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# Nigeria: Face acts in alternative dispute resolution television program. The case of *Ìgbìmo Ìpètù*

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**Abstract:** The concept of alternative dispute resolution (ADR) has largely been under explored from the linguistic lens, particularly in the Nigerian context. This study thus provides a scholarly intervention in this regard. Drawing insights from Brown and Levinson's face theory, four randomly sampled recordings of *Ìgbìmo Ìpètù*, an alternative dispute resolution television pro-

gramme on the Ekiti State Television (EKTv) in southwestern Nigeria was analysed in this study. Focus was placed on the face acts as well as their pragmatic functions in the programme. Findings revealed that bald on-record face-threatening acts (FTA), bald off-record FTA and positive face acts characterized the discursive interaction of participants on the programme. While bald on-record and off-record FTAs were deployed by the panel to criticize and condemn actions considered unsavory on the part of complainants and the accused, complainants and accused persons deployed on-record FTAs to protest/redress the panel's decisions found unacceptable. The panel used positive face acts as a general principle in the interaction, particularly with cooperative accused persons, while accused persons deployed positive face acts to negotiate the discursive interaction and for face-damage repair.

**Keywords:** Alternative dispute resolution, dispute and media, face acts.

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## Introduction

Ideologically, the Yoruba, like every other group of people particularly in Africa, had their peculiar way of resolving disputes and crises, even long before the importation of the Western system of adjudication in the country. As a peace-loving people (Ajayi, 2017), they understand issues, misunderstandings and grievances not properly and swiftly managed could result in conflicts and chaos in the society. Ajayi and Buhari (2014) note that the adjudication system of the Yoruba thrives on collective wisdom and traditional knowledge of their forebears. To stress the dynamics of the Yoruba adjudication system, Olaoba (2001) reports that age and seniority are reckoned with. In line with this practice, in cases of dispute resolution, elders (considered on the basis of age and seniority) are often being called upon. Such elders usually sit under a tree, listen to the arguments and counter-arguments of the aggrieved parties until a peaceful resolution or conclusion is reached. This practice, although has been pushed to the periphery of the socio-political life of the people, particularly with the adoption of the Western system of resolving issues in the Nigerian space, still holds sway in some core areas of life of the people. And perhaps as a way of preserving this age-long practice of dispute resolution system among the people, virtually all the major television stations (as owned by their respective state governments) across the six states in southwestern Nigeria, predominantly occupied by the people, have one form of alternative dispute resolution program or the other. One of such programs is *Ìgbimo ipètù* (a committee of settlement or resolution) which presents a platform for people with all manner of civil cases to air their grievances. From observation, one major tool central to achieving the pragmatic goals of such programs is language.

Unfortunately, while many studies have examined (alternative) dispute resolution mainly from the perspective of media, and conflict resolution studies, less attention has been paid to it from the linguistic orientation. Thus, a study of this nature, which focuses on the strategic deployment of linguistic resources in Yoruba alternative dispute resolution system, is apt. This study is significant in that it graphically demonstrates the Yoruba practice of manipulating 'the word' (*ọrọ*) in the management of their daily affairs, especially as it relates to dispute management. The specific objectives of this study include finding answers to the following questions:

- What face strategies are used in alternative dispute resolution in Yoruba?,
- What contexts are these strategies deployed?
- What are the pragmatic goals of the use of these face strategies in dispute resolution discourse, as represented by *Igbimo ipetu*?

## **An overview of dispute and alternative dispute resolution discourse and scholarship**

Yates (2003) defines dispute as a claim which is not resolved between two or more parties, and is thus escalated. Black (2009) defines disputes as a controversy or conflict of rights or claims, an assertion of a demand, allegations or claims by another. As noted by Gould (1999), disputes are time consuming and costly to the parties involved, and additionally jeopardize a constructive and amicable relationship between/among them. And one of the strategic means of resolving disputes is the alternative dispute resolution (ADR). The ADR is usually less formal, less expensive and less time-consuming than a trial. The ADR can also give people more opportunity to determine when and how their dispute will be resolved. A typical example of the alternative dispute resolution system is the African Traditional Conflict Resolution system. In resolving disputes, the African traditional values, perceptions and ethics are put to play. Brock-Utne (2001) asserts that “all over Africa, people have deep trust in the alternative dispute resolution” (p. 8). This type of resolution is acceptable by the disputants and their trust in this body has always been the reason for accepting whatever the group resolves. Dispute resolution processes consist of two main classes: those that reserve authority for resolution to the parties themselves and those in which a third party decides the matter (Lucille & Cavenagh, 1991). As explained by Schwartz (n.d), the ADR includes a number of conflict resolution processes such as unassisted negotiation, mediation (otherwise called facilitated negotiation) fact-finding, early neutral evaluation, dispute review boards, standing neutrals, summary jury trial, mini-trial and arbitration. Essentially, these processes help minimize cost, the time involved, the uncertainty of a decision by a judge or jury, as well as ensure privacy and business relationships. It is considered more flexible than litigation.

Within the Nigerian context, a number of studies, particularly in the fields of sociology, law, and communications have explored different dimensions of ADR in Nigeria. Some of these studies include Orji (2012), Oni-Ojo and Roland-Otaru (2013), Ige (2017), Nwazi (2017), Matawal (2018), Uzuegbunam and Omenugha (2018), and Iseh (2020), among others. For instance, Orji (2012), from the lens of the nexus between technology and law, explores the possibilities of deploying the Information Communication Technology tools for dispute resolution, as well as its challenges. Orji claims the deployment of ICT platforms serves as an effective means of dispute resolution which should be extensively keyed in to in the Nigerian context. In the spirit of the arguments of Orji (2012), Oni-Ojo and Roland-Otaru (2013) emphasize the need to embrace the ADR in place of the litigative options which have not really achieved much in addressing the many socio-religious crises and conflicts that have defined the contemporary African space in general and Nigeria in particular. Ige (2017), within the legal framework, explores the contextual dynamics to the workings of alternative dispute resolution, employment relations and

collective conciliation in Nigeria, with particular emphasis on the roles of different stakeholders such as trade unions and employers in reconciliatory processes. The work reveals the institutional weaknesses of state machinery constitute a major problem to conciliatory process within the Nigerian space. Nwazi (2017) examines the use and effectiveness of alternative dispute resolution in the resolution of environmental-related issues/disputes in the Niger Delta region of Nigeria. Nwazi notes that the ADR has helped address the issues of delays, high costs, and technicality associated with litigation in the region. Matawal (2018), and Uzuegbunam and Omenugha (2018), coming from the angle of communications and media studies, reiterate the role of the media in the resolution of disputes and conflicts in the Nigerian society. To a large extent, both studies accentuate the fact that the media has not really lived up to expectation in the management and resolution of disputes and crises in Nigeria.

Away from the domain of legal and communications studies that have extensively explored the phenomenon of ADR in Nigeria, few linguistic studies are equally worthy of mention in this study. For instance, Ogwuche (2016), Oyedele (2016) and Ajayi (2017) have examined three different dispute resolution television programs (*Ijoko Ojogbon*, *Mogbejomide*, and *Sodaabe*) on television stations in Ondo, Lagos, and Oyo states, respectively. The works, although from three different theoretical perspectives, thematically focus and give insights into how participants in Yoruba dispute resolution interactions are guided by the principles of *omoluabi*, a phenomenon that is very central to the Yoruba value system. While it could be argued that these works have essentially engaged the ADR in the media from the linguistic lens, it is important to add that the current study, which sources data from another Yoruba dispute resolution television programme, provides a fresh and additional perspective to the study of media and dispute resolution in Nigeria. Besides, it is a further engagement of the face/politeness theory of Brown and Levinson which has been heavily critiqued, criticized and commended in linguistic scholarship.

### **Theoretical orientation:**

#### **Brown and Levinson's face (acts) theory**

Although the notion of face was introduced to linguistic studies on interactions by Goffman (1967), the notion has been largely theorized and popularised by Brown and Levinson (1978, 1987). It has become the most influential theory on politeness (Sadeghoghli & Niroomand, 2016), and has equally been vital in the study of speech acts (Hobbs, 2003; Ji, 2000). As reported by Sadeghoghli and Niroomand (2016), three elements are central to Brown and Levinson's face theory, namely face, face-threatening acts (FTAs) and politeness strategies. Accordingly, face refers to the public self-image that every member (of a society) wants to claim for himself (Brown & Levinson, 1978, 1987). Thus, individual members of the society have two main face desires/wants: the desire to have their freedom being respected; have their claim to personal territories

being acknowledged, and generally the desire to be free from imposition. This is called the negative face want (negative face). The other face desire is that their personality be respected and their self-image be appreciated. This is called the positive face want (positive face). As such, every utterance has the potentiality of constituting a face-threatening act, either to the negative or positive face of individuals. And since, according to Brown and Levinson, many speech acts are naturally or inherently face-threatening, there is need for politeness to mitigate or redress the imports of face-threat inherent in them.

Thus, speech acts are performed along the lines of positive politeness, negative politeness, and off-record politeness. Positive politeness is geared towards supporting or enhancing an individual's positive face, while negative politeness is aimed at softening the encroachment on an individual's freedom of action or imposition. The off-record politeness revolves round flouting the Gricean (1975) maxims on the assumption that the addressee is able to infer the meaning intended. Usually in discursive interactions that involve the performance of face-threatening acts, the speaker decides whether to perform it or not. When the speaker decides to perform it, they can choose to do it directly or indirectly. When it is done directly, it is on record, but when done indirectly, it is regarded as off-record. When the speaker chooses to do it without any consideration for the hearer's face, it is done 'baldly', but when they choose to attempt to reduce the face-threatening effect to the hearer's face, they either deploy positive politeness or negative politeness.

Face threatening acts, an attack on the face of a hearer by a speaker, could come in form of abusing the hearer, encroaching the hearer's space, not attending to the request of the hearer, and condemning the action of the hearer, among others. The choice of whether or not to perform an FTA is predicated on the weight or seriousness of the FTA. For instance, the speaker considers the degree (a culturally and situationally defined ranking of impositions by the degree to which they are considered to interfere with an agent's wants of self-determination or of approval, Brown and Levinson, 1987: 77) of the imposition associated with the FTA. Similarly, the speaker can consider the relative power of the hearer, defined as "the degree to which the hearer can impose his own plans and his own self-evaluation (face) at the expense of the speaker's plans and self-evaluation" (Brown & Levinson, 1987).

According to Brown and Levinson (1987), "Face Threatening Act" comprises any speech act capable of constituting a threat to the positive or negative face of the hearer. Some of these include orders, suggestions, requests, warnings, disapproval, criticism, contradiction or threats to the speaker, thanking, minimizing hearers debt, transgression, apology, acceptance of compliment, and confession, among others. The schema below is a diagrammatic representation of the workings of the face act theory:

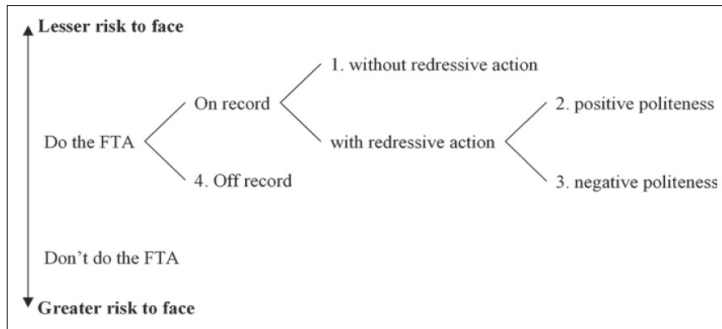


Fig. 1. Brown and Levinson's strategies for doing an FTA (1987, p. 69)

From the schema above, it is seen that performing the act bald on record is the most threatening strategy, while the least threatening linguistic strategy is performing the FTA off record (indirect performance). In between these two are on record FTAs, with or without redressive actions: positive politeness, with emphasis on positive face wants; or negative politeness, with emphasis on negative face wants. The adoption of face (act) theory in this study is predicated on the strategic use of face strategies by participants in *Igbimo Ipetu* discursive interaction to achieve certain pragmatic goals, aimed at achieving peace in the society.

## Research methodology

The data for this study comprised four recorded editions of *Igbimo Ipetu* weekly aired on the Ekiti State Television with the primary aim of providing an alternative resolution to disputes among the people of the state. The four randomly sampled editions were representative of the ten editions, comprising fifteen cases initially recorded (after appropriate approvals have been sought and granted by the authorities of the station) between 2019 and 2020. The recorded sessions focused on cases such as land dispute among siblings, caretaker-tenant disagreement, disputes among members of social clubs/associations, and debt, among others. Data, comprising interactions mainly in the Yoruba language, being the official language of the programme, were transcribed into texts and appropriately translated into English. Data analysis was done within the purview of Brown and Levinson's (1978, 1987) face theory. However, for ethical purposes, the names of the various participants in the interactions were coded using letters from the English alphabet.

## Data presentation and analysis

This section focuses on the discussion of the data for the study. In reference to the participants, the following codification is done: M represents the moderator (who contextually assumes the position of the judge in the interaction), J1 represents the first jurist,



J2 represents the second jurist, while J3 represents the third jurist, ACC represents the accused and the COM represents the complainant. The various face acts observed are identified and discussed with relevant excerpts from the data.

### **Bald on-record face-threatening act(s)**

#### **Case 1: Loan and money issues**

Background information: *A woman reported the chairperson of a cooperative society to the panel. She applied for a loan but she was denied because her husband was accused of mismanagement of funds when he was the chairman of the association.*

#### **Excerpt 1**

...

**M:** Báwo ni ẹ ẹ san owó obìnrin yíí?

*How do you intend to pay this woman?*

**ACC:** A máa fún un ní ₦6000, ni oṣoṣù....

*We will paying her ₦6000 monthly*

**M:** ìgbàwo ni ó ma kan òhun bá yíí?

*When will it get to her turn to receive loan?*

**ACC:** Ni oṣù kejì ọdún ni ó ma rí owó naá gbà

*She would get it in the second month of the year*

**M:** (to COM) Sé ó tẹyín lórùn?

*Is that okay by you?*

**COM:** (Nods in the affirmative)

**M:** (to the ACC): À màa retí yín ní oṣù kejì ọdún o, nítorí ẹnu yín dùn bá yíí o, kíi ẹ pé kí o di ìgbà yẹn, kí ẹ má wa sọ nìkan mí fún wa o. Nígbà yẹn, kíi ẹ ẹyin àti òun mọ o. Ẹyin àti àwa ni.

*We would be expecting you by the second month of the year; because your mouth is sugar-coated now and we won't want any excuse whatsoever by then. If you fail to comply, the issue will no longer be between the two of you but between you and us.*

**ACC:** Àwa kíi sọrọ ka má mu un ẹ.

*We don't make empty promises.*

**M:** Ọlórùn nìkan ni asọrọ máyẹ

*It is only God that does not fail on His words.*

...

**M:** Èni tí o ni owó kò gbọdọ pe egbé, egbé náà kò gbọdọ pe àwọn èyàyan jọ fún ọrọ yí. Kò gbọdọ sí ifọrọ tamí ọrọ. Sé ẹ ti gbọ bá yí? Ó ti gbà nígbà tí òun náà mò pé àtẹ̀nímóní kò tó àtànámà ná... Látí ònílọ, a à fẹ gbọ pé ẹ ní lẹ káàkiri.

*The complainant should never call the members of the club/association, neither should the club/association call any meeting over this issue. No exchange of words. Have you heard that? She has accepted, knowing the promised date is close. Henceforth, it should not be discussed with anyone.*

Although a number of face strategies (as will be presented in subsequent excerpts) are employed in this excerpt, our focus is the use of bald on-record face-threatening act therein. From the interaction, it is obvious that the accused (ACC) has technically accepted the fact that her action of denying the complainant's request/application for loan, being a qualified member of the association who has the 'constitutional rights' to access such in line with the regulations of the association, is wrong and not acceptable. It is considered an infringement on the rights of the complainant to have access to loan facilities as a *bonafide* member of the association. She then promises to redress the situation by ensuring the complainant is paid in installments. As a way of holding her by words and ensuring she lives up to expectation, the moderator (M) employs the bald on record face-threatening act to probe the promissory statement of ACC. In his words: 'À màa retí yín ní oṣù kejì ọdún o, nítorí ẹnu yín dùn bá yí o, kíi sẹ pé kí o di ìgbà yẹn, kí ẹ má wa sọ nńkan mi fún wa o. Nígbà yẹn, kíi sẹ ẹyin àti òun mò o. Ẹyin àti àwa ní'. 'We would be expecting you by the second month of the year; because your mouth is sugar-coated now and we won't want any excuse whatsoever by then. If you fail to comply, the issue will no longer be between the two of you but between you and us'. This is a very serious face-threatening statement that subtly calls to question the integrity of ACC and one that is aimed at making her commit herself to the promise she has made.

The statement, when weighed on the scale of the principles of face-threatening acts of Brown and Levinson (1987), for instance, could be conceived as 'doubting the other' face-threatening act. Similarly, the subtle threat that should ACC fail to fulfil her promise, it would turn to be a matter between her and the panel is a face-threatening act meant to overwhelm her, ensuring that she does not fail to live by her words. Understanding this as a face-threatening statement, ACC attempts to 'repair' and project her positive face (that has been threatened by M) as a 'responsible' individual who keeps her promises and thus responds 'Àwa kíi sọrọ ka má mú un sẹ'. We don't belong to the category of people who go back on their words', with the major aim of mitigating the face-damaging imports of M's statement. In reaction, M further threatens the positive face of ACC with a caveat or caution that it is only God that has the ability to keep to His words. This linguistic practice is strategically deployed to ensure ACC remains committed to her promise and to send a warning signal to her that failure to do as she has promised might attract serious consequences. Of course, the seriousness of the possible consequences of

any breach of 'agreement' by ACC is jointly shared by M and her, based on their shared common ground on the power of the media possessed by M. The media is a powerful tool in creating positive and negative image for people, and since ACC would not want a negative image being created for her by the media, on whose platform M operates, she would want to do her best to fulfil her promise.

The use of bald on record face-threatening act also features in the concluding part of the excerpt where M unmitigatedly gave standing instructions that restrain the activities of the two aggrieved parties, directing them not to call each other or discuss the matter with people henceforth. The statement constitutes a threat to the negative face of ACC (as well as other members of the association) and COM who have had their freedom to take further actions regarding the matter at hand restrained by the order of M. Although M, being a culturally competent speaker of Yoruba who understands linguistic diplomacy in the culture, knows the weight of his linguistic action (giving an order, especially to full-grown adults) as such that is face-threatening, he nonetheless chooses to go this way to prevent and foreclose the possible crises that might ensue between/among the aggrieved parties if left alone to go about the matter the way they want. This is done with the ultimate aim of achieving the overall goal of the exercise—ensuring peace among the individuals even after their grievances must have been settled.

