqalch Sors, but confirmation awaited morning.

Position 6, September 24, 5:30 A.M.: By this time, the moon had not yet reached *Baqqalch Sors*. Therefore, on this night, the moon was deemed in conjunction with Baqqalch Sors. The prior interpretation needed revision: Positions 1 and 2, no conjunction occurred; Position 3, conjunction with *Lami*; Position 4, conjunction with *Busan*.

Table 12 Summary of observed conjunctions

Night of Observation	Position of Moon	Date and Time	Conjunction
1	1	September 20, 10 P.M.	—
	2	September 21, 5:30 A.M.	
2	3	September 21, 11 P.M.	Lami
3	4	September 22, 11 P.M.	Busan
4	5	September 24, 0:15 A.M.	Baqqalch Sors
	6	September 24, 5:30 A.M.	
5	7	September 25, 1:45 A.M.	Baqqalch Algajim
6	8	September 26, 5:30 A.M.	Arb Gaddu
7	9	September 27, 5:30 A.M.	Baqqalch Walla
8	10	September 28, 5:30 A.M.	Baqqalch Basa Guddo
9	11	September 29, 5:30 A.M.	Baqqalch Basa Diqqo

From the fifth through the ninth night, observations followed a similar pattern to the second and third nights, with Table 12 summarising the observed conjunctions.

Bante's comments provide insight into the procedure for determining a specific conjunction. The first rule is that on those consecutive nights, there must be a conjunction of the moon with each of the stars in sequence, regardless of the actual distance of the moon from them. The challenge lies in establishing the correct sequence, pinpointing the night of the initial conjunction, and thus establishing a correspondence between the astronomical event and the solar day. To accomplish this, the *ayyaantu* rely on two precise celestial reference points: Sheratan (β Ari – the first star of *Lami*) and Aldebaran (α Tau – *Baqqalch Sors*). On the first night when the moon is situated east of Sheratan, a conjunction between the moon and *Lami* is deemed to occur. On the last night when the moon is positioned west of Aldebaran, a conjunction between the moon and *Baqqalch*

Sors is considered to occur. In both instances, the observations are made just before the moon and the star vanish due to setting or daylight. When there is a discrepancy in the information obtained from the observations of the two stars (as described in this case), the reference to Aldebaran (*Baqqalch Sors*) takes precedence.

The use of two points of reference on two different nights may stem from the possibility that one of the two observations might be unsuccessful. This could occur due to factors such as cloud obstruction or challenging visibility conditions, especially during twilight, when Sheratan, being the less bright star, may be difficult to discern. Using two reference points allows for greater flexibility and ensures that, even if one observation is compromised, the other can still provide valuable information for establishing the sequence of conjunctions.

A procedure of this kind lends considerable precision to the interpretation of a conjunction. A range of 1-2° in the position of the moon is to be considered reasonable in establishing whether the moon is to the east or to the west of a star (the *urji Dahaa* group is near the ecliptic).

In practical terms, only one star, *Baqqalch Sors*, holds true significance for determining a series of conjunctions. However, all the stars within the *urji Dahaa* group can be employed, regardless of their specific value as lunar sidereal markers. The *ayyaantu*, through experience, have a nuanced understanding of the limits within which the moon must appear to be considered in conjunction with each star. This knowledge allows them to establish a correlation between a specific day and an astronomical conjunction on any of the eight nights of observation. This approach proves particularly advantageous during the rainy seasons when observational conditions may be compromised on many nights. However, when the moon is in close proximity to a critical position, and the assessment of the conjunction is challenging, the *ayyaantu* must resort to using Lami (Sheratan) and, especially, *Baqqalch Sors* (Aldebaran) as precise lunar sidereal markers to ensure accuracy.

It should also be noted that the moon is not always in conjunction simply with the star closest to it; this is especially so because of the irregular distance between the stars of *urji Dahaa*.

According to Bante, the fundamental connection between astronomical events and the calendar lies in the fact that each time the moon is in conjunction with one of the eight stars of *urji Dahaa* on one of the eight successive nights, a specific day (*ayyaana*) recurs **[tab. 13]**. This appears to be the key principle of the Borana calendrical system. For instance, the day on which the moon is in conjunction with Lami is consistently *Bita Kara*. On the subsequent day, when the moon is in conjunction with *Busan*, the day becomes *Bita Balla* (equivalent to Legesse's *Bita Lama*, '*Bita* two'), and so forth. Therefore, the solar day derives its name directly from the star with which the moon

Table 13 Conjunctions and corresponding days

Conjunction	Day
Lami	Bita Kara
Busan	Bita Balla
Baqqalch Sors	Sors
Baqqalch Algajim	Algajim
Arb Gaddu	Arb
Baqqalch Walla	Walla
Baqqalch Basa Guddo	Basa Kara
Baqqalch Basa Diqqo	Basa Balla

is in conjunction. By applying this fundamental principle, Bante was able to define the appropriate name for each of the days of conjunction represented in Figure 3.