## Case 2: Rent, security and electricity bill issue

Background information: *The complainant brought the case of a tenant that has allegedly owed rent for a year. The tenant (accused) allegedly insisted that he had spent the rent on room renovation. He (the tenant) also denied owning the security and electricity dues as claimed by the agent (complainant).*

### Excerpt 2

...

**M:** Sùgbón a ti yanjú rẹ.

*... But we have resolved it*

**COM:** owó ilé nìkan lẹsọ, ẹnì ka wá lẹjọ mejọ òní fún owó olọdẹ.

*You only talked about the rent, and you told us to come for the security due as well next week*

**M:** owó ilé nìkan ni a sọ, a nípé ẹ kílẹ ẹ olọdẹ tàbí BEDC<sup>1</sup>, àti pé ilé tí à ń sọ yí, ẹjọ ò bá sẹ e tò tí a bá rí landlord ilé yí. Agent ni yín tí ẹ ń bá èyàn fa wàhálà...ẹ ń sọrọ owó olọdẹ, owó iná, èyin dẹ kọ ni ẹ ni ilé.

---

1 The electricity company that manages power distribution in Ekiti State.

*We are only resolving the rent matter because you are neither a security personnel nor a BEDC officer. This case would have been easily resolved if the landlord is here. You are just an agent that is troubling the tenant. You are requesting for security and BEDC dues and you are not even the landlord.*

**J1:** A sì sòrò kan ní ọjó nàà tí ẹ bá rántí, bí ẹ ti fa ọrọ yẹn kò yẹ kó rí bẹ́. Nítorí anfààní ní ẹ ní, ọkùnrin yẹn ní òun sàlàyé fún un yín irú ipò tí òun wà. Ẹ ripé a pa òwe kan ní ìjéjọ yẹn tí ó bá jẹ Yorùbá ni yín.

*We said something the other time, if you could remember. You have really dragged this matter beyond the necessary point. You are only privileged and the man explained his state of ill-health/condition to you. We made a proverbial statement last week if you a really Yoruba.*

A critical appraisal of the interaction above reveals that the panel is not too pleased with the action of the complainant who claims the accused owes some debts which he must pay. While M is trying to assert his position that the whole issue has been resolved, COM insists not all the issues have been resolved as they (ACC and COM) have been asked to come the following week to clarify all other issues regarding other bills he claims ACC is owing. This counter-response to the submission of M that the whole issue has not been resolved is a bald on record face-threatening act that challenges his position (as the judge in the case). This linguistic behavior of ACC falls within the range of 'disagree with the other' face-threatening act of Brown and Levinson (1978, 1987). Not pleased with the subtle protest by COM, M consolidates on his initial bald on record face-threat to him (as presented in the initial part of the interaction as excerpt 1). He points to him no attention would be paid to the other bills mentioned by him (which amounts to 'ignore the interest of the other' face-threatening act). He further paints COM as a fellow usurping the powers of the landlord when he in actual fact is just a 'care-taker'. Another member of the panel, J1, further compounds the situation by telling COM, without mincing words, that he just wants to take undue advantage of ACC, knowing full well he is 'helpless' in the situation, and particularly given his state of health (and perhaps low status relative to him). The import of the face-threat inherent in the response of J1 in particular would best be appreciated when contextualized within the Yoruba socio-cultural system. In the Yoruba culture, a lot of pragmatic goals are achieved through proverbs, including warning, correction, and encouragement, among others (see Odebunmi, 2008), and a typical Yoruba fellow is expected to relate to the contextual goal of the use of a particular proverb at a particular point in time or in a given context. That is one way of demonstrating cultural competence in the language and culture. Thus, his (J1's) statement 'if you are Yoruba, you would realize we made a proverbial statement in our last interaction' inferentially projects COM as a fellow who has not acted acceptably and as such should reconsider his position on the issue at hand.

### Positive face (saving) act

As discussed earlier, positive face revolves around the desire of a speaker to have his/her personality respected and their self-image appreciated. The excerpts below manifest instances of the use of positive face strategy to achieve certain goals.

#### Case 3: Extra deduction of loan

Background information: *A group of people brought the case of a man in charge of loan disbursement, who had been alleged of financial misappropriation. He had been called on several occasions but failed to appear before but finally showed up in this edition.*

#### Excerpt 3

**M:** Alagba FF, ẹ kaábọ o, a ti pe yin titi...

*Welcome Mr. FF, it has been a while we have invited you*

**ACC:** Ẹ sé olódútú àti àwọn ìgbìmọ. Mo tọrọ àforìjì níwájú yín pé ó ẹe díẹ kí n tó wá...ó jẹ kí n ní ìgbàgbọ nínú yín pé ẹ kì í ẹe alágbàgbèbè tàbí agbọ-ẹ̀nìkan-dájọ...mo sì ri pé, ẹ tò, ẹ ẹe é sá tọ, tí ẹ é sì bá wa yanjú ìṣòro tí a bá wá bí.

*Thank you, moderator and members of the panel. I am deeply sorry for coming later than expected...I have deep trust in you and that you are not hypocritical or biased in your adjudication... this programme is one that could help resolve any dispute brought before it.*

**M:** Ẹ sé.

*Thank you*

In the opening part of the excerpt, M appeals to the positive face want of ACC by welcoming him on the program, despite failing to show up prior to this time. Perhaps this is done in acknowledgement of the fact that it is a 'privilege' that ACC has accepted the invitation of the panel as he is not under any legal obligation to appear before it. It is a general practice by the panel, especially as represented by M, to welcome whoever is invited on the program, irrespective of the level of accusation against them. Having done this, he (M) then asks why it has taken long for ACC to respond to the invitation by the panel. In his response, ACC projects his own positive face, deploying the 'apologize to the other' positive face act/strategy to boost the ego of the members of the panel, by acknowledging the fact that not answering the invitation of the panel was not appropriate, but that it was not deliberate. This is in line with the Yoruba ideological proverb that '*ti elejo ba ti mo ejo re lebi, ki n pe lori ikunle*' which translates as 'a fellow who has done something wrong acknowledges the fact that he has done wrong, such does not spend much time observing/serving punishment'. The fellow here, being a cultured Yoruba person, understands his action of not answering the invitation of the panel on

time could be interpreted as a mark of disrespect, rudeness, and arrogance (a mark of face-threat to his positive face), and in order not to project himself as one (maintain his positive face), he resorts to apologies, to project his positive face and at the same time appeal to the positive face of the members of the panel. He also comments on the commendable efforts of the panel, describing it as a very reliable body whose members are upright and unbiased. All these are positive face acts/strategies by ACC to project his positive face as a good, responsible and cultured individual.

In acknowledgement of his 'good conduct' of apologizing for not appearing before the panel before now, M equally appeals to ACC's positive face with the appreciation statement 'thank you' which within the context of Brown and Levinson's theory would be regarded as 'appreciate the good deed of the other' face-saving act.

### 1.1. Bald off-record face-threatening act

The off-record FTA, according to Brown and Levinson (1987), is less face-threatening relative to the on-record FTA. In this instance, the speaker launches the face threat indirectly, without 'much overt pressure' on the hearer. However, our argument here is that, in the Yoruba interactional context, although off-record FTA could manifest in form of indirectness, it could not necessarily be regarded as less-threatening compared to the on-record FTA counterpart. This is because in the Yoruba language and culture, the full realization of the pragmatic import or weight of utterances is highly context-dependent. Thus, a statement might appear less offensive or face threatening linguistically, such can be highly face-damaging contextually. This is our argument in this section of the study.

#### Case 4: Sharing of Property/Land dispute

Background information: *Mr. A brought the case of his elder brother that reportedly carried out a survey of their late father's landed property without his notice. He was particularly aggrieved his brother gave him less than he expected as his portion from the landed property and would want the panel to intervene.*

#### Excerpt 4

...

**M:** Sé wón fun yín níbẹ?

*Were you given part of it?*

**COM:** ...wón fún mí ní 6 ... ó wá kó 16 plots. È mi ò sì lè gbà yẹn.

*I was given 6...he took 16 plots. I cannot accept that*

**COM:** ... iyàwó m'eta ni bàbá wá fẹ, şùgbón iyàwó k'eta kò bímọ. Sé ẹ mò pé kó ní nìnkankan.

*Our father married three wives, but the third wife did not give birth to any child. You know she won't have any share.*

**M:** *iyàwó kẹta yẹn kò ní ní ǹkankan b́eyẹn?*

*The third wife won't have any share?*

**COM:** *B́ẹ̀ni, kò b́imọ kankan.*

*Yes, she didn't give birth to any child*

**M:** *Sé iyàwó kẹta wà láàyè?*

*Is the third wife still alive?*

**COM:** *B́ẹ̀ni*

*Yes*

**M:** *kò dẹ ní ní ǹkankan? Ehn ehn.*

*And she won't have any share? Really!*

**J1:** *̀Njẹ ẹ ti gbọ ̀ldí igi rí? Ob̀nrin ní ó ń jẹ ̀ldí igi.*

*Have you heard of family root before? It is the woman that is being referred to as family root.*

**COM:** *B́í wọ́n ẹ máá ń sọ ní yẹn, pé ob̀nrin tí kò bá b́í mo, kò ní ǹkankan ní ilé ọkọ rẹ.*

*That is how it is the general notion that a woman that has no child has nothing in her husband's house.*

In the excerpt above, in making his case, COM explains that their late father had three wives out of whom one did not give birth. Meanwhile the elder brother, the ACC, had earlier hinted that it was impossible for COM to have more than he had got because some of the landed property should also naturally go to the woman in question even though their late father did not have any child by her. Contrary to this position, COM argues that it is customary in the Yoruba socio-cultural setting not to bequeath any property to a wife who does not have children for her husband while alive. It is on account of this 'ideological' ground that he wants what should go to their late father's childless wife as her share of her late husband's property, to be given to him as part of his share. This idea does not go down well with the members of the panel who resort to the deployment of off-record FTA to criticize the unkind stance of COM. For instance, the questions asked by M in reaction/response to his argument: '*iyàwó kẹta yẹn kò ní ní ǹkankan b́eyẹn?, sé iyàwó kẹta wà láàyè? Kò dẹ ní ní ǹkankan?ehnehn*', 'The third wife won't have any share?, Is the third wife still alive, And she won't have any share? Really!' constitutes off-record FTAs that indirectly query, condemn and criticize the position of COM. Following the arguments of Ajayi (2018), for instance, these questions are instances of the use of verbal indirection aimed at attacking the face of COM in this very instance. The questions are loaded expressions that raise a very big question on how

much of sense of humanity is possessed by COM for him to feel the woman should not be apportioned any property because of her childlessness status. The logic is, how would he claim a woman who is married to their father, a bonafide member of the family, and who is still very much alive, is not entitled to any part of her late husband's property on account of her not giving birth? The use of discourse marker 'ehn ehn', which could be contextually deconstructed as 'really!' by M to emphasize his indirect condemnation and mockery of the 'inhuman and inhumane' arguments by COM is, instructive. Its use in the discourse signals 'what you are saying does not make any sense'.

To further reinforce the position of M, J1, also raises another question which constitutes an off-record FTA meant to attack the face of COM: *ńjẹ ẹti gbọ idí igi rí?* Obìnrin ní ó ń jẹ ìdí igi 'Have you heard of 'the root of the tree' before? It is women that are being referred to as the root of the tree'. Embedded in this question by J1 are condemnations and rejection of COM's argument. In particular, J1 indirectly knocks out the argument of COM that 'a woman who does not have children for her husband is not entitled to her late husband's property' by emphasizing through her question which logically suggests the woman is the symbolic entity that represents herself and her children in the family. This is why she makes reference to the notion of *idí igi* in her question. In the Yoruba socio-cultural context where polygamy is culturally acceptable, it is the practice to have sub-families within the family. As such, each wife of a polygamous man is seen as the 'head' or 'reference point' of each sub-family within the entire family. And whenever there is a development in the family that requires 'sharing' or distribution of resources, responsibilities, and particularly of property, it is done on the basis of the number of wives; the wives being regarded as the 'tree/vine' while the children are the 'branches'. This practice is what J1 makes reference to in her question which indirectly berates COM.

#### Excerpt 2 (Continuation of 4)

**M:** ...ó ẹẹẹ kí ó jẹ irú ìdájọ yí kọ ní ẹgbọn yín ẹ báyí. Bóyá òun ti fún wọn ní nńkan.  
*...it is possible your brother might not give the same judgment as yours, maybe he gave her something already*

**COM:** kò fún wọn ooo.  
*He did not give them*

**M:** ...kí ni orúkọ è?  
*What is his name?*

**COM:** Mr XXX, bàbá Xxx, Xxy àti Yyy  
*Mr XXX, the father of TTT, UUU and PPP*

---

2 This is a sort of metaphoric expression in Yoruba that compares the woman to the tree while her children her conceived as branches. So in order of importance, it is the tree first before its branches.



**M:** kí ni orúkọ àwọn ọmọ tí ẹ?

*What are the names of your own children?*

**COM:** Ehmm, ZZZZ

*Ehmm, ZZZZ*

**M:** Ó rántí orúkọ mẹ́ta nínú orúkọ àwọn ọmọ ègbón ẹ, kò rántí orúkọ ọmọ tí ẹ

*He could remember three names of his brother's children but could not remember his children's names*

**J1:** Ó need ògùn ìsòyè.

*He needs an elixir for memory resuscitation*

**J3:** ...Ah! àwọn ọkùnrin méjì bale ilé.

*Imagine! Two full-grown men*

In excerpt 2 of Case 4, as presented above, the off-record FTA equally manifests. For instance, when asked to mention his brother's and children's names, he (COM) could remember; but when asked his own children's names, he demonstrates brief memory loss (perhaps deliberate to save the face of his children by not mentioning them in the interaction), trying to remember. The members of the panel find this a bit awkwardly strange and comment on it, albeit indirectly. For example, M comments 'you remember the names of the three children of your brother but you could not remember the names of your own child(ren). In addition, J1 comments 'ó need ògùn ìsòyè', he needs an elixir for memory boost. Contextually and culturally speaking, these statements by M and J1 are pragmatically loaded. They are statements that indirectly query the kind of father he (COM) is; if he could remember the names of his brother whom he has come to report and his children's but could not remember his own children's names. What this suggests is that he is a careless, nonchalant and materialistic fellow who is much more interested in material acquisition than in his children. In the Yoruba culture, it is ideologically believed that children are very important and that the height of one's achievements is having a child or children. This explains why parents are expected to take care of their children and know them intimately. The intimacy should be such that a responsible father or parent would readily remember the name(s) of his/their children even if they are being asked 'in their sleep'. Not being able to readily provide the names of his children in this interaction already casts an atmosphere of doubt on the serious-mindedness of COM, and M and J1's responses/reactions to this show this is not acceptable, hence condemnable. In addition, what can be more insulting than recommending an elixir for a father in order for him to remember the names of his child(ren)? Our argument here thus, is that, instead of M and J1 openly or directly calling COM a daft, an unserious-minded and materialistic fellow, which could be overtly face-damaging, they resort to the off-record FTA strategy, knowing

the possible effect the use of those on-record FTAs could have on the overall atmosphere of the interaction.

Similarly, the comment of J3, though appears linguistically short and simple, is highly face-damaging for anyone that understands the workings of the Yoruba culture. In the comment, J3 makes reference to the word '*baálé ilé*' 'the king/head of the house' to indirectly attack the positive face of both COM and ACC (although not physically present), projecting them as not being 'responsible' men indeed. This becomes obvious when the semantic nuance of the phrase '*baálé ilé*' is explored in the Yoruba socio-cultural context. In Yoruba, '*baálé ilé*' is seen as the head/king of the house. As such, he is expected to be mature, responsible, and must be natively intelligent enough to be able to manage situations such that they do not degenerate into full-blown crises. Thus, in the estimation of J3 here, the two men at the centre of the discourse are not 'kings/heads' indeed of their respective homes'. As could be deduced from his statement, if they were indeed capable of managing situations in their respective homes, it would not have been difficult for them to address the situation at hand before degenerating into a serious crisis they now have. Thus, the exclamatory statement: '*Ah! àwọn ọkùnrin méjì bale ilé.*' Ah, two full-grown married men' indirectly suggests the two men are real men, fathers and husbands, expected to demonstrate wisdom, maturity and shrewdness in handling situations. This typifies such instances of language use in Yoruba where linguistic expressions appear unharmed and benign on the surface but are contextually or situationally face-damaging.

### Conclusion and remarks

This study attempts an investigation of face acts (otherwise occasionally referred to as face strategy) in alternative dispute resolution television program in southwestern Nigeria, with particular reference to *Igbimo Ipetu*, aired on Ekiti State Television, Ado Ekiti, Nigeria. The study, departing from the thematic focus of previous works such as Ogwuche (2016), Oyedele (2016), and Ajayi (2017), which have extensively explored phenomena such as discourse structure, language use in alternative dispute resolution television programs in southwestern Nigeria, focuses mainly on face acts and their pragmatic functions in such program, with particular reference to *Igbimo Ipetu*. Data, which comprised four purposively sampled recorded editions of *Igbimo Ipetu* transmitted between 2019 and 2020, were analyzed using Brown and Levinson's (1987) face theory. From the findings, it becomes clear that different face acts/strategies are used for different pragmatic goals in the interaction. For instance, the bald on-record and bald off-record face-threatening acts are used by members of the panel to criticize, condemn, berate and correct actions considered unacceptable and condemnable, either on the part of the complainant or the accused. The bald on-record face-threatening act is also deployed by complainants or accused persons to subtly

protest the position of the panel not considered favorable. The positive face act is deployed by the accused to appeal to the positive face of the members of the panel in order to negotiate a 'soft treatment' in the interaction, while the panel employs the same strategy to create a somewhat relaxed atmosphere for the accused, especially when such appears cooperative. All these face strategies and counter-strategies are deployed by the participants in the discourse with the ultimate aim of repairing estranged relationships among/between the aggrieved parties, which is the major purpose of alternative dispute resolution exercise, as opposed to the western litigation system. Also, from the theoretical perspective, the study demonstrates the fact that a statement/utterance that is linguistically less face-threatening and as such categorised as an instance of off-record face-threatening act (following the argument of Brown and Levinson, 1978, 1987) could actually be as contextually face-damaging/threatening as an on-record face-threatening statement. That is the case in Yoruba. Thus, the study upholds the positions of scholars like Watts (2003), Arundale (2009), and Ajayi (2018), for instance that although the notion of face is a universal phenomenon, its workings are context or culture-specific.

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# Syria: Terrorism as a catalyst for proxy war —the case of the civil war

Patrycja GŁOGOWSKA

**Abstract:** The general meaning of “proxy war” is the pursuit of one’s interests exploiting other actors. Measures to this end can be implemented in two ways: through hard and soft power. As far as countering the activities of terrorist organizations is concerned, it can be seen that self-interest is placed above efforts against terrorism. The civil war in Syria and the activities of terrorist organizations have become grounds for greater involvement of global powers in the struggle for gaining influence in the country. This paper aims to show the actions of global and regional powers and other state actors taken in an attempt to assert power and influence under the guise of the fight against terrorism. The paper is divided into two parts: theoretical and practical. The theoretical part discusses aspects related to Josepha Nye’s concept of “smart power” and the notions of “proxy war” and “proxy activities”. The practical part discusses the activities of international actors pursuing their interests through official involvement in the fight against *Daesh* in the Syrian territory.

**Keywords:** proxy war, Middle East, soft power, hard power, *Daesh*, Syria.

*“War is nothing but a continuation of politics (...). War is not only a political act but a real instrument of politics, a continuation of political intercourse, carried on with other means.”*

Carl von Clausewitz

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## Introduction

The early 2000s saw massive popular protests against governments in the Middle East and North Africa. The consequences of these protests have varied from country

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to country. In some countries, revolting masses were sufficiently determined to remove their leaders (Egypt, Tunisia), in others, protests led to a prolonged civil war (Syria, Libya, Yemen) whereas in certain states, protests were infrequent and the rulers managed to crush the “rebellions” outright (Bania, Woźniak, & Zdulski, 2011).

Syria, a country in which the Arab Spring started a civil war in 2011, over time has become a zone of a substitute war waged by external actors. As Bashar al-Assad lost control over parts of the country, the conditions presented for the growth of a terrorist organization known as the Islamic State (or “*Daesh*”, after its transliterated Arabic acronym). Direct actions of this group pose a threat not only at the national level but also at the regional and global level.

Syria is notably a country that not only benefits from an excellent geostrategic position but also, unlike most countries in the region, has access to considerable natural resources. Because of these assets, Syria is attracting a lot of interest from other states. The activities of a terrorist organization such as the Islamic State have enabled the governments of other countries to become involved in the conflict in Syria. Countries that had hitherto had no ally in Assad hoped for an opportunity to change the establishment to one more sympathetic to their policies, while the governments of countries allied to Assad undertook to defend the Syrian president and keep him in office.

The paper presents aspects related to the theoretical framework concerning proxy war, proxy activities and Nye’s concept of smart power. The second part of the paper discusses practical aspects of proxy war on three levels, namely the national- regional- and global-level competition in Syria.

### **Proxy war**

Since the beginning of the formation of states, each has sought superiority over others to ensure their dominance in imposing their will while pursuing their interests. Parzymies defines the notion of power status (Polish: *mocarstwowość*) as “the drive to impose one state’s supremacy on other states in general or in specific areas, with the subtext of seeking to achieve political, economic and strategic advantages” (Łoś-Nowak, 2002). There are increasingly fewer conventional wars in the 21st century. Nevertheless, the competition between states and their quest for power status has not diminished. Nowadays wars are controlled from the proverbial back seat, and the belligerents are purposively weakened.

The concept of proxy war was first formulated by Czech scientist Karl Deustch. However, already in ancient times, a Chinese general, Tan Daoqi, spoke about the use of deception “to carry out the murder with hired swords” (Galice, 2017, p. 2). This suggests that the need to deal with one’s interests through proxy groups has been apparent already in the distant past. In 1964, Deutsch defined proxy war as a conflict between two powers

using a third country's population, territory and resources (Porter, 2015). However, this definition is incomplete; it does not describe the conflicts of the twenty-first century, which may be called proxy wars because of their very nature. Syria is a good example of this. Syria is a place where many external actors carry out their activities overtly or covertly. On the other hand, the definition of a proxy given by Geraint Hughes is oriented on the internal actor. According to Hughes, proxy war occurs whenever a group directly involved in a country at war receives foreign assistance. Such assistance determines a proxy war if the relationship between the interested parties meets three criteria: there must be direct support, a common enemy and a long-standing relationship between the parties. One of the above-mentioned criteria can be perceived in different ways. After all, what does a long-standing relationship really mean? The case of the Federal Republic of Germany and its assistance to the Kurds contradicts this argument. The relationship in question is not long-standing, because the Kurds had not been trained by the German military until Western states became more involved in the Syrian conflict. For Germany, this is a proxy measure. Germany's strategic goals include improving the country's position within NATO. However, Germany does not want to achieve this goal by sending soldiers directly to the areas of hostilities; it rather opts for an indirect military commitment—the training of the Kurds. Another academic, Andrew Mumford (2013), describes proxy war as a third-party's direct involvement in a conflict to pursue the third party's interests. This definition is debunked by the practices of state actors in Syria: certain foreign actors are unwilling to engage directly and use their proxies instead

Defining the Syrian conflict is not an easy exercise. Experts are debating whether it can already be called a proxy war. Analyst and president of the Eurasia Group, Cliff Kupchan, says the conflict in Syria is not a proxy war. He argues that a proxy war involves two states supporting opposing sides in the conflict. Another academic, John McLaughlin of Johns Hopkins University, claims that the war in Syria is not *yet* a proxy war. According to McLaughlin, the situation is very fluid and it is difficult to determine if the conflict will develop into a proxy war. Stephen D. Biddle, on the other hand, believes that the Syrian conflict is a proxy war since it can be defined as a war in which foreign actors use local forces to pursue their agendas (cited in Peralta, 2015).

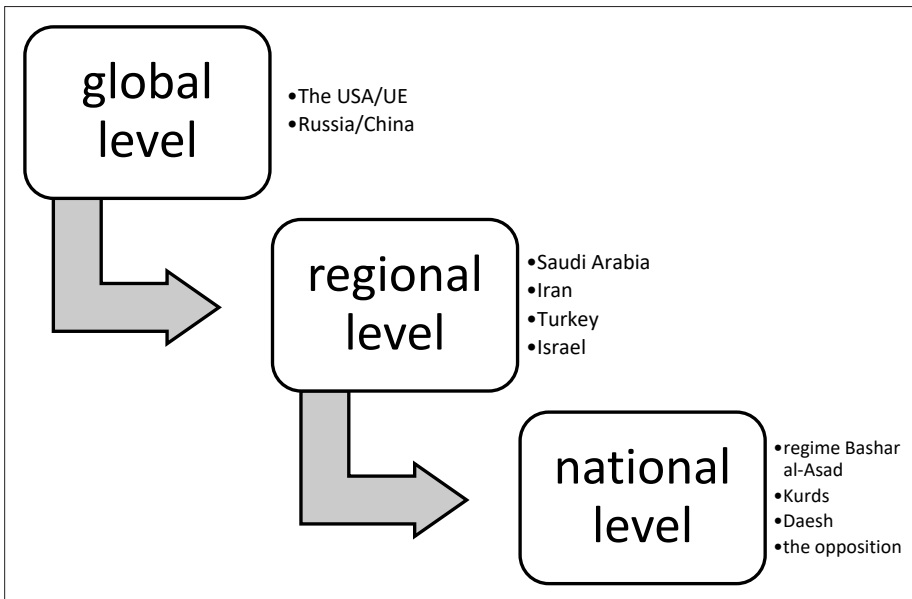
Due to its multisided nature and a large stakeholder group involved, the conflict in Syria is complex and constitutes an element of hidden wars between foreign powers. Given the above characteristics, the Syrian conflict can be called a multisided proxy war (Çağlayan, 2016), which means that the hostilities occurring in Syria are multilateral in nature.

An important factor that defines, and is undoubtedly correlated with, a proxy war is the existence of multiple levels of competition between different actors. A proxy war is determined by its levels. A conflict that takes place locally, within a state, involves



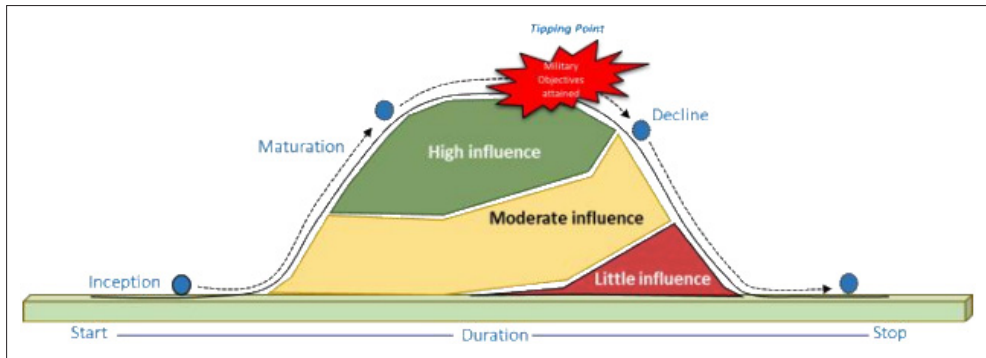
regional and global actors. What matters is the level of competition. The actors compete horizontally, but their actions are directed to a lower level. Examples include the competition between the Islamic Republic of Iran and the Kingdom of Saudi Arabia taking place as both countries are engaged in the war in Syria on opposite sides, or that between the United States and the Russian Federation, whose actions are also geared towards the opposite sides of the Syrian conflict. The significance of impact levels is also indirect. In a conflict like that in Syria, there are three impact levels: global, regional and national. However, cooperation and proxy activities also occur at intermediate levels. For example, Russia (a global-level actor) supports the regime of Bashar al-Assad (at the national level) with the help of Iran (Russia's partner at the regional level). This is important because global actors can perform certain activities in a country where war is raging by providing support to other countries in the region, which are called upon to provide their forces and resources to attain a given objective.

Multisided competition



Source: own elaboration

Another issue related to the definition of proxy war is the duration of the relationship with the proxy. The U.S. military tends to view a proxy as an agent with unlimited willingness to cooperate. However, such cooperation may be of limited duration because, as the agent becomes more capable, they may want to disengage or other actors may identify, and exploit, the agent's vulnerabilities (Fox, 2019).

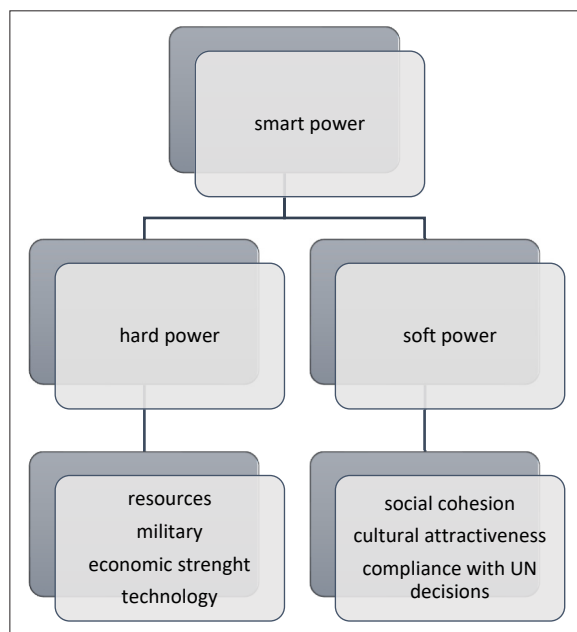


Source: Fox (2019)

### The concept of Joseph Nye

A prominent American political scientist took it upon himself to define a way of conducting politics that would pursue the interests of the state in the most beneficial way. As an example, he used America, the only superpower which is also the researcher's homeland. The US dominance in the international arena allowed him to analyze the policy it was pursuing and draw conclusions for the future. Nye formulated the concept of smart power, which is the combination of hard and soft power (Miłoszewska, 2010). Conducting a policy according to the principles of smart power, i.e. pursuing a prudent and wise policy, is supposed to bring nothing but benefits to the state. Hard power is the pursuit of policy by force or coercion. Given how interests were advanced in the past, it is hard to think of another method. This group also includes impact factors such as raw materials, military factors, economics and technology. The above areas of influencing other countries are classified as hard power, as their use is more a matter of blackmail and force than non-violent actions. Instruments that are applied to areas of hard power include violence, bribery, sanctions or blackmail. The second type of smart power is soft power. It is a concept that lies between the attractiveness of culture, the conduct of policy by individual countries and persuading other countries to implement the activities designated by them (Miłoszewska, 2010). Areas that allow for interests to be pursued through soft power is social cohesion, which is a determinant of multilateralism rather than unilateralism. Another factor is cultural attractiveness and compliance with the decisions of the United Nations and international law. Instruments through which individual areas of soft power can be implemented include cultural, religious institutions, and diplomacy.

### The concept of smart power



**Source:** own elaboration based on  
D. Miłoszewska, *Trójpłaszczynowa szachownica*, Częstochowa 2010.

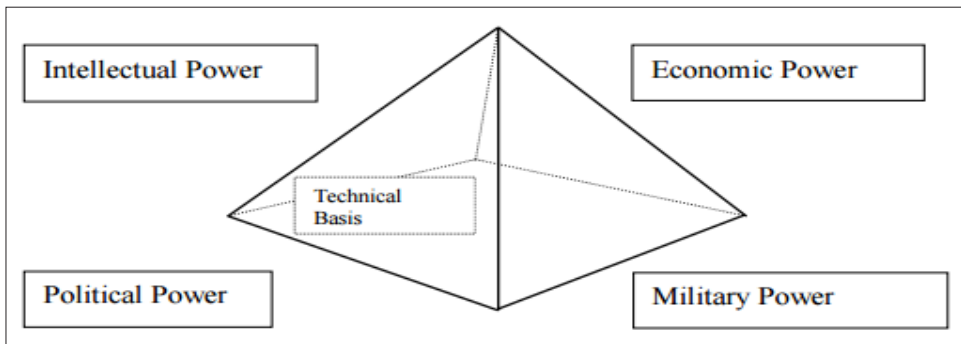
### Proxy activities in smart power

The concept of proxy war defines the activities of states in internal conflicts of other countries. In other words, proxy war is all the activities of external actors that are aimed at furthering their interests. However, this theory applies only to wars. It is well known that states aspire to become powers. In the age of globalization, relations, cooperation and the supremacy of some countries over others are the order of the day in international relations. The most important part of the proxy war is not the involvement of actors in the conflict, but the goals they can achieve through it. This leads to the conclusion that it is possible to achieve one's objectives not only in wartime but also in peacetime using the instruments mentioned in the smart power concept. A good example of this is the relationship between Iran and Hezbollah which is used as a proxy for pursuing Iran's interests. Such a relationship correlates with the notion of multi-levels of power because usually actors at a higher level use as their proxy entities at lower levels. Very often, these countries are chosen based on their geographical location such as the US-Egypt relationship or the US-Saudi Arabia relationship in the case of the Middle East.

In pursuing their position in the international arena and to become superpowers, states must first and foremost ensure that they have well-developed four main areas of their

functioning, namely economy, politics, armed forces and scientific values. In today's world, these seem to be the most important areas of influence on other actors in international relations. They can be divided into two groups with reference to the concept of Joseph Nye: Soft power, i.e. political and intellectual power, and hard power, i.e. economic and military power. The bottom line is that if the state fails to attain its political goals and thus persuade others to act in a certain way with soft means of influence such as diplomacy or the gains derived from a given decision, then it may always backup soft means with hard power, such as economic sanctions or military force.

The pyramid of power



Source: Galice (2018)

What then is the concept of proxy war? In the author's opinion, it should be considered in a broader context than only the involvement of external actors in a war fought in a specific state. Proxy activities are all activities undertaken by an actor to obtain benefits. The current events in Syria have resulted in a situation where the presence of foreign actors is not aimed at resolving the conflict but has actually caused the problem today. When considering the pursuit of the interests of various actors in the Syrian war, four questions should be answered: "Where (on what level)?", "Why?", "Who?" and "How is it done?".

The conduct of proxy activities may be direct or indirect: direct through the use of Joseph Nye's concept of smart power and indirect through proxies.

## **The proxy war in Syria**

### ***The national level***

Today's situation in Syria is the aftermath of the events associated with the Arab Spring in 2011. The simultaneous protests and uprisings of people living in countries of the Middle East and North Africa produced different results in individual countries. The ongoing debate on whether the Arab Spring is over or not is still valid, and scholars'

opinions are divided. The uprising of Syrian citizens started in 2011. After several demonstrations, the regime of Bashar al-Assad decided to use force against its people. He sent armed forces to suppress demonstrations. Tanks were deployed against civilians and snipers fired on people. But the resistance was too strong for words to be killed with weapons. Citizens decided to share their experiences with the world. Videos, photos and stories about crimes committed by government forces began to appear on the Internet. The heterogeneous Syrian society began to divide into groups. A lack of cohesion, primarily religious, as this is the main factor determining and regulating the individual's belonging in the Arab-Muslim culture countries, has caused widespread opposition against the government. This has also been the cause of the internal division of the country, the Assad regime's lack of control over territory and a good launching pad for the development of the ideology of the 'Islamic State'.

At present, four main fronts of action can be distinguished, but this does not mean a clear division, as the situation in Syria is so complicated that some actors both cooperate with, and fight, each other. The most important force, which also determines the actions of others, is the regime of Bashar al-Assad, then there are the Kurds in the north of the country, numerous opposition groups, and the terrorist organization known as the 'Islamic State' (Arab acronym *Daesh*). However, it is worth noting that there is numerous opposition in the state of Bashar al-Assad and it is extremely difficult to name each of the groups with an indication of its allies and opponents.

Bashar al-Assad has been President of Syria since he took power from his father in 2000. The Assad family has ruled this country since a coup d'état in 1970. Since then, the power has been authoritarian, with the ruling establishment linked to Assad either directly or indirectly, through membership of the same religious group as the incumbent president. This behavior and the seizure of all positions by one religious group resulted in the creation of a monopoly on power by the Hafiz al-Assad family. However, years of authoritarian rule and the ongoing state of emergency, which gave additional powers to the state apparatus, as well as encouragement from successful revolutions in other countries (Tunisia, Egypt), caused Syrians also to decide to rise against the authorities. In the authorities' response to the rebellion that involved the use of armed forces, a certain precedent can be seen. Although it might seem like the best solution that would quickly bring order and allow for a return to the status quo, this has led to a collapse of power, as in the case of Libya, Yemen or Syria. The main objectives of President Bashar al-Assad are existential issues. His defeat and resignation may herald the same end as that of Muammar Gaddafi in Libya. But Assad does not fight for just his own existence; he is not alone in it. About 12% of the Syrian population are Alawites. It is one of the Shiite denominations to which the current President also belongs and through which the Syrian Government has the support of Iran, an important country in the region. At the beginning of the conflict, Bashar al-Assad still tried to use soft measures to

influence his citizens by promising to lift the state of emergency and improve their lives. However, the key demand of the demonstrators was that he relinquishes power, and that was not fulfilled. Thus, the President's verbal appeal changed form by introducing hard means of influence, namely the use of armed force. The current situation benefits neither Syrian society nor the authorities, but the development of the situation has resulted in the involvement of external actors and it is currently unlikely that the crisis will end quickly.