To denote the names of the 19 or 20 days between two successive series of conjunctions, the *ayyaantu* advance one position in the 27-day cycle every solar day. It is important to note that among the Borana, a solar day (24 hours) begins and ends at sunrise.

If one goes for 27 days shifting through the 27 day-names, will the name *Bita Kara* always recur when the moon is in conjunction with Lami? The 27.3-day length of the lunar sidereal period guarantees this recurrence. However, after about three sidereal periods, the 0.3-day deviation introduces a discrepancy of approximately one day. The *ayyaantu* promptly correct the sequential reckoning of the day-names based on astronomical observation. For example, if they observe the moon in conjunction with *Lami*, and the theoretical reckoning indicates *Bita Balla*, they will designate the day as *Bita Kara*. Thus, a solar day is approximately added every three sidereal periods to maintain the precise alignment in the Borana calendar, without formally acknowledging this correction.

A second important feature of the Borana calendrical system is the use of intercalary months. Similar to the adjustment for the 0.3-day deviation of the lunar sidereal period, the addition of an extra month occurs not at fixed intervals but through astronomical observation. The observation of the lunar phase plays a crucial role in this adjustment. Solar days can also be qualified by their lunar phase.

A lunar month is divided into three periods:

- *Bati*: From the day of the Borana new moon to the day preceding that of the full moon (usually 13 or 14 days).

- *Gobana*: The day of the full moon (a moon is considered full on the first evening that it has not yet risen at sunset).
- *Duqqana*: From the day after *gobana* to the day before *bati* (usually 15 days).

Each day of each period is numbered. It is important to note that these three periods do not precisely correspond to the astronomical waxing, full, and waning moon phases. While the lunar phase can generally be estimated within a couple of days by observing the width of the illuminated part of the moon and checking the time of its setting and rising, only on the nights of the new and full moon can astronomical observation provide a precise correlation between lunar phase and day.

Number	Month	Initial Day
1	Sadasa	Gidada, Rud
2	Abrasa	Areri Kara, Areri Balla
3	Ammaji	Adula Kara, Adula Balla
4	Gurrandala	Garba Kara, Garba Balla
4a	Gurrandala (bis)	Garba Dullach
5	Bittottessa	Bita Kara, Bita Balla
6	Chamsa	Sors, Algajim
7	Bufa	Arb, Walla
8	Wachabajji	Basa Kara, Basa Balla
9	Obora Gudda	Maganatti Jarra, Maganatti Briti
10	Obora Diqqa	Salban Kara, Salban Balla
10a	Obora Diqqa (bis)	Salban Dullach
11	Birra	Gardadum, Sons
12	Chiqa	Rorrum, Lumasa

Table 14 Correlation of sidereal and synodic lunar periods

Table 14 illustrates the set of two or three successive days on which each month begins (*Kara* is equivalent to Legesse's *Dura*). This correspondence remains consistent every year, and the *ayyaantu* know it by heart. A similar correspondence, with some ethnographic variations, is expressed by columns 1 and 2 of Table 10. The first day of a month corresponds to the day of the new moon. Thus, the table establishes a correlation between the sidereal and synodic lunar periods.

This correlation allows the *ayyaantu* to determine the month by combining the observation of conjunctions with the observation of lunar phases. The first type of observation yields the name of a day, while

the second provides the lunar phase of that day. By using these pieces of information, the name of the first day of the month (new moon) can be easily derived. This procedure is especially useful for deciding when an intercalary month is needed, as explained by Bante referring to the series of conjunctions reproduced in Figure 3 and Table 12.

During the month of *Obora Diqqa*, Bante carefully monitored the lunar phases, counting days after the new and full moons. On the day *Bita Kara* (the second night of observation when a conjunction between the moon and Lami occurred), the moon was on the third night of *duqqana*. As *duqqana* (approximately waning moon) usually lasts 15 days, Bante progressed by 13 positions in the cycle of 27 named days (Table 10, column 2), starting from Bita Kara, to determine the expected name of the first day (new moon) of the following month, *Birra*. The outcome was *Salban Dullach*. However, as according to the correlation represented in Table 14 the month *Birra* cannot start on this day, Bante suggested that the month *Obora Diqqa* was likely to be repeated (Table 14, no. 10a). A verification of the following new and full moons was necessary, as *duqqana* does not always last 15 days.