Bashar al-Assad's actions have been strongly correlated with hard power actions. The Syrian president used security forces to fight to reclaim territory controlled by both the opposition and *Daesh*. In early 2013, pro-government forces launched an offensive to recapture territory in southern and western Syria. They received support from Hezbollah, who sent members of its military wing to fight the rebels (BBC, 2020). In August 2013, Assad's opponents accused him of using chemical weapons (Democracy Now, 2013, June 14). His situation began to deteriorate, and the range of his influence began to diminish. In September 2015, as Assad was increasingly losing control of the territory, Russian President Vladimir Putin ordered the launch of an air campaign in support of Assad. After regaining part of the territory with continued military support from allies, Assad was again accused of using chemical weapons. He was accused of using Sarin against rebel positions in Khan Sheikhoun in April 2017 and the toxic chemical chlorine in Douma in eastern Ghouta in April 2018. Hard power was Bashar al-Assad's only weapon in the struggle to keep himself and his followers in power.

Another group fighting in Syria is the broadly understood opposition. The lack of control of state institutions over the country's borders has resulted in a large influx of foreigners and the creation of many opposition groups. This has also allowed terrorist organizations such as *Daesh* and the Al-Nusra Front to take root and facilitated the influx of foreign fighters into these groups. Most of the demands include the removal of Bashar al-Assad from power. Every organization has a different plan for the future of the Syrian state, but most of them pursue their demands through the hard means of influence involving the use of weapons. In this state-level conflict, you can barely notice any soft means of influence to be used by hostile groups, as most of them have weapons at their disposal and are determined to resolve any issues by force.

The next important group are the Kurds. It is the largest ethnic group that does not have a state they can call their own. For many years, their main strategic goal has been to create their own country. Currently, they are residing in four countries: Turkey, Iraq, Iran and Syria. In Syria, they account for 10% of the population (BBC, 2019). Their involvement in the Syrian conflict is of twofold importance. Firstly, they are fighting about existential issues. The imminent threat from the Islamic State forced them to take up arms against the organization's fighters. The Kurds are also proxies for Western states that give weapons and provide training to the Kurds treating them as land forces for the

Operation Inherent Resolve against the Islamic State. The event that shook the Kurdish alliance with the coalition of Western countries was the 2019 withdrawal of US troops and the Turkish offensive on Kurdish lands. The Kurds felt betrayed by their allies. Fox wrote about proxies changing patronage and the fact that the proxy-guardian relationship is not sustainable. In this case, the Kurds became isolated and “sold” to Turkey, so they asked Bashar al-Assad for help. He assured them of his help in regaining their territory. The second factor that appeared when the Kurds joined the fight stems from their willingness to create their state. Charles Tilly formulated the thesis that “states make war and wars make states” (Zdanowski, 2014, p. 8).

The last important actor, extremely significant in the area of terrorism, is the Islamic State as the main actor in the conflict in Syria. This terrorist organization in its current name and form was established in 2014. The civil war waged by citizens against the rule of Bashar al-Assad has given members of this group the opportunity to anchor their bases and networks in the territory of this state. In its heyday, Daesh held about a third of Syria's territory. This was the case until December 2017, when the organization lost 95% of its territory, including its capital in the northern Syrian city of Raqqa (Wilson Center, 2019). What is important about this organization and its impact on the situation in the region and in Syria itself is the fact that the authorities of the Islamic State strive, through their actions, to create a caliphate, i.e. to establish a state under their leadership based on Islamic law and principles. This is another actor that hopes that their activities will benefit them in the form of their caliphate, which became the case on 29 June 2014. Many theories explain the creation of *Daesh*. One of them indicates that it was established as part of the aid from Saudi Arabia and was intended to be a creation aimed against Iran to weaken its position and against the regime of Bashar al-Assad to remove it from power. A similar theory applies to the support of the Islamic State by the government in Tehran that directs the activities of this organization to undermine the regional power represented by the government in Riyadh. There are also theories that Daesh is a US-backed organization created to destabilize the Middle East and provide the US with a justification to maintain a permanent presence in the region or an organization established as an anti-American vehicle by Russia. There is much speculation on this topic, but it is well known that each side supports groups targeted against its political opponents, even if they are terrorist organizations if aiding them, even only financially, can weaken the opponent.

### ***The regional level***

At the regional level, the rivalry is primarily between two players, Saudi Arabia and Iran, both of which consider themselves religious powers (of a particular sect of Islam). This political game of influence is being driven by the attempt to achieve religious dominance, which plays a major role in Middle Eastern countries. Saudi Arabia and Iran are not

interested in engaging in an open and costly conflict; nevertheless, they seek to expand their influence to the greatest extent possible (Dzisiów-Szuszczykiewicz, 2014).

Saudi Arabia is one of the largest countries in the Middle East. It is a key ally of the United States which is a beneficial status indeed. Saudi Arabia's population is approximately 28,160,273. 85–90% of the Saudis are Sunnis, the remaining 10–15%—Shiites. The main objectives that the Riyadh government attempts to pursue by engaging in the Syrian conflict include increasing Saudi Arabia's regional standing, undermining their primary adversary, the Islamic Republic of Iran, and replacing Syria's leadership with a pro-Saudi regime (Berti & Guzansky, 2012). Saudi Arabia acts using both soft and hard measures of influence. The former include TV and radio propaganda efforts taken as part of the dissemination of cultural values. Before the conflict broke out into its present form, these were useful measures for spreading one's ideology among the population of another country, and for gaining allies. The projection of Sauds' soft power includes the opening of schools as part of spreading their values and convincing others that their actions are beneficial. Saudi Arabia also deploys a "Sunni security umbrella" based on religious values. By portraying themselves as protectors of fellow believers, Saudi Arabia is claiming the right to intervene in other parts of the region (as a regional power) whenever their protection is needed. As far as hard power is concerned, Saudi Arabia primary effort is the participation in the US-led coalition against the so-called Islamic State. Another item in the hard power arsenal used by Saudi Arabia is economic measures. Given the size of the opposition in Syria, the Riyadh government can choose the groups whose goals are most aligned with the Saudi agenda or those most controllable. In addition to financing the opposition, Saudi Arabia has created a special fund to pay deserters from Assad's army. Saudi Arabia also seeks to exploit opportunities resulting from tribal allegiances. The popular uprisings against the government which erupted during the Arab Spring provided an opportunity for Riyadh to replace the Damascus regime with a pro-Saudi government by taking advantage of the tribes that rose against Assad. Saudi Arabia has provided financial and military support to the Syrian opposition. It also invited tribal sheikhs for talks to maintain their favour by offering shelter and financial assistance. This led to the escape of 20 tribal leaders who took refuge in Saudi Arabia.

The actions of the Islamic Republic of Iran mirror those taken by Saudi Arabia. The authorities in Tehran aim to strengthen their position, weaken Saudi Arabia's standing and keep the Damascus regime in power. Bashar al-Assad is an important ally of Iran. Syria is the main pathway for arms and money supplies to another Iran's proxy, Lebanon's Hezbollah. Describing strategic depth in political terms, the government in Tehran expands its territory through various groups in other countries, ensuring the achievement of Iran's policy objectives through proxy actions and groups like Hezbollah in Lebanon or the Hutis in Yemen (Akbarzadeh, 2017). By exercising its soft power, Iran,



similarly to Saudi Arabia, promotes its ideology through radio or television broadcasts and opens schools engaged in the advocacy of Iran's ideological agenda. Like the Riyadh government, the government in Tehran is convinced of its superiority in terms of religious leadership (Shiism). Iranian missionaries are working to convert the Baggara tribe of DeizEzzor to the Shiite strain of Islam to counterbalance the power of the Sunni Aqaydate tribe. Using soft power, Iran supports and promotes Syrian tourism by subsidizing air-and-hotel holidays to Syria. As a result, one million Iranian tourists visited the Shiite shrine of Sayyid Zaynab in Damascus (Sadjadpour, 2013). As far as hard power is concerned, Iran uses military and economic measures. The government in Tehran supports President Bashar al-Assad militarily by supplying arms and ammunition and deploying Iranian military forces. Since 2017, Iran has been supporting specific brigades in the Syrian army and setting up private security companies in Syria. Such companies have been legally authorized to operate in Syria, and for Iran, they provide cover for registered Syrian companies. This allows Iran to maintain a military presence in strategic locations in Syria (Saban, 2020). The Islamic Republic of Iran is also engaged in the economic field, financing Iran-friendly opposition and the President of Syria. Iran is also pouring large sums into the training of the *Tay* and *Sheitat* tribal militias fighting alongside the Syrian government's forces. In 2013, the Syrian state media announced another measure of financial support, a "credit agreement" with Iran worth USD 1 billion. Five months later, Syrian officials informed that Iran had granted Syria an additional loan of USD 3.6 billion (Sadjadpour, 2013).

The level of regional competition is a kind of "mini global level". Iran can be compared to Russia, especially given the close ties between the countries. Both Iran and Russia have been targeted by sanctions imposed by the international community, the former because of its nuclear program, the latter—in response to the situation in Ukraine. However, although the main purpose of the restrictions was to weaken both states and marginalize them as pariahs of international relations, it has become clear that without the participation of Iran and Russia, the Syrian conflict would not be resolved.

Here, the religious aspect of soft power is crucial. Religion is extremely important for virtually everyone living in Arab-Muslim countries. Iran and Saudi Arabia, each of whom considers itself a religious beacon (for Shiites or Sunnis), wage religious wars away from their territory to define their respective borders.

### ***The global level***

On the global level, the proxy war in Syria involves two important actors: the United States and Russian Federation. Both countries compete in different fields and different regions of the world. As the Syrian conflict erupted, the competition between Russia and the US extended into the Middle East. Both countries' involvement in the Syrian conflict is remarkably similar. What differentiates the US approach to the conflict from that of Russia is that the United States decided to limit their involvement as a key player in

Bashar al-Assad's state. Both countries support opposition groups and make extensive use of their military resources, and also have deployed troops inside Syria. Although the powers try to avoid a confrontation, seven US soldiers were injured in a collision with a Russian vehicle in late August 2020. The US and Russian governments blamed each other for the incident.

For the United States, the Middle East is a field for playing their global game. The US administration seeks to install sympathetic governments to advance their interests in the Middle East region. The United States pursues their own goals at every level: global, regional and national. On the national level, the US strategy is driven by the desire for a change of regime in Syria. Bashar al-Assad is not an ally of the West, and the Arab Spring and subsequent developments have led the United States to see the possibility of a replacement. However, following their previous experiences, the US had no intention of re-deploying their military in the Middle East en-masse for an extended period. The Obama administration, wishing to avoid repeating J. W. Bush's mistakes in Iraq and Afghanistan, has avoided direct intervention and chose to indirectly oppose Bashar al-Assad (Hashemi & Sahrapeyma, 2018). For this reason, the Obama administration acted with restraint. Above all, the US took diplomatic action and financially supported the opposition and the Kurds. The US supports the Kurdish People's Protection Unit fighting Daesh (Byman, 2018). The United States hoped that, with their backing, there would be a change of government in Syria and that the new regime would be sympathetic to US policies. However, the United States is also well aware that forcibly overthrowing Assad will not solve their problem, especially since the US does not have a concrete plan for replacing the Syrian President and wants to avoid a situation resembling the Libyan debacle. At the regional level, the US policy is to support its ally Saudi Arabia while keeping a watchful eye on Iran. If the United States were to cooperate with Tehran, it would jeopardize its relations with Riyadh. At the global level, US actions are a consequence of the American competition with the Russian Federation. Deployment of Russian troops in Syria may lead to a gradual loss of American influence in the region. A change of regime in Syria could also result in the construction of a gas pipeline from Qatar, a project that would dismantle Russia's gas monopoly in Europe. Such a development would have a significant impact on Russia's economy. It would enable the United States to continue the consolidation of its global position.

As part of the US-projected hard power, one should above else notice the creation of a military coalition as part of the Operation Inherent Resolve, which comprised air force assets used against the so-called Islamic State. In this case, the Syrian Democratic Forces have been a proxy for the US since October 2014 (Fox, 2019). There is also an economic factor. The US financially supports the Syrian opposition and, above all, the Kurdish forces. Qatar, in collaboration with the US, sent the opposition USD 3 billion and 79 shipments of military ordnance.

Actions taken by the US include soft power measures such as the attempted UN resolution to impose sanctions on the Assad government, which was vetoed by Russia and China. Despite cultural and religious differences, American values related to science, education and democracy may have a certain appeal to younger generations of Arabs and as such may constitute an added value for the US.

The other major global player in Syria is the Russian Federation. For Moscow, involvement in the Syrian conflict is extremely important. The developments in Syria coincided with an international outcry against Russia's actions in Ukraine. Moreover, the government of Bashar al-Assad is one of the few allies of the Kremlin, so it is strategically important for Russia to keep him in power or ensure that Assad's successor also supports Russian interests. Currently, Russia has two military bases in the Syrian territory: the naval base in Tartus and the airbase in Chmejmin. In addition, the Russians deployed anti-aircraft systems and warships with cruise missiles. In 2017, the Russian Ministry of Defence reported that around 600 new weapon systems were tested in military operations in Syria (Petkova, 2020). The Russians supplied tons of ammunition to the Syrian security forces. According to some estimates, 10% of Russia's global arms sales went to Syria with the value of contracts in 2012 estimated at USD 1.5 billion. Apart from munitions, the sales included military training aircraft, air defense systems and anti-tank weapons (Galpin, 2012). Russia supports Assad through Syrian proxies, private military companies, and Chechen client forces, in coordination with its armed forces (Fox, 2019).

Syrian and Russian governments have also signed a treaty, ratified by the lower house of the Russian parliament, which stipulates that Russian forces may remain in Syria for an indefinite period. Protecting its military presence in the Middle East is only one of the factors of Russia's involvement in the Syrian conflict. This provides an opportunity for the Kremlin to become actively involved in the Middle East power play. Another of Russia's goals is to become a counterbalance in the MENA region. This means that the Kremlin seeks to obtain a status of a partner (and patron) of states located in that region, alongside the United States. Involvement in Syria also provides Russia with economic benefits. By supporting Assad, Russia gains the opportunity to sell its weapons. The Syrian affair is also beneficial to the Russian military, for whom the Syrian territory is a testing ground for military equipment. The long-term goal of Russia's involvement in the conflict is to improve its relations with the European Union. The West imposed sanctions on Russia for its involvement in the conflict in Ukraine. In this regard, Russia has become such an important actor in the discussed conflict that it is impossible to end it without commencing negotiations with the Kremlin. This leads to the situation that European states, despite their restraint, must cooperate with the Russians if they want to end this war. Russia engaged in the fight against the so-called Islamic State out of concern for the spread of the radical Islamic ideology to the former Soviet republics,

seeking to avoid a situation similar to that currently unfolding in Syria. Russia's involvement in an international conflict shifts Russians' attention away from a bad domestic situation and provides an opportunity to boost the image of the country's armed forces.

As a soft power move, Russia offered to host peace talks in Moscow, a proposal the Syrian government agreed to. However, the opposition Syrian National Council rejected the offer, saying President Assad must step down before any negotiations could take place (Galpin, 2012). Russia also became involved in the Kurdish affair. The Kremlin has taken another soft power measure inviting rival Kurdish groups to Moscow in an attempt to bring unity between them. However, the Kurds, and especially the dominant PYD faction, are distrustful of Russia because of its alliance with Turkey (Aftandillian, 2021). Finally, Russia's soft power actions included supporting Bashar al-Assad in the United Nations. Together with China, Russia vetoed three UN Security Council resolutions that sought to authorize measures against the Syrian government (Charap, Tryger, & Geist, 2019).

## **Summary**

Carl von Clausewitz said that war is nothing but a continuation of politics (Lindell, 2009). Today, this can be translated into a concept proxy war. It is nothing more than the involvement of third parties in a war in a foreign territory between other actors to pursue their interests. As demonstrated in the text, this can be done in two ways, namely through hard and soft means of influence. Clausewitz's theory is reflected in the 21st century only now it is called differently. Secondly, while analyzing the paper's topic that is the issue of terrorism being a catalyst of proxy war, it can be deduced that it is a license permitting the conduct of proxy activities provoked by terrorist actions. It is a well-known fact that armed intervention cannot be carried out in another country without a legitimate reason, and the fight against a terrorist organization such as the Islamic State makes the intervention permissible. In the 21st century, there is an increasing tendency among states to conduct their policies and pursue their aspirations to become superpowers by means of soft power. However, they often use hard power such as military or economic force in the form of sanctions, for example, to back up their operations and affairs handled through soft means of influence. What should be important for foreign powers and attempts to unravel the situation in Syria, which has a negative impact on security not only in the region but also in the world, is to resolve the issue of the terrorist organization—the Islamic State. Still, the focus is on the government of Bashar al-Assad, with different actors seeking either to remove it from, or leave it in, power. Meanwhile, “ironically, the black beast in 2014 somehow turned out to be agreeable to everyone and everyone tried to tame it instead of killing it” (Grzenia & Moskwa, 2016). *Daesh*, which was supposed to be an “ally” for each party aiming to further their interests, became an independent entity. Despite the organization's crimes, it is hard to deny that it is thanks to the Islamic State that other actors are going ahead with their plans.

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# Palestine: Popular Non-Violent Resistance. Debating Terminology and Constructing Paradigms.

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**Abstract:** The main goal of this research paper is to examine the core role of popular nonviolent resistance in transforming the Israeli Palestinian conflict through all available peaceful means. We have deeply gone through different definitions of nonviolence as an international concept and we explored the various historical stages and prominent stations of this type of nonviolence. To elaborate more on this goal, we can say that the strategic aim is to bridge the gap between theories and approaches of conflict transformations and the current study of peaceful resistance. Nonviolence is one strategic options for the Palestinians if we realize that the political alternatives and narrow and limited. Methodology adopted in this research is primarily qualitative with analytical and empirical connotations and implications, we relied on both primary and secondary data to reach the final results and conclusions. As far the final findings are concerned, this paper concluded that there is a gap between nonviolence peaceful resistance in the field in one hand and the decision makers on the other hand. There is a gap those who practiced or who embraced nonviolence as strategic resistance and those who put political goals and practiced political leadership. There is a lack of a proper understanding of peaceful nonviolent resistance and its role in liberating and emancipating Palestine from the occupation.

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## Introduction

Historically, Palestinian popular resistance has never been a transitional optional extra, an accidental action that the Palestinians have recourse to in order to bring about an end to the occupation, liberate their



homeland and reclaim their usurped rights. Rather, it has always been one of the fundamental individual and leadership approaches to struggling against the occupier, both at home and abroad. That struggle has gone through a wide range of stages during which popular resistance has garnered much collective attention in the quest for freedom and independence. From the early days of the occupation of Palestine onward, particularly during the first Intifada that erupted in 1987, popular resistance has been common, and it was only in the second Intifada that the Palestinians have clawed their way back from the relatively soft resistance to taking up the arms. Yet, that came only after ages of popular resistance, originated during the British Mandate and developed later during the Israeli occupation into different forms of protests, rallies, sit-ins, strikes and hunger strikes by Palestinian prisoners.

In the past few years, especially after Mahmoud Abbas took presidency office, popular resistance has started to gain ground thanks to a decline in armed operations, the lull maintained in the West Bank and the respite in the Gaza Strip. This period coincided with the tendency of the Palestinian leadership to adopt the popular resistance as a strategic tool in the face of the stalled peace process and Israel's refusal to conclude with the Palestinians an agreement that leads to all-out peace and allows the establishment of a Palestinian state on the land Israel seized in 1967. Having experienced the adverse effects of the second Intifada (a militarized revolt that harmed civil security and brought chaos and disorder in the final stages), it seems as though the Palestinian leadership has arrived at the conviction that the best way for the fight for freedom is popular resistance. That using the armed resistance on the ground to enhance the political position has proved to be unproductive has forced the Palestinian leadership to take more peaceful and diplomatic approaches to the conflict so as to unmask Israel, eventually forcing it to recognize the right of the Palestinian people to establishing their independent state.

The unfavorable context in the occupied Palestinian territory requires a shared resilience strategy based on a popular resistance approach that can be ingrained nationally. It is possible that all Palestinians, at home and abroad, adopt such an approach, each group within its sphere of influence: protests, boycott, artistic expression, diplomacy, media and solidarity. This would allow the Palestinians to end the internal divide and unite in the face of the occupation.

In this research paper, we examine the concept of popular resistance in the occupied Palestinian territories as perceived by the Palestinian leadership and field activists. We then outline the most important forms of popular resistance in the history of the Palestinian struggle, trying to find out whether popular resistance is a long-term strategy or a short-term tactic the Palestinian leadership has taken to resist the occupier. We later look at the most important obstacles to effective Palestinian popular resistance and the methods that can be adopted to overcome such obstacles. Finally, the chapter



examines the applicability of international popular resistance models, as the Gandhi School of thought, to the Palestinian case.

### **Theoretical paradigms**

In his article “Nonviolent Struggle and the harmony of the mean with the goal”, **Sa’ed Muddieh** argues that all forms of popular resistance mainly focus on constructing and erecting a valuable international system for fighting against all forms of oppression and suppression and avoiding all violent bloody forms of resistance. Regarding the Palestinian issue, popular resistance is considered as a resistance against direct occupation and structural suppression that is used against the Palestinians (Muddieh, 2002, 181–191).

**Gandhi Ideal School** actually struggled nonviolently against the British colonizers in the Indian sub-continent. Gandhi mobilized goodness scruples and the humanity of the colonizers in addition to rational arguments with the enemy to end the occupation (Yousef, Foschi, & Hidalgo, 2020). Mahatma Gandhi didn’t only work on the theoretical aspects of nonviolence, but he also adopted and applied the philosophy of nonviolence in every aspect of peoples’ daily life. He thought that people could only live in peace and harmony if they try to resolve all their conflicts peacefully and nonviolently since peace is a natural part and component of all humans. One remarkable change that Gandhi has achieved is that he was successful in convincing people at both, the individual and the state levels, that nonviolence is the sufficient weapon that is used by strong people, and it is never the weapon of the weak people. This has touched and affected the psychological aspects of humans who later on moved ahead towards using nonviolence as an effective way to settle the different kinds of conflicts they might be exposed to. Gandhi was called as the father of nonviolence, not because he was the first inventor of this theory, but because of his real and actual belief of this theory that he applied “He raised nonviolent action to a level never before achieved (Shepard, 2002, 1–10).

In his writings about the importance of nonviolence as a tool to struggle against the different forms of oppression, Mahatma Gandhi didn’t forget to discuss violence with its two main forms and pillars: passive and physical violence. In his studies, he relies on “*Himsa*”<sup>1</sup> that presents the psychological and physical harm that people might be exposed to. He also argues that to have a better understanding of nonviolence, we should first understand what violence is and what its root causes are.

**Gene Sharp paradigm** that mainly focused on realistic and pragmatic trends with zero attention to mobilizing goodness scruples of the colonizers. Gene Sharp has actually

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1 “Himsa” is an Indian word that means injury. It is used in the Indian culture to stand for the different forms of violence and harm that is caused to others.

been a bit more realistic in that he thought that people should struggle and fight against the colonizers, occupiers, and oppressors by using all the different nonviolent methods and tools. At the same time, he didn't believe in mobilizing the enemies' goodness because these oppressors don't actually have good morals that could be mobilized. He also called for the actual and real adoption of nonviolence inside all individuals who feel oppressed and want to get rid of that oppression (Sharp, 2005).

Gene Sharp deeply explores and analyzes the political implications and advantages of mobilizing the nonviolent action to apply people power in conflict resolution (Sharp, 2013). Gene Sharp thinks that states derive their power from its citizens' obedience, and if people disobey the rulers, the country will no longer has any political, social and economic power. Hence, all oppressed people have to work together as on hand to stand in the face of the occupation and the oppressors to get all their stolen rights back and to live a peaceful life. This could only be done by constructing a strong fan base and masses of nonviolence.

In other words, Sharp has always stated that people or "subjects" as he used to describe them are considered as the main and most important sources of the state's power. These people can achieve any pragmatic changes in any state if they are unsatisfied with the conditions in that country, and this could be mainly achieved through the disobedience of the ruler and the governing system (Sharp, 2005). Up to that point, it is very important to know that some people who have interests with the government, especially the elites and the businessmen, will not be a part of the nonviolent movement that struggle against a certain regime. This is mainly due to the fact that these people want to preserve their own business and interests with the oppressive government or regime.

In his book "Stride toward Freedom", Martin Luther King discussed the very high and precious values and effects of love and morals in resolving conflicts peacefully. He thought that nonviolence that was previously used by Gandhi was the most effective weapon that could be used by people to defend their rights. They could also struggle nonviolently to get rid of all the different forms of oppression and suppression that might be imposed by the colonizers, occupiers or suppressive regimes (King, 1958, 94–112).

King was also highly affected by the Gandhian model of nonviolent resistance, and he benefited a lot from his visit to India in 1959. He was highly inspired by Gandhi "To other countries I may go as a tourist, but to India I come as a pilgrim" and he learned a lot from the bus boycott that was initiated and performed by the Indians (Brockel, 2020). This trip also mastered his understanding of nonviolence and enriched and empowered his commitment for his struggle for the civil rights in America.

Up to King, it is very important to fight against the different forms of evil in order to have tangible results of the nonviolent resistance. He also adds that it is very important to build and plant the good morals in all people to have a successful nonviolent resist-

ance. Without love and friendship, nonviolence would achieve nothing, and people will not achieve their goals in freedom, liberty and peace. People should first learn how to forgive and forget the pains and injuries of the past before they start their struggle against oppression and injustice. Moreover, King calls for the internal cleaning of individuals, who should be internally pure and clean to manage their resistance against suppression (King, 1958: 88–89). In short, we can say that Martin Luther King pays a very important attention and gives a very high value for the implementations and psychological meanings of nonviolence, and he supposes that nonviolence would achieve nothing without love, friendship, morals, forgetting and forgiveness.

### **Mazin Qumsieyh: Popular Resistance in Palestine: A history of Hope and Empowerment**

*"This is a timely and remarkable book written by the most important chronicler of contemporary popular resistance in Palestine. Mazin Qumsieyh brilliantly evokes the spirit of Mahatma Gandhi, Edward Said, Rachel Currie and many others, to tell the unvarnished truth about Palestine and Zionist settler colonialism. With its focus on 'history and activism from below', this is a work of enormous significance. Developing further his original ideas on human rights in Palestine, media activism, public policies and popular, non-violent resistance, Mazin Qumsieyh's book is a must read for anyone interested in justice and how to produce the necessary breakthrough in the Israel-Palestine conflict." (Masalha, 2007, 25)*

Qumsieyh's book "Popular Resistance in Palestine: A history of Hope and Empowerment" first derives its importance because it is written by a Palestinian scholar and professor who has survived the occupation from a long time. This book is divided into fourteen chapters that deeply go through the history of the Palestinian popular nonviolent resistance beginning from the Ottoman rule, progressing during the 1936 revolution, the first and second Intifadas and the nonviolent resistance today. Qumsieyh provides a very clear historical analysis of the nonviolent actions that the Palestinians followed in the past, and how they learned from these experiences to empower the Palestinian nonviolent resistance today (Qumsieyh, 2011, 1–12). It also gives a description of non-violent resistance in Palestine nowadays, and how Palestinians try to adopt this form of resistance in spite of the absence of a real leader who can lead them in their nonviolent struggle against the occupation.

His work is also positively distinguished by its recommendations for more pragmatic and fruitful results of the popular nonviolent resistance in Palestine. He thinks that this form of resistance is of very high importance because it refutes the allegations and claims that Palestinians don't believe in the efficiency of nonviolent resistance. Today, many of the countries around the world describe the Palestinian struggle against the Israeli

occupation as a violent struggle in spite of that Palestinians have no developed weapons. They also try to solve this prolonged conflict through the negotiation process that has achieved nothing until now. Hence, Qumsieh tries to convince the international community that Palestinians are peace seekers and they try to solve the Israeli-Palestinian conflict peacefully. He finally calls for adopting this form of resistance to free Palestine, and Palestinians should have a real fan base that leads this form of resistance. Without having good leaders of nonviolence, Palestinians would never achieve their goals of liberty and freedom (Qumsiyeh, 2011, 11–12).

In order to achieve tangible results, nonviolent resistance movements should work hard on increasing the cost of the repressive policies of the regimes that would finally lead to reduction of using brute forces and lethal weapons against the public movements. This would help in the loss of legitimacy of the colonizers, and they will have fewer supports from the local and foreigner allies.(Galtung, 1989, 30–40).

### **Popular resistance: Terminology debated**

Beyond the literal meaning of the term, ‘popular resistance’ for Palestinians it is a reference to any method the people can use in their struggle against the Israeli occupation: its soldiers, settlements and military and economic facilities. Perhaps the best resistance strategy is harnessing all resources in a way that is not intended to kill or harm others (the non-use of firearms attests to this and constitutes the boundary between popular resistance and armed resistance), which also allows all segments to take part, each in their own way. The Palestinian Authority has contributed to the development of the popular resistance paradigm (Personal Communication, 12–1–2019). Particularly after the political split with the Hamas-ruled Gaza Strip in 2007, it has focused on institutionalization, sustainable development, transparency and raising the banner of nonviolent resistance as a lever for negotiation. In the last five years, the Palestinian strategy, in order to deal with the occupation, has changed considerably and become definable by three major variables: nonviolent popular resistance; institutionalization and sustainable development; involvement of international public opinion and solidarity. As we hope to demonstrate, several factors have prevented this strategy from becoming effective. Resistance is rejection and non-acceptance, and in a revolutionary sense, it suggests rising up against persecution and adverse reality. Resistance wins legitimacy when it is initiated by the people, and real mobilization occurs when the majority takes to the streets and revolts against oppression (revolution in Syria, protests against waste crisis in Lebanon, bread prices riots in Jordan, electricity crisis in Gaza, and late crisis of public servants salaries in the West Bank) (Yousef, Foschi, & Hidalgo, 2020).

According to Mustafa Shita, Secretary General of Al-Horiya Theater in Jenin, resistance can be described as nonviolent, but not peaceful. He argues that resistance and peace are mutually exclusive concepts; the one suggests the absence of the other. “Characterizing

resistance as 'peaceful' is only a political newspeak. There is no such thing as peaceful resistance, and popular resistance suggests all forms of struggle and is always responsible for the results (Personal Communication, 5-1-2019).

Quite close to how freedom fighters define 'popular resistance' is the way the Palestinian leadership understands the term, though the latter is more inclined to nonviolent strategies to end the occupation. Nonviolence in this sense entails "all peaceful approaches that take into account the international opinion, as for liberation to be fulfilled there should be a set of key foundations, among which are mobilizing the international community and making the colonial occupation pay the price, this time through exerting direct leverage over the Israelis themselves as well as pressures from the international community (Personal Communication, 5-1-2019).

For Palestinian leftists, popular resistance is an umbrella term that must not be confined to nonviolent approaches, which, they believe, strip popular resistance off its impetus and deny the Palestinians the internationally-accepted methods of resistance. "Resistance should be nation-wide; and all forms, both violent and peaceful, should be legitimate. As many others in the Palestinian history of resistance, Kanafani and Barghouti—albeit his role as military commander during the Second Intifada and his present role, even if imprisoned, as a political leader—can be described by what Gramsci defined as organic intellectuals when the national struggle is taken into consideration (Yousef *et al.*, 2020). Unfortunately, the leadership's understanding is very narrow; and as such it prevents the people from exercising their right to resistance. In the leadership account, popular resistance suggests peaceful methods, though what we are facing is a colonial, racist, settlement-based occupation that knows only the rule of the gun. As such, and under international law, all forms of resistance should be taken, including popular resistance (Personal Communication, 5-2-2019).

Popular resistance is one of the most important modes of engagement adopted by the Palestinians in the face of the occupation. The Palestinians have relied on mass mobilization to win international sympathy, make the Palestinian Cause central to international politics, and record gains on the ground, most importantly forestalling the occupier's policies of blockade, restrictions, land confiscation and settlement expansion. This goes in line with what have already argued that his important issue affected the holistic Palestinian public life in different areas: economic, social, political, etc. It is noted that the strong presence of different Palestinian civil society organizations highlights the great importance of their role in peacebuilding actions internally and externally at the local and elite levels (Yousef & Ozcelik, 2021).

Mohammed Shtayeh, Palestinian Minister of Public Works and Housing, pointed out that in the Palestinian official discourse, a reference to resistance as a concept is virtually a reference to resistance as a practice, for it is imperative to embrace subtle popular resistance modes, for example placing posters on all road signs giving directions to colonial

settlements, or taking part in peaceful rallies. This form of resistance can comfortably be called 'smart resistance'. "We should recall the first Palestinian Intifada, which then gained popular momentum and grabbed the attention of international community, thus making the Palestinian resistance visible to the world" (Personal Communication, 10-2-2019). Smart resistance, therefore, should consider all styles of nonviolent action, thus shaming revealing to the world the true face of the occupier, and making the occupation enterprise all the more costly to the Israelis.

This form of resistance would become an episode in the resistance landscape that started back in the 1930s. According to Ghassan Daghlis, a PA official in charge of monitoring *settlements*, certainly, the new form would vary in magnitude and oscillate depending on the overall context. "Such oscillation will be guided by central events related to the political scene, religious issues or a political enterprise that Israel wants to pass. This will be culminated in a mass mobilization" (Personal Communication, 5-2-2019). Bottom line conclusion, the policies adopted by Israel and carried out by its soldiers play a major role in shaping the popular resistance, lending it different forms depending on real developments; i.e., the nature and forms of the popular resistance are largely influenced by the policies and arbitrary measures taken by the occupier.

Some may argue that listing 'smart resistance' under peaceful popular resistance is unwise, assuming that all popular resistance modes, including armed forms, are guaranteed under international humanitarian law. This is true; however, it is the context that decides the way we take in the fight for our freedom. Fatah, for example, has not renounced the armed struggle from its program. Its decision-making community believes that each political stage requires specific tactics (for example, the transition from armed struggle to urban military operations). Salwa Hdeib, Member of Fatah Revolutionary Council, made the point that Fatah started and led the first Intifada before sitting at the negotiations table following the Oslo Agreement. Fatah espoused field peaceful action side by side with military action, believing that the military work is a valid option, a lever for effective diplomacy (Personal Communication, 5-1-2019).

Field activists add new dimensions to the term. For them, popular resistance is any anti-occupation action: boycotting goods, peaceful protests, sit-ins and even mass civil disobedience (Personal Communication, 18-1-2019). Local activists, especially those with direct contact with the occupation and its soldiers stationed at friction points and those who regularly stage protests near land slated for or threatened with confiscation, have a definition very much like the one adopted by the official Palestinian leadership: the use of all forms of popular struggle, including steadfastness; protecting the land through reclamation and cultivation; promoting volunteering and cooperation; and filing cases against the occupier locally and internationally. For Abdullah Abu Rahmeh, a popular resistance activist, the best method for the popular resistance is the civil mass demonstrations that inflict heavy losses on the occupier, expose its violent barbaric

policies and draw international solidarity and participation in anti-occupation rallies. "These actions should work in parallel with efforts to support the 'boycott, divestment and sanctions' movement, all serving the political endeavors of bringing Zionists to international courts and urging international organizations to support the rights of the Palestinians to freedom, independence and statehood" (Personal Communication, 4-2-2019).

Popular resistance in our view is a wide concept, which implies first and foremost getting a vast number of civilians engaged in a popular movement aimed at reaching certain objectives without using arms or causing physical harm to anyone. In Palestine, Fatah relies on encouraging people to express their views against the violent Israeli occupation by demonstrations. People must be able to speak out for their freedom seeking independence. It is crucially important in this regard not to use violent means in order not to give the occupiers a pretext for using more violence against our civilians. This is not to deny that Fatah has been engaged in continuous warfare with Israel for decades. But for now we believe war is not what we need (Personal Communication, 27-12-2018).

### **Replicating the Gandhian Model in Palestine**

Copying the Gandhian model in Palestine is simple yet hard. As the leadership has yet to fully engage in the popular resistance, a Palestinian Gandhi is unlikely to exist. Of course, there are individual initiatives from people in power to take part in popular resistance. However, to create a model, we need a godfather, a folk hero who plays a leading and innovatory role in patronizing all national bodies representing popular committees-one that can design a well-defined strategy which inspires all Palestinians to follow.