According to Bante, only two months can be repeated: *Gurrandala* and *Obora Diqqa*, which are indeed the only months that can begin on a set of three successive days. The indication of the third day in Table 14 (labelled 'bis' in the table, nos. 4a and 10a) signifies the repetition of the month. Therefore, when the combined observation of conjunction and lunar phase suggests that the new moon of *Bittottessa* occurs on the day *Garba Dullach* instead of *Bita Kara* or *Bita Balla* as expected (Table 14, no. 5), the *ayyaantu* assert that the month starting with that new moon is not *Bittottessa* but *Gurrandala* again (no. 4a). Similarly, if the new moon of *Birra* occurs on *Salban Dullach*, that month will be called *Obora Diqqa* again (no. 10a). *Gurrandala* and *Obora Diqqa* are particularly suitable for repetition because the months immediately following them are characterised respectively by a new and a full moon directly in conjunction with the stars of *urji Dahaa*.

Let us examine the astronomical feasibility of this system. The new moon of *Bittottessa* is anticipated to emerge in conjunction with *Lami* or *Busan*. Due to the 11° lag of stars compared to the new moon after each Borana year (12 synodic months), the new moon of *Bittottessa* will gradually appear to the west of *Lami*. This astronomical scenario indicates that the day is *Garba Dullach*, and consequently, *Gurrandala* must be repeated. During this intercalary month, on average, the new moon moves about 389° to the east relative to the stars. This signifies that it completes an entire revolution plus 29°. As a result, the subsequent new moon (commencement of *Bittottessa*) will once again be observed in conjunction with *Busan*.

In summary, the Borana calendar operates by determining the names of days based on the right-ascension position of the moon in relation to the stars. By consistently initiating the month on the same set of 2-3 days, the 11-day difference between a Borana and a solar year is rectified by inserting an intercalary month approximately every three years, through astronomical observation. Since seasons are tied to the solar year, there exists a correspondence between the Borana year (with the adjustment) and the seasons.

The presented data highlight a distinction from Legesse's ethnography. While Legesse considered the 27-day cycle as merely a 'ceremonial month', the information here demonstrates that it also corresponds to the lunar sidereal period, lasting 27.3 days. The 0.3-day deviation is adjusted through astronomical observation. Consequently, the yearly "3-day error" is practically non-existent, as the *ayyaantu*, at various points in the year, simply wait one day before continuing the computation of day-names. Another disagreement pertains to the intercalary month. Legesse's description of the seasons and what has earlier been referred to as the 'second astronomical inconsistency' are rooted in the absence of intercalary months in the calendrical system he depicted.

The conjunctions numbered 7-10 in Table 10 pose a challenge, leading to Doyle's hypothesis that they operate in terms of declination. Legesse's statement (1973, 181), 'In six out of twelve months, the seven constellations appear successively, in conjunction with the moon', should probably be read as a succession of conjunctions over eight consecutive observations on eight consecutive days every month, rather than the conjunctions between the new moon and the stars in each successive month. Nonetheless, Legesse's indication that the calendrical system operates based on the right ascension of heavenly bodies aligns with the field data presented here. Bante does not consider the declination of the moon and stars for calendrical purposes.

While the 'declination' interpretation does not apply to the current calendrical system, Doyle's hypothesis remains interesting in the context of a hypothetical prototype. Changes in the declination of the stars might have led to a shift in the system from declination to right ascension over time.

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Ethiopia is a multi-ethnic and multi-national state with historically complex and often contentious internal relations. This book explores the history of the *gadaa* system, hailed in the post-colonial context as a paradigmatic example of African democratic institutions and a powerful symbol of Oromo political emancipation. This customary institution has undergone a revival independent of international indigenous rights frameworks and now holds significant potential as a mechanism for protecting the common resources of communities and peoples in the Oromia region of Ethiopia. The first part of this volume is devoted to describing the *gadaa* institution among the Oromo-Borana, where it continued to operate throughout the nineteenth century, a period in which it almost disappeared in other Oromo areas. The second part outlines the history of top-down interactions with customary institutions in Oromo-Borana areas, addressing national and international development, biodiversity conservation, and especially politics and inter-ethnic conflict. The third part broadens the focus from the Borana to the wider Oromo and Ethiopian contexts.

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