Ho Chi Minh, a Vietnamese communist revolutionary leader, once said, "Each nation has its own shoe, and it knows how to use that shoe to walk on its soil." If anything, each nation has its particular and objective factual circumstances. It is thus possible to consider successful examples set by other nations and revolutions, but it is not necessary to reproduce their experiences. Instead, every Palestinian can be a Gandhi, because the talk is not about figures and individuals. In the fight for freedom, all fathers and brothers of martyrs as well as all prisoners can set examples of Gandhi (Personal Communication, 15-1-2019). It is not, thus, about reproducing international models; rather, it is a strategy based on a productive popular resistance ideology that capitalizes and builds on the expertise of other nations in resisting and ending the occupation.

According to Father Abdullah Brunella, Fatah member and Christian cleric, the Indian model cannot be reproduced as the situation is different: British-colonized India is totally different from Israeli-occupied Palestine; the Indians are different from Palestinians; Palestinians easily bow out of the show; and the popular resistance in the Palestinian context might turn into a festival (Personal Communication, 16-1-2019).



Two key closely-related elements are fundamental to building on international models of popular resistance, particularly the Gandhi model. First, strenuous efforts are needed to help people work off frustration and give them hope of possible change. Second, we need a leader (leaders), a charismatic one with internal drive that can inspire people and magnetize all those believing in effective popular resistance. Hisham Sharabati, Coordinator of the Hebron Defense Committee, noted that this is no easy job to do as the current situation is quite disappointing. "Perhaps we have one or more examples of Gandhi in Palestine; however, the frustration state has yet to make people gather around "the present Gandhi", and perhaps we are still awaiting a new Gandhi with more powers, principles and innovation. Before the Gandhi example thrives and takes roots, it is expected to collide with PA-Israel security coordination because one of the most important foundations of nonviolent struggle is divorcing from the enemy, breaking with all obligations towards it, which blows up the PA's commitments" (Personal Communication, 18-1-2019).

Some Fatah leaders believe that Gandhi as a mythological hero rather than a miracle. What he did can be done by others if they are willing and if there are real principles based on well-defined goals of freedom and liberation. "Creating a Palestinian Gandhi requires reproduction of the methods not the individual. After all, there are many Palestinian leaders who can be Gandhi-like and achieve the same goals that Gandhi managed to achieve if they receive adequate public support. (Personal Communication, 5-2-2019).

In practice, however, there exist some obstacles that may impede employing Gandhi's authentic model. It is not difficult to forge Palestinian leaders who believe in nonviolent resistance, but such leaders will have to deal with two challenges. First, they need to prove to the public that peaceful resistance can achieve the envisioned goals. Second, their principles are likely to collide, so to speak, with the long-held views of other Palestinian factions or individuals who believe that armed resistance is the only way Palestinians can take in their struggle for freedom. From their viewpoint, the British Mandate in India, basically controlling the means of production, is way different from the Zionist colonial expansionist enterprise, which aims to uproot the Palestinians to make room for colonial settlers (Personal Communication, 5-2-2019).

### **Palestinian popular resistance in the official discourse**

We first have to make the point that though popular resistance is imbedded in national struggle, it is not an alternative for other methods of resistance. Even when popular resistance is taken as a tactic at a given point, it should ultimately work to further the national unwavering strategy of fighting the occupation, which should culminate in liberation and independence.

At the internal level, popular assistance is highly acclaimed among the Palestinian leadership and all factions, which have incorporated the method in their political programs



(e.g. Fateh has embraced this method in its last conference). However, it is unclear whether these factions have actually translated words into actions, with popular resistance still confined to some villages and few people. Major cities and some camps- which make up the majority of the population-are not engaged, not at all.

People in the Palestinian presidency do believe in popular resistance as a Palestinian strategy to confront and end the occupation. According to Hosam Zamlat, Palestinian President Advisor for Strategic Affairs, the Palestinian leadership believes in the effective role that the popular resistance can play in confronting the Israeli occupation, keeping a tight grip on it and unveiling its crimes against the armless Palestinians. He, however, held that popular resistance is seasonal, occurring in irregular, sporadic instances and usually driven by certain events, which once they are over, the momentum slacks off. Zamlat believes that a successful popular resistance needs a collective understanding and an unwavering volition (Personal Communication, 6-2-2019).

Some Palestinians in the Diaspora, typically taking a hard line on Palestinian national aspirations, say that popular resistance was part of the strategies of the Palestinian leadership until the 1987 Intifada (the Stones Intifada), after which the Palestinian leadership, the decision-making body in the Palestine Liberation Organization, has as though used that Intifada in a futile tactic, the price of which is still being paid by the Palestinians. These Palestinians wonder how the leadership can surrender its holding power in the ongoing conflict and having no teeth in the negotiations with a heavily-armed opponent. According to Marwan Abdel A'al, Member of the Political Bureau of the Palestinian Popular Front, ever since the Palestinian leadership has adopted the political path as a strategic method to achieve its goals, it has switched to 'nonviolent smart resistance,' thus demeaning the small-scale popular resistance into an ineffective tactic, security disorder or otherwise skirmishes intended for mere pressure (Personal Communication, 27-1-2019).

For the Palestinian youth on the front, the Palestinian leadership had to acquiesce to the public bearings. "Having grown weary of the stalled negotiations, the Palestinian leadership has unanimously adopted popular resistance and supported its activities so as to make the Palestinian Cause take a center stage in international politics in light of Israel's refusal to freeze settlement construction. In the narrow sense, popular resistance for the Palestinian leadership is a disruption to the policies and plans of the Israeli occupation" (Personal Communication, 5-2-2019).

Technically speaking, the vast majority of people in the Palestinian leadership and factions approve of popular resistance. Khaled Mansour, Member of the Political Bureau of the **Palestinian People's Party**, says in practice, however, there is rapture between different groups. "Some want it to be a mere controllable tactic; others construe it as a strategic approach that needs to grow larger into a pattern that can always inflict losses on the occupation" (Personal Communication, 26-2-2019). To thrive, this form of

resistance requires unification of all factions and political parties that would collectively adopt a clear-cut strategy with potentials to make Israel pay for its colonial occupation.

For common sense to prevail, we should always take 'adoption' as synonymous to 'action.' "All groups, even Hamas, believe in popular resistance as an effective approach under the existing circumstances. In practice, however, different groups are not equally engaged in popular mobilization. The promotion of the popular resistance approach requires a solid-rock faith whose remnants still exist among some people in different factions and independent parties. Such people can set a model and promote popular resistance, and even draw the official leadership to take part" (Personal Communication, 25-2-2019).

Popular resistance has garnered attention from the Palestinian official leadership. Baha' Froukh, Popular Resistance activist, noted that the majority of political parties and factions have incorporated this approach in their political programs. "Even Hamas and Islamic Jihad have, in reconciliation meetings and press statements, proclaimed support of popular resistance. On the ground, nevertheless, leaders are invisible and real engagement is restricted to a limited number of activists" (Personal Communication, 5-2-2019).

Obviously, there is a gap between beliefs and actions. The absence of support mechanisms for different actors has weakened popular resistance, rendering it ineffective, at least for the time being.

### **Popular resistance versus non-violence**

International organizations and some Palestinian groups are trying to identify popular resistance with nonviolence. As Omar Mansour, Member of the National Initiative, put it, this is only misreading of the situation and for somewhat prosaic reasons. "There is little to suggest that popular resistance can be blunted and equated with nonviolence. This is counterintuitive, as in the real world, popular resistance is not limited to soft approaches; some force can do no harms, which is not the case for nonviolent methods. Proponents of nonviolence have so far failed to demonstrate how soft resistance can translate into actual confrontation with the occupier" (Personal Communication, 22-2-2019).

A class of the political elite believes that popular resistance can be both nonviolent and violent, with the former being restricted to particular circumstances. "The ability to manage resistance is part of conflict management, which involves, among other things, harnessing all resources to act in different possible ways under all contexts (time, space, collective and individual conditions) based on regional changes, international balance of powers and local developments, especially the political divide. This myriad of determinants requires an efficient leadership, one that can behave in an

intelligent and complex manner for the furtherance of the envisioned goals” (Personal Communication, 19-2-2019).

Resistance can take several forms, and when it enjoys mass participation, it becomes popular. According to Esam Nassar, researcher and professor at the University of Illinois-Chicago, violence is always restricted to a small number of people within groups. “More often than not, nonviolent popular resistance tries as much as possible to avoid using firearms. But mass chaos sometimes unleashes violence against different things, so nonviolence in popular resistance suggests the absence of weapons. However, in the case of Palestine, physical or verbal violence against far-reaching, subjugation-seeking physical impediments (such as the separation wall, the occupation and soldiers) is part of the popular resistance. The occupation is inherently the worst form of organized violence against peaceful people” (Personal Communication, 12-1-2019).

There is disagreement among people we interviewed as to whether violence is part of popular resistance. Wafa Zakarneh, member of the Fatah Revolutionary Council, argues that violence is imbedded in popular resistance against the occupier which spares no means to inflict violence, injustice and oppression upon the armless Palestinians, an occupier that is determined to control another nation’s existence and political destiny. “Popular resistance involves two main forms: peaceful popular resistance and armed popular resistance” (personal communication, 1-2-2019).

For some people, nonviolent resistance is synonymous with popular movement. Salah Abdel Ati, Director of Masarat Center for Studies in Gaza, reasons that they are the same because the purpose of popular resistance is to inflict economic and political losses on the Israeli occupation in order to weaken it. He believes that a Palestinian popular movement should mark different forms of protests, demonstrations, insurrection, rallies and boycotts, with as little violence as possible (personal communication, 18-1-2019).

Naturally, popular resistance should be holistic, incorporating both violent and non-violent methods. Violence can be moral as long it seeks to stop further harm or achieve certain political gains. Nonviolent resistance in the Palestinian context is part of the popular action, as at the end of the day it seeks to realize national goals. he Israeli-Palestinian peacebuilding requires multiple perspectives and solutions with complex thinking as well as cognitive, behavioral, and affective changes in multiple levels from interpersonal to global (Yousef & Ozcelik, 2021).

### **Popular resistance as a part of the Palestinian strategy**

Palestinian popular resistance, in theory and as understood by the official level, is a realistic strategy responding to the imbalance of powers in the conflict. Indeed, all Palestinian factions have incorporated this form of struggle in their programs and promoted it in their conferences. Salah Abdel Ati, Director of Masarat Center for Studies in

Gaza, says in practice, however, these factions have failed to build popular resistance enablers within their organizations; the so-called *Third Intifada* (the *habba*) is a real world example of the gap existing between words and actions. "Today, the Palestinian factions are divided into three groups. The first raises the banner of popular resistance while it is bound by international conventions that restrain ground actions. Worse, this group has in many cases clamped down on popular movement. So does the second group, which again courts popular resistance only to embarrass the first group and to compete for media presence, as part of recrimination episodes between the two groups. Hamas, I should say, belongs to the second group. The third class also raises the banner of resistance; yet it has not prepared its members for action, nor has it set the foundations for real confrontation. This group, with connections to PLO and its privileges, is fond of high-flying rhetoric only to appease its followers" (Personal communication, 15-2-2019).

Haj Sami Sadeq argues that a distinction between popular resistance and non-popular resistance does not seem to do justice to the term. He refuses this distinction, maintaining that resistance has never been a core part of the Palestinian leadership agenda. "For Ramallah decision-making community, resistance is only a short-term tactic. However, it should be made clear that resistance is more of a means to an end rather than an end in itself. After all, resistance aims to create a new life. Even with the strictest sense, the ascetic dimension of the issue does not exist. We do not live for resistance; we live for life; and resistance is a call for life not death. I think that Palestinians lack a well-defined strategy, and I do believe that nowadays the Popular Front and Islamic Jihad are the only two factions that are still raising the banner of resistance despite their limited resources. The two factions- though with different ideologies- have maintained a system in place to advocate resistance as the only way to liberate Palestine" (Personal Communication, 5-2-2019).

Na'em Morrar, Coordinator of Popular Resistance Follow-up Committee, notes that popular resistance has remained an empty slogan. The official level has not adequately supported resistance. Of late, resistance has started to pick up speed, thanks to initial support from the official level, particularly since the start of the popular *Habba*. Few months after the *Habba* started, however, signals from reality pointed to a desire by people in power to relax it. "The Palestinian leadership should have chosen to support popular resistance by building bridges of cooperation with national factions and popular committees, as well" (Personal Communication, 9-1-2019).

From a Fatah point of view, one should not limit their means to just one! You have to create many options in the various decades. We have had many full-fledged wars with Israel since 1968. That was repeated on a continuous base in the form of military operations called *amaliyyatfida'yya* "jihadist operations" as we saw between 1960 to 2005. We had wars between Fatah and Israel in 1978, 1981 and 1982. Then we had

the longest war between 2000 and 2005. But we have also the non-violent form of resistance added to our diplomatic struggle. With the increased crisis for negotiations and the strenuous search for exit solution for the Israeli dilemmatic situation due to demands for Israel to freeze its settlement activities and thus submit to the Palestinian precondition for the resumption of the negotiation process (Yousef & Mohanad, 2013).

We saw this in the UN Security Council which passed the resolution 2334 calling for an end to Israeli settlement building. Today, we have 70 states and 5 world organizations meeting in Paris to discuss how to help the two state solutions stay alive. If you look at Hamas, they did not start armed struggle against Israel until they created the Qassam Brigades in 1991.

In this year they carried out their first operation against the Israeli military killing one Israeli soldier. That is 30 years after Fatah used arms against Israel. But now Hamas is not shooting and Israel is in an easy situation with regard to Gaza but it is in a tensed relation to President Abbas and Fatah because of the overwhelming international consensus in supporting our ideas, which Hamas does not share. (Personal communication, 10-2-2019)

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# Ethiopia: Abegar Indigenous Conflict Resolution System —Community Based Reconciliation

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**Abstract:** Reconciliation is inevitable for restoring harmony among a society and making peaceful interaction between those who are at variance. The main objective of this study is to investigate the Abegar indigenous conflict resolution system based on community reconciliation in Haberu Woreda, North Wollo. This study employs a qualitative research design and descriptive nature. The study collected primary data from different informants by employing such qualitative data collection techniques as the interview, focus group discussions and observation. The finding of the study revealed that Abegars indigenous conflict resolution system aims at the restoration of order and harmony of the community. The types of conflicts presented and resolved in the community are inter-personal, homicide, inter-group in nature which stemmed from abduction of girls and women, violation of social values, theft, conflict over claims of a girl, competition over ownership of land, and drunkenness. The findings further show that family reconciliation, blood reconciliation (demmadark) and compensation performance are the major community reconciliation procedures (methods) of conflict management used by the studied community depending on the nature and types of conflicts. Moreover, the ritual ceremony has symbolic and practical significance to established trust between conflicting parties that their relationship is restored.

**Keywords:** Conflict Resolution, Indigenous, Reconciliation, Community.

## Introduction

Conflict is two or more parties enter into disputes by their goal or values when there are interacting to each other (Fisher *et al.*, 2000). Similarly, Mesfin (1999) stated that conflict is a practice of disagreement on public issues that affect the lives of groups, essentially about means and ends regarding their mutual relationships, their diverse interests, their different val-

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ues, their institutions and organizations. Generally, based on the above arguments, conflict could be conceptualized as contradiction or disagreement between two or more parties arising from misunderstandings, competition for resource, power and prestige.

Communities, as well as individuals, were passing through conflicts for different reasons in a human being's life (Burtone, 1996). Currently, the main issue is not about the causes or happenings of conflict, but how to prevent the conflict and resolve it (Bokari, 2013). Pankhurst and Getachew (2008) noted the importance for societies to arrive at a solution for the conflicts, by using different conflict resolution management methods.

### ***Indigenous conflict resolution methods***

Indigenous conflict resolution mechanisms are solving a conflict depending on society's norms, neighbour relationship or organizational practice (Mapara, 2009). An ethnic group in Ethiopia has its own way of resolving conflicts. Pankhurst and Getachew (2008) results shows that in Ethiopia indigenous conflict resolution management are the main methods of preventing and resolving conflict in their locality, rather than the justice system in the country. The habitual practice of a society is the main sources for indigenous conflict resolution mechanisms, and it is tying the societies for a long period time, accepted by communities administration system, to imply their social reaction (Dagne & Bapu, 2013).

In the Ethiopian context as well, Mellese (2008) states that as a multicultural society, there are various social groups that live together in harmony, cooperation and sometimes in conflict. On the circumstance, when a conflict arises within or between social groups, Abera (2000) notes that various types of conflict resolution methods were applied in different parts of the country and among different sections of the population. According to Enyew (2014), his study shows that Ethiopia has different ethnic groups and, because of this, the indigenous conflict resolution mechanisms were vary among each group. For instance, *Gadaa* is a traditional system of governance used by the Oromo people in Ethiopia. The system regulates political, economic, social and religious activities of the community dealing with issues such as conflict resolution, reparation and protecting women's rights. It serves as a mechanism for enforcing moral conduct, building social cohesion, and expressing forms of community culture. *Shimagelle* is another conflict resolution method in Ethiopia, practiced by the Amhara people; it uses people appointed on an ad-hoc basis, to settle particular disputes that have arisen either in matrimonial cases or between communities (Gowok, 2008) and *Abegar* conflict resolution mechanisms around Northern Wollo (Uthman, 2008).

### ***Community based reconciliation***

Community-based approaches seek to empower local community groups and institutions by giving the community direct control over investment decisions, project



planning, execution and monitoring, through a process that emphasizes inclusive participation and management. The community-based approach has been adopted in fragile and conflict-affected societies. It can be an effective approach to peace building, defined as the range of measures necessary to transform conflict towards sustainable, peaceful relations and outcomes (Lederach, 1995).

Traditional approaches to justice and reconciliation are one of the community based approaches for peace building; it focuses on the psycho-social and spiritual dimensions of violent conflicts. Traditional approaches are also often inclusive, with the aim of reintegrating parties on both sides of the conflict into the community. An important component is public cleansing ceremonies, undertaken as an integral step in healing community relationships.

Reconciliation is central to the creation of a healthier society, one which values all its members as equally deserving of life, dignity, liberty and opportunity. As people begin to reach out to one another, getting to know each other better and laying the groundwork to resolve bitterness, prejudices, misconceptions and disagreements of the past, the future will be cleared for new relationships and partnerships.

### **Conceptual framework**

Reconciliation is a complex concept because of its multidimensional nature: one can approach it through a variety of disciplines (Torrent, 2011). Reconciliation as an outcome is a state in which parties have changed their relationship and are mutually recognizing each other's goals and interests in a peaceful environment.

Conceived as a process, reconciliation places weight not only on ending violence or conflict, but also on the steps that lead to the construction of new relationships in which both victims and perpetrators benefit from the new environment. The process takes place in efforts and activities that are deliberately meant to address unresolved conflict. Our understanding is that as long as people previously involved in conflict do not undergo this process, the conflict persists and the potential for relapse is ever present. The objective of this process, then, is to understand the context in order to encourage people to get together in conditions that encourage long-term peace. If such long-term peace based on mutual assurance for living together is indeed attained, it becomes the outcome of a successful process. Treating reconciliation as both a process and an outcome entails that building relationships is key, since conflicts occur when relationships are disrupted, and they end when relationships are mended.

Reconciliation has not received the special attention it deserves in Ethiopia's political transition. The experienced political divisions necessitate healing that result from genuine national dialogue on inclusive platforms. Otherwise, efforts of democratic consolidation and socioeconomic progress will fail to be adequately addressed (Gadisa, 2021).



Ethiopia remains politically and socially unstable; reconciliation, in my view, is a specific area of inquiry which urgently needs to be further investigated in order to turn the country into a place where citizens live in conditions of peace. Currently, so much division, suspicion and alienation exists between and within most every group in Ethiopia that it has created a huge barrier to the new Ethiopia for which most of us hope and dream. Genuine reconciliation, that is embraced and promoted by top Ethiopian leadership and which penetrates through Ethiopian institutions into the everyday life of people at the grass roots level, will be necessary if the country is to survive and flourish as a people and as a society.

The North Wollo people have also developed different institutions to manipulate the day to day activities of its members. Among these institutions, *Abegar* conflict resolution mechanisms are employed by the society in order to resolve conflicts based on reconciliation. *Abegar* indigenous dispute settlement among the North Wollo is a crucial research theme that requires thorough investigation. Moreover, indigenous conflict management of Ethiopian ethnic groups was not documented; it is mostly oral and not systematically organized to be used in the development process. Hence, the current study will be of significance to fill the limitation of the above studies, to investigate the *Abegar* indigenous mechanisms of conflict management in terms of community-based reconciliation system.

### **General objective**

The general objective of this research is to investigate the *Abegar* indigenous mechanisms of conflict management based on community reconciliation system in North Wollo.

### **Specific objectives**

- To identify the root causes of conflict among Haberu Woreda, North Wollo community.
- To explore the types of conflict mostly arising within Haberu Woreda, North Wollo community members.
- Explore community based reconciliation procedures and processes to resolve conflicts.
- To investigate the relationship between *Abegar* indigenous mechanisms of conflict management and the formal court system.

### **Method**

The study employed qualitative design and descriptive nature. Qualitative inquiry is best suited for a type of question which is best understood through a detailed account of several individual common or shared experiences of a phenomenon (Creswell, 2009).

The present study was conducted in Haberu Woreda North Wollo, Ethiopia. Purposive sampling technique was used for selecting elders, religious leaders and influential people as participants of the study. To secure the objective of the study, the data were collected by using semi-structured in-depth interview, focus-group discussions and observation. The primary data were collected from 11 selected key informants (community elders, religious leaders, formal court judges, Police officers and *Abegar* judge members) from semi-structured in-depth interviews. A focus group discussion (FGD) was conducted with two groups of community elders, religious leaders, formal court judges, Police officers and *Abegar* judge members. Each FGD comprised six participants. The focus group discussion (FGD) was employed to cross check and supplement the information that was collected through interviews regarding conflict and its management within the community.

In order to get reliable data for the successful accomplishment of the research, observation was another major method of data gathering system to get valuable information because what peoples say and do may sometimes contradict with each other. Thus, direct observation was the best solution. By using this method, the researcher observed the place where conflict resolution processes were taking place in different parts of the district, what is called *Meresä*. Besides, during the process, the researcher observed how indigenous mechanisms play a role in maintaining peace and security based on their customs, traditions and worldview of the people under study.

All the interviews were tape recorded and field notes were taken during the interviews. Then the data were classified as per the research question of the study. After that, the data were transcribed and translated into English as the interviews and FGD conducted in Amharic. The data were categorized or coded into manageable and meaningful sets of themes based on the objectives of the study. Finally, responses were categorized as sources and types of conflicts, conflict handling mechanisms, procedures of conflict management, and the relationship of the 'indigenous system' with the formal state law.

Ethical considerations are as essential as other aspects in the process of conducting research, for they significantly affect the success of the study. In this regard, a researcher needs to consider ethical standards of the host community on which the research will be conducted. Therefore, I considered the social and cultural norms of the host community on whom the research was carried out. Confidentiality and anonymity were ensured and therefore it was impossible to know who said what. The interest of participants was given due place in the process and the participants were not harmed physically, socially or psychologically.

## Result and discussion

### *Nature and Structure of Abegar Conflict Resolution System*

The Haberu *Woreda* is part of the Zonal administration of North Wollo, within the Amhara Regional State of Ethiopia. Habru is located 491 Km from Addis Abeba to North, it is bordered on the South by the Mille River, which separates it from the South Wollo Zone, on the West by Guba Lafto, on the North by the Alewuha River which separates it from Kobo, and on the East by the Afar Region.

The *Abegar* conflict resolution mechanism is the most known in North East parts of Ethiopia. *Abegar* is commonly practiced in North and South Wollo Zone, Ethiopia. The people living here are called *Abegars*. *Abegars* always care about the security of the society. They teach about peace and love for their people and they pray for the good of the society. Based on this, they are considered as the fathers of peace, the ears and eyes of God. The community does not want to interrupt the *Abegar* conflict resolution system. Everybody is subject to *Abegar* rule and the rule is strictly respected, because they believe that if the people interrupt the system, something bad will happen in the community. If somebody disappointed *Abegar*, God will curse the people. For these reasons, no one object the proposal of *Abegar*, as well as because they are supposed to be fair.

Their jurisdiction comes from generation to generation, and the people respect them. *Abegars* have their own territory jurisdiction to adjudicate their law. In Northern Wollo, in Haberu Worda, there are four well known *Abegars* hierarchical structure, i.e. the main *Abegar*, secretariat, *Dereta* (messenger) and *Kadami* (servants at the ceremony). When the system made the conflict resolution process, it uses religious institutions (mosque), shadow of a big tree and green field. It is the symbolization of purity, justice and truth. This helps the negotiation process and trustworthiness.

### *Causes and types of conflicts*

The participants of this study have viewed conflict as inevitable and natural which prevails in any society. The main causes of the conflict in the study area are abduction of girls and women, violation of social values (insult), theft, conflict over claims of a girl, competition over ownership of land, and extramarital relationship with married woman and unmarried girls. Moreover, drunkenness is also the most potent sources of conflict, especially for youths.

In relation to the types of conflicts, according to the informants, the majority of the conflicts that have been observed among the community of Haberu Worda are inter-personal and inter-group (family). Similarly, a research carried out by Uthman (2008) indicated that the *Abegar* institutions utilize a great variety of schemes and approaches for inter-personal or inter-group compromise for sustainable solutions. *Abegars* are

most effective in resolving violent and hidden conflicts, restoration of disputants' relationships, marriage and divorce, stilling, preventing future revenge actions and ensuring peace and security of the local community. The highly observed conflict is homicide; the killing of one person by another, whether premeditated or unintentional. That means homicide is killing or murder a person in the cause of previous conflict with that person, and families, for example, a person who kills someone, on the reason of the previous revenge (i.e. that person killed his brother previously). There are two major causes for the action of homicide: first, *Key dem* (red blood)—murder causes by sudden event of conflict—a fight for example that was sparked suddenly by an insult. This type of conflict is easy to resolve with the *Abegar* system because the conflict parties do not rise to revenge. The second is *Tekurdem* (black blood): vengeful murder, motivated by revenge of previous conflicts. The action is planned by the killer—when, how and where attack the victim. Because of this, black bloodshed is difficult to resolve.

### ***Community based reconciliation processes and procedures on Abegar conflict management system***

The participants of the study described that the call for negotiation done for three times with greater patience and understanding the emotion of the victim's family. The executive (*dereta*) sent a message to the victim's family for calling of to resolve the conflict. It is symbolically done by pivoting a spire on the get of the victim's family. If the family accepts the call, they put butter on the spire of the *dereta*. In return, it is believed that they get blessing from the *Abegar* sprite.

*Abegars* have a meeting place in religious institutions (mosque), shadow of a big tree and green field, when they are requested to do so. *Abegars* have a symbolic sitting arrangement too. The *Abegars* set on a higher place in between the victim's family and the perpetrator's family. This is meant to symbolize their authority and charisma. On the right stands the victim, and perpetrators are set to the left to symbolize the wrong, their shame and their badness. The preparatory family up to three generations needs to demonize them. All of the family of perpetrator needs to wear old clothes; they carry a stone until the family of the victim is willing to forgive the perpetrator family. All is done to control and reduce the emotional feeling of the victim's family. The participants on reconciliation processes might be praying for God and singing religious song (*Menzuma*), and even begging for mercy. In this arrangement the negotiation continues.

Conflict resolution management begins by a free conversation between the two parties. Dialogue and negotiations are important to get the facts and reasons of conflicts, and to make a decision about the truth. After negotiation, the offender has to apologize and the victim will forgive.

The *Abegars* collecting the data from disputing parties, society members and police, is essential for managing the discussion between conflicting parties. Hence, the *Abegars*

are bringing back order and harmony in the community. Reconciliation is inevitable for restoring harmony among a society and making peaceful interaction between those who are at variance. Reconciliation will not be easy. It requires taking a risk in being the first to extend oneself to another.

What is needed to stop the pain and bleeding? Forgiveness and apology are, both of which are different from formalized methods of justice and can provide healing and the freedom to move on, both for the victim and for the offender, even when justice is flawed or incomplete. Forgiveness and apology is not the same as forgetting, but it can re-frame past offenses and our own failures in such a way that it takes the negative power from the past that can consume and control us and transforms it into new understandings, motivation for change and in some cases, the ability to enter into new mutually beneficial relationships.

When a perpetrator genuinely asks for forgiveness for what he or she has done, it can profoundly relieve the victim or the families of the victims from being swallowed up in anger, resentment or retaliation, finally providing closure to painful events. Apologies will make us more accountable to be different in the future. Only then can we put in place workable relational or societal structures that will best protect us as people who will sometimes fail each other; however, we cannot establish such new safeguards if we refuse to admit we even need them. Yet, we must also learn to forgive when offenders lack remorse or deny responsibility; for otherwise, we give control of our futures to such offenders.

Based on the data obtained from FGD participants, interview, there are three major conflict resolution procedures within *Abegar* indigenous conflict resolution system: the case of the homicide *Key dem* (red blood) or *Tikur dem* (black blood).

#### *Family reconciliation*

When a person kills/murder/ someone, he and his family would be going far from your home to another place because of the fear of the revenge from a relative of the deceased. After a time, the perpetrator relatives go to *Abegar* and they want to resolve the conflict peacefully with a relative of the deceased. Then, *Abegar* send a message by executive (*dereta*) to relatives of the deceased that says “the perpetrators families want to reconcile with you. Therefore, in this time, come and resolve the conflict with us peacefully”. Mostly, the perpetrator’s family accepted the message because they do not want to interrupt with the *Abegar* system and society. If the family accepts the call, they put butter on the spire of the *dereta* (the messenger). In that time family reconciliation process is made with both families, without the presence of the perpetrator.

### *Blood reconciliation (Dem Maderk)*

Participants on focus group discussion explained that when a perpetrator who absconds from the locality or is after under arrest legally wants to return and to live peacefully within their community, he is afraid the revenge of the relatives of the deceased. Therefore, he will ask *Abegar* to make a peace with relatives of the deceased. *Abegar* would be resolving the conflict between the perpetrator and relatives of the deceased. This reconciliation system is known as blood reconciliation. To support family reconciliation process, it is important to minimize or remove the revenges from the relatives of the deceased. The processes have some participants like community elders, religious fathers, the perpetrator's relatives and relatives of the deceased, communities and religious materials. Ritual ceremony is the last step in resolving process after the two conflicting parties were building consensus. Mellese (2008) noted how ritual performance at the end of conflict resolution has a significant symbol, mainly in homicide case. The ritual process of conflict resolution is made with the belief to further strengthen the terms of reconciliation and to limit its reoccurrence. The ritual performance implies the successful completion of the reconciliation and symbolizes the integration of the disputing parties.

The ritual ceremony must be prepared by the families of the perpetrator. Every ritual practices have their own symbols and spiritual meaning to transforming disputes in peaceful relationship. Property exchange, prayers, jumping a gun, drinking and eating together, and animal sacrificing are the main practices in rituals. This practice is final process, and the trust between conflicting parties and their relationship is restored.

### *Compensation performance*

When the perpetrator reconcile with the relatives of the decedents, he should satisfy the claims. This compensation system is fair and considering of his current economical level, accepted by community elders. Depending on his murder type, using material, and time, the compensation is banned. For example, if the perpetrator kills the person intentionally, the punishment is strong. The action is called *tikurdem*—black blood. Unintentional murder is called *key dem*—red blood. For an unintentional act, the punishment is considerate. For this act, the blood money is half of *tikurdem*. The so called “basabascha” compensation must be paid within a given time. In line with this, the study of Mellese (2008) at Wolayta of Sothern Ethiopia stated that based on the nature and type of conflict, the elder may decide on compensation, payment in kind or cash or simply warn the offender not to repeat the act in the future. After the victim's family became willing to accept negotiation and compensation, they eat together from one dish and everything is concluded by the blessing of the *Abegar*.

If the perpetrator did not complete the compensation within a given time, a conflict with *Abegar* appears. If this happens, they have to stop their work officially. This is

called “*qotitesebrol*”. In this period, the society would isolate perpetrator and his family from every social setting, and push him to complete it, or the community tells *Abegar* to replace the compensation type by other materials like cow, goat, camel, etc. The aim of compensation is to prevent the occurrences of revenge.

### ***Relationship between Abegar indigenous conflict management and the formal state law***

The study noted that the relationship between formal courts and the indigenous conflict management in Haberu Woreda is healthy and smooth, as they complement each other. Currently, the court system and the indigenous conflict management work together with full overt support or recognition of each other. The formal state law officially recognizes the existence of the customary dispute resolution systems in Article 34.5 of the Federal Democratic Republic of Ethiopia (FDRE) constitution.

According to the data obtained from elders and FGD participants, there is a relation between *Abegar* institution and the formal court system, and they work together in collaboration. It was argued by the informants that one of the institutions cannot be successful without the other, because the formal mechanism has their own legal means (police force, military) to maintain order in the area, but the indigenous one has the experience and traditional authority to harmonize the relation of the people and strengthen social cohesion.

As observed in the study area, formal courts in Haberu Woreda are usually cooperating and give assistance to the elders’ council (*Abegar*) so as to settle the case through the indigenous conflict management mechanisms. For example, when two individuals enter into conflict and submit their case to the court, it is usual to ask the community elders to the plaintiff to withdraw his/her charge formally whenever possible before the police prove the allegation through witness. Based on the Ethiopian penal code, the court frames the charge and allows them to resort to their indigenous mechanisms. Furthermore, the community elders are required to submit their verdict and the fines and compensations given to the victim.

### **Conclusions**

In the present study, it was clearly mentioned that conflict is inevitable and natural, and it prevails in any society. *Abegars* are considered as the father of peace, the ears and eyes of God. They teach about peace and love for their people; and they pray for the good of the society.

Based on the data obtained from interviews, observation and focus group discussion show that, the causes of the conflict in the study area are abduction of girls and women, violation of social values (insult), theft, conflict over claims of a girl, competition over ownership of land, and extramarital relationship with married woman and unmarried



girls. Drunkenness is also the most potent sources of conflict, especially for youths. Moreover, interpersonal and inter-group (family) conflicts are the observed types of conflict. The highly observed conflict is homicide; the killing of one person by another, whether premeditated or unintentional. There are two types of homicide. The first is *Key dem* (red blood). The second is *Tekurdem* (black blood): vengefully killing someone, motivated by revenge, in the cause of conflict on farming lands/border conflict/, conflict on having relations or wanting another man's wife, conflict on case of inheritance between families and so on.

In this study, *Abegar* indigenous conflict resolution system uses community based reconciliation processes and procedures. Reconciliation is inevitable for restoring harmony among a society and making peaceful interaction between those who are at variance. Based on the data obtained from FGD participants interviews, *Abegar* indigenous conflict resolution system has three major community based reconciliation procedures:

*Family reconciliation*—reconciliation process is made with both the deceased's family and perpetrator's family, without the presence of the perpetrator,

*Blood reconciliation (Dem Maderk)*—resolving the conflict between the perpetrator and relatives of the deceased.

The processes have participants such as community elders, religious fathers, the perpetrator's relatives and relatives of the deceased, communities and religious materials with ritual ceremony. Finally, *Compensation performance*—when the perpetrator reconciliates with the relatives of the decedents, he should be satisfy the claims. This compensation system is fair and considering of his current economical level, accepted by community elders depending on his crime.

The study noted that, there is a relation between *Abegar* institution and the formal court system and they work together in collaboration.

## Recommendations

In a New Ethiopia, victims, offenders, victim-offenders (victims first who then become offenders), offender-victims (offenders first who then become victims), those complicit with such offenses and bystanders must all find ways to become a nation of people who can live, work and flourish in harmony. This will not happen unless we face ourselves and each other with openness to reconciliation and the rebuilding of a new vision for a shared future.

This is the work of the Solidarity Movement for a New Ethiopia is about. It is about not being passive about our future, but instead, helping to set in motion the kind of unity and solidarity that can bring about a more sustainable democracy, greater accountability under a strengthened system of fair and impartial justice, robust freedoms, a vibrant



economy and greater opportunity for all. In unity and in solidarity, a new, better and more just Ethiopia will be possible.

Furthermore, the curriculum of the educational system should be required to include indigenous conflict resolution systems to be taught in peace and justice programs. Government and policy makers should give attention to develop the framework of indigenous conflict resolution mechanisms and its relevance for the local community. Such a strategy should be spread, to become useful for the development of local communities.

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# Ethiopia: Trump's Securitization 'Speech Act' on the Grand Ethiopian Renaissance Dam (GERD). A Risk on the Ethiopia-Egypt Water Diplomacy

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**Abstract:** The involvement of the United States in the negotiation process of the GERD was taken as a good step forward to end the belligerent water diplomacy between Egypt and Ethiopia. However, America's peace proposal which is named 'the Trump deal' ends up further complicating the two countries water diplomacy. Trump's securitization 'speech act' calling Egypt to 'blow up' Ethiopia's dam further escalated the risk of water war between the two states. Eventually, the Trump lead negotiation eroded the perception that the United States would generate a good proposal to halt the belligerency of the Ethio-Egypt relations. This article is intended to chart a new insight on the following questions: given the unpleasant water diplomacy between Egypt and Ethiopia how 'the Trump deal' and securitization 'speech act' further complicated the matter? Why President Trump worked in securitizing the construction of the GERD on the Blue Nile? And how does the nature of securitization and counter-securitization activities worked in the water diplomacy between Egypt and Ethiopia? In the process of analysis the Copenhagen School (CS) concept of securitization is employed.

**Keywords:** Egypt, Ethiopia, Nile, Dam, Trump, Securitization.

## Introduction

Since the official inauguration of the GERD over the Nile River in 2011 the Ethiopia-Egypt relations have worsened more than ever before. In international stages

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the leaders of the two countries are heard overtly forwarding harsh criticism about one-another. The aggressive diplomatic campaign of Cairo, in particular, portraying Ethiopia's dam project along the Blue Nile as existential threat escalated the hostility between the two nations. Egypt's apparent belligerent campaign towards the GERD reflected at different international stages from the Arab League to the European Union and from the African Union to the United Nations. For instance, on the June 2020 security council virtual summit the Egyptian minister of foreign affairs, Sameh Shoukry, portrayed the construction of the GERD as 'A threat of potentially existential proportions... of over 100 million Egypt's' (Daily News Egypt, 2020). However, all along its counter towards the belligerent move of Cairo, Addis Ababa worked to justify that the dam is under construction not to harm any downstream nations including Egypt. Rather, Addis Ababa constantly and unwaveringly argued that the GERD is initiated solely to fight poverty without causing significant harm to the downstream states. Additionally, against Egypt's securitization rhetoric, Ethiopia over and over again insisted fair and equitable water sharing.

In the same vein, the 24 October 2020 unbalanced criticism and securitization speech act of President Trump against the GERD added fuel over the already complicated diplomatic strains of the two countries (i.e., Ethiopia and Egypt). In his speech, the outgoing president of the United States, Donald Trump, who is the only president in the history of America that was impeached twice, has sought to instigate Cairo to 'blow up' the GERD. Here it is vital to note that Ethiopia is one of the long standing security allies for Washington in the Horn of Africa. Apparently, Ethiopia is Washington's figurehead partner in the latter's anti-terrorism activity against the Islamic Militias in Somalia. However, President Trump undiplomatically and recklessly under legitimized Ethiopia's right to use its natural resources in the fight against poverty. The speech of Trump was a clear move of securitization 'speech act' against Ethiopia's GERD over the Blue Nile. The securitization speech act of Trump can be taken as a politically motivated one to use the GERD as a precious present for Cairo's role in facilitating Trump's normalization scheme between Israel and Arab states. Because it is apparent that despite the fact that the River continues its flow after generating electricity, Trump portrayed the construction of the GERD as an existential threat for Egypt. The securitization speech act of Trump reads that, 'it's a very dangerous situation because Egypt is not going to be able to live that way'. He added that 'And I said it and I say it loud and clear- they'll blow up that dam. And they have to do something' (BBC News, 2020). Trump delivered his securitization speech act while declaring the normalization of Israel's relation with Sudan.

The securitization speech delivered by the President further helped the authority of Egypt to consolidate their predisposed portrayal over the mega dam. In the same tone, the securitization act of Trump has helped Egypt to influence domestic and international audiences to support the belligerent attitude of Egypt over the dam and to secure Egypt's veto title over the Nile River. Here it is vital to remark that while the Ethiopia-Egypt

competition and/or rivalry is partly stemming from the interest of the two nations to emerge as dominant power in the politics of the Northeast Africa, the Trump administration was playing the card of Cairo to safeguard the interest of Washington over the Middle East. The United States under the Trump administration has also arranged a political scheme to normalize the relationship of Israel with the Arab League member states and/or to secure America's geo-political interest in the Middle East by means of Egypt, either through lobbying Ethiopia to recognize Egypt's demand over the GERD or through attracting international audiences by securitizing the construction of the GERD over the Blue Nile. At this point it is vital to note that even if Trump forwarded his securitization speech act from irresponsible and/or reckless political views denying the real fact on the ground, his securitization move was powerful enough to attract more audience for the cause of Cairo over the GERD. Yet, the inability of Trump to find solutions for the two strategic allies of America in the Northeast Africa region, is a clear manifestation of the diplomatic ineffectiveness of the United States under the Trump administration.

The aim of this study is: (i) to examine the unpleasant water diplomacy between Ethiopia and Egypt and America's involvement in the two countries' water diplomacy; (ii) to discuss the connection between America's geopolitical interests and Trump's securitization 'speech act' over the GERD and; (iii) to analyze the difference of the nature of the Ethiopia-Egypt securitization framing over the Nile issue. In other words, this paper has sought to address how the unpleasant water diplomacy between Ethiopia and Egypt invited and/or increased America's involvement in the two countries water diplomacy? To what extent geo-political interests instigated President Trump to securitize the GERD in favor of Egypt? Why President Trump worked in securitizing the construction of the GERD along the Blue Nile? And how does the nature of securitization and counter-securitization activities work in the process of the Ethiopia-Egypt water diplomacy?

### **Securitization 'speech act': The Copenhagen School**

During the cold war era, security threats were associated with the field of nuclear weapon and military building. However, the growing dissatisfaction on the traditional definition of security threat has given ways for the rise of new conceptualization of security threats on wide verities of disciplines including international relations, environmental studies, economics, and great verities of academic scopes. Thus, the growing challenge on the understanding of the concept of security threat necessitated to 'widen the definition of threat away from a purely military to a more general formulation' (Buzan, Wæve, & de Wilde, 1998, p. 2). Against this background, for the Copenhagen School (the CS):

*[A] public issue can be located on the spectrum ranging from non-politicized (when the state does not deal with the issue) through to politicized (when the*

*issue is part of public policy requiring government decision), securitized (when the issue is presented as an existential threat justifying going “beyond normal politics”) and desecuritized (meaning the issue is not defined as a threat and moved into the public sphere of deliberation). For the CS, “politicization means to make an issue appear to be open, a matter of choice, something that is decided upon and that therefore entails responsibility (Balci & Kardaş, 2012, p. 100).*

Furthermore, Buzan, Wæve, and de Wilde argued that “if by means of an argument about the priority and urgency of an existential threat the securitizing actor has managed to break free of procedures or rules he or she would otherwise be bound by, we are witnessing a case of securitization” (Buzan, Wæve, & de Wilde, 1998, p. 25).

On the same token, for the CS, when an issue is accepted as a threat and sorted beyond the normal politics, it is labeled as a special kind of political complication that demands extraordinary measure. Meaning, according to the CS, issues are securitized, aiming to transform them from normal politics to state security issues through framing the matter as an existential threat that could not get solutions based on the normal established laws. Thus, ‘the invocation of security has been the key to legitimizing the use of force, but more generally it has opened the way for the state to mobilize or to take special powers, to handle existential threats’ (Gebresenbet, 2014, p. 65).

It appears that securitization speech act is done to convince the targeted audience and to employ extraordinary measures against the matter which is portrayed as a real existential danger. However, effective securitization ‘does not occur only through speech act, but also through historical narratives, social and political contexts, images, media, institutions, and physical acts such as protests’ (Olesker, 2014, p. 375). Moreover, although the securitization speech act is, therefore, ‘negotiated between securitize and audience’, the role of the audience is crucial, inasmuch as it is the audience that grants the securitize ‘permission to override the rules that would otherwise bind’ (Roe, 2008, p. 618).

Usually the securitizing actor (i.e. political elites, military leaders, government) securitize a certain matter through portraying as a threat to a referent object. In the CS a referent object can be an idea or something that is believed ‘to be existentially threaten’ (Balci & Kardaş, 2012, p. 100). Against this background, in the process of securitization the securitizing actor work to frame up a certain matter as existential treat for referent objects such as ‘traditionally, but not necessarily, the state, incorporating government, territory, and society’ (Buzan, Wæve, and de Wilde, 1998, p. 21).

In the case of this article the war mongering securitization ‘speech act’ of President Trump against the GERD is designated as a threat for Ethiopia’s sovereignty in particular and the Ethio-Egyptian water diplomacy in general. Thus, Trump’s securitization ‘speech act’ calling Egypt to ‘blow up’ Ethiopia’s dam further escalated the risk of water

war between the two states. Additionally, as never before, the Trump led negotiation ended up escalating the securitization and counter-securitization rhetoric between the two countries (i.e., Egypt, Ethiopia) and eroded the perception that the United States would generate a good proposal to halt the belligerency of the two nations' relationship.

### **The Ethio-Egypt belligerent relations and America's involvement**

Ethiopia and Egypt are among the strategically important countries of the Northeastern African region. Given their strategic significance and inseparable dependence on the Nile water, the two countries' relations in the past several decades have been more belligerent than complimentary. The geo-political location of Ethiopia and Egypt along the crossroad of the three continents (i.e., Africa, Asia and Europe) together with the presence of the strategic water ways—Suez Canal, Red Sea and Gulf of Aden—further complicated the two countries' relationship by involving global actors. In this sense, the two nations post-World War II regressive foreign policy come up with trust deficit and uncomplimentary relationship that sometimes reflects itself in proxy war, verbal incursions, and non-consensus-seeking clandestine actions that apparently invite global actors' involvement. Likewise, Egypt's dominant political position over the post-colonial politics of the Arab world has helped to have the upper hand in attracting global actors such as America which has geopolitical, geo-economic, and strategic interests in the region. Thus, the current fragile relations between Ethiopia and Egypt have been substantially shaped on the post-World War II trust dearth eras. In this spirit, the post-World War II animosity and trust deficit relationship between the two countries possibly divided in to two major phases: (i) the phase of veiled animosity and hostility; and (ii) the phase of an overt challenge and aggressive diplomatic campaign.

Regarding the first phase of veiled animosity and hostility between Ethiopia and Egypt over the Nile water, at several political and social events Ethiopia showed its objection towards the dominant and superior position of Egypt over the Nile River since the mid-1950s. However, for almost three decades, until 1990s, the internal, regional and global political situations did not allow Ethiopia to overtly challenge the hegemonic position of Egypt over the Nile River. As a result, the coercive, discursive, and legal narrations that undermine 'equitable water sharing' continued having dominant position throughout the period between 1960s and 1990s and Egypt remained in its vanity associating the issue of Nile River with the so called 'historic right' which has colonial root. Accordingly, any move to use the water of Nile River has been followed by securitization speech act and military threatening from Egypt. Likewise, it is natural that if any Nile basin state starts a project on the River categorically denying the so called 'historic right', there is unbalanced propaganda campaign from Cairo and its close international allies. Usually the demand for the implementation of 'equitable water sharing' was portrayed as a 'threat' for the downstream nations. Trump's securitization speech act against the GERD has the same genesis with what is mentioned above.

In this sense, all along the cold war era while the Ethiopia–Egypt relations were progressive in the African anti-colonial movement, it was regressive and passive in halting bilateral animosity and trust deficit on water diplomacy. The trajectory of the veiled animosity and ill-will between Cairo and Addis Ababa throughout the cold war and its aftermath decades has partly stemmed from both nations headstrong and self-doubt diplomatic approach that had been due from the categorical senselessness of one for the seeks of the other. In the same vein, as mentioned prior, the categorical rejection of the so called ‘historic right’ over the Nile River by Ethiopia and the swaggering position of Egypt on the concept of ‘historic right’ also understood as boiling point and center of gravity for the two countries covert distrust and hostility throughout the cold war era down to present.

Apparently, Cairo has actively involved and continued to involve on the destabilization activities of Ethiopia using the unstable domestic political outreach and ethnic diversities of the latter as instrument. Cairo has also employed a ploy of Entrenching neighboring hostile states such as Sudan, Somalia and Djibouti through propaganda, financial and military assistances to isolate and weaken Addis Ababa. By the same token, to frustrate Ethiopia’s concept of ‘reasonable water sharing’ Egypt put forward alliances with global powers. For instance, in the 1950s and 1960s, Cairo was pro-Moscow whereas since 1970s Cairo has been closely attached with Washington and become the second largest military aid beneficiary of America next to Israel. Against this background, the Aswan High Dam is constructed from 1960 to 1968 with Moscow’s fund. All along this development, the critical part of which was that the diplomatic efforts of both the imperial regime and the military Derg were ill-fated to secure international funds either from the political “east” or from the political “west” to construct a dam along the Blue Nile. As a result, the less privileged nation (i.e., Ethiopia) ‘directly involve[d] in the affairs of neighboring countries to frustrate the Egyptian intervention’ (Yihun, 2014; Yimer, 2021).

From another point of view, on the process of the Ethiopia-Egypt covert animosity the latter cornered Ethiopia from the UNDUGU membership. As Belete mentioned, in Swahili dialect UNDUGU represents brotherhood. Against this background, several UNDUGU conferences were conducted from 1983 that was the first held in Khartoum to the last that was done at Cairo in 1988. In all UNDUGU conferences, except Ethiopia, countries such as Uganda, Zaire, Rwanda, Egypt, Sudan, Central Africa, Tanzania (as observer) and Burundi (as observer) were participated (Yihun, 2014, p. 86). The categorical denial of Ethiopia’s participation in the conference can be taken as a calculated isolation scheme from Cairo to impair the say of Ethiopia over the Nile issue.

In the same token, Ethiopia was not invited in 1967 when Egypt, Kenya, Sudan, Tanzania, and Uganda initiate a conference to assess the water of Lake Victoria where Egypt was the key player in the conference. Additionally, in 1992 the Technical Committee for



the Promotion of the Development and Environmental Protection of the Nile Basin (TECCONILE) was constituted at Uganda, Kampala. The contracting states of the TECCONILE were Egypt, Sudan, Rwanda, Tanzania, Uganda, and Zaire (DR. Congo). Yet, Ethiopia that contributes more than 85% of the Nile water was not part of the conference. The periodic isolation of Ethiopia from Nile conferences including the TECCONILE was deliberate and intentional that was stemmed from the 'interest of maintaining the superior-subordinate water order duality between Egypt and Ethiopia over the Nile River' (Yimer, 2020, p. 286).

However, the post-cold war era altered the political podium of the Northeast Africa belt. Both Ethiopia and Egypt become pro-America and pro-west in their political dispensation. The "east" and "west" ideological barriers for the commencement of bilateral negotiations between the pro-east Ethiopia and the pro-west Egypt were gradually evaporated. Subsequently, the water ministers of the Nile basin states met at Arusha, Tanzania in 1998. In their meeting the water ministers agreed on the necessity of an all-inclusive basin based cooperation to address odds over the Nile issue. The Arusha forum by the water ministers of the Nile basin states also set down the ground for the institution of the Nile Basin initiative (NBI) in 1999 at Uganda, Entebbe. Finally, TECCONILE that categorically excluded Ethiopia from the council was formally expired and substituted by the NBI (Swain, 2011, p. 692).

The initiation of the NBI in 1999 technically reflects the commencement of the second phase of the Ethiopia-Egypt relations over the Nile River where the two nations interplay over the River transformed from covert hostility to overt challenge. This is evident because in the NBI council the Nile basin states put forward the discourse of 'sustainable socio-economic development through the equitable utilization of, and benefit from, the common Nile basin water resources' (Swain, 2011, p. 692). Following the constitution of the NBI the Nile riparian states insisted the necessity of working on the concept of equitable and reasonable water sharing to curtail the trust deficit and to promote the culture of open political dialog. Against this background, in 2010 the Cooperative Framework Agreement (CFA) was introduced in Uganda, Entebbe. The remarkable development in the CFA was the shift of thinking over the Nile issue and the commitment of the CFA signatory states to achieve fair and reasonable water sharing. In this sense, 'the Entebbe agreement has shifted control over the Nile water from Egypt and Sudan, who previously had a monopoly over the river's resources as a result of colonial agreements' (Di Nunzio, 2013).

On the other hand, the CFA is rewarding in challenging the superior-subordinate binary over the Nile River between the upper and lower riparian nations. The agreement is also historical in challenging the veto title of Egypt over the Nile in a coordinated and organized fashion for the first time in history (Yimer, 2020, p. 287). Over this issue, quoting Zeitoun et al Rawia pointed out that the CFA is a 'contestation of both the rules



of the game and the sanctioned discourse underpinning the previous and long-standing hegemonic arrangement maintained by Egypt' (Tawfik, 2015, p. 10).

The other point in focus that shows the overt challenge against the superior-subordinate duality dynamics over the Nile River comes in 2011 when Ethiopia publically commenced the construction the GERD over the Blue Nile. Ethiopia used the CFA as a legal leverage to commence to GERD. Once the construction of the GERD over the Blue Nile initiated the legal and verbal challenge from Ethiopia towards Egypt transform to practical one. Subsequently, the International Panel of Expert (IPoE) was constituted to study and report the design documents of the GERD. Finally, in its description paper, the IPoE has overwhelmingly agreed that the Renaissance Dam will not bring significant harm to the water security of Egypt and Sudan. At the same time, the benefits of the dam will be enormous; it will save more than 20 billion cubic meters of water from evaporation, prevent the damage caused on the riverbanks during over-flooding, and significantly reduce sedimentation on the downstream countries (Maru, 2013).

The other major development in the process of Ethiopia's overt challenge against Egypt's veto title over the Nile River registered in 2015 at Sudan, Khartoum. In the same year Egypt, Ethiopia, and Sudan signed the Declaration of Principles (DoP). The Khartoum settlement is the first convention that was signed so far by Egypt putting away the so called 'historic right'. In the Khartoum contract Cairo recognized the construction of the GERD over the Blue Nile for the first time in a legal document (Yimer, 2020, p. 289). Above all Article IV Paragraph I of the 2015 Khartoum agreement essentially undermine the superior-subordinate rhetoric fodders by Cairo. The Article reads that 'The Three Countries shall utilize their shared water resources in their respective territories in an equitable and reasonable manner' (State Information Service, 2017). Therefore, despite Cairo and its allies securitization move the growing overt challenge shows that the subordinate is working to be a new balancer against the hegemonic attitude of Egypt over the Nile River.

### **Geo-political interests behind Trump's securitization 'Speech Act' over the GERD**

As from the date of the 1979 Camp David peace settlement America has established a strong security, economic and military partnership with the leaders of Egypt. The shared strategic and security interests that includes the Palestine-Israel peace talks in particular and the Arab-Israel peace in general have important place in the relationship of the two countries. Additionally, issues such as, among others, challenging the Soviet influence in the Middle East and North Africa (MENA); fighting terrorism and; obstructing any regional states from dominating the region are segments that have helped to further strengthen the Cairo-Washington partnership (Wittes, 2020).

On the other hand, it is apparent that the influence of America on the Middle East security is declining progressively where Russia and China are more comfortably entering to the region to fill the space left by Washington. Thereby, it is evident that the arc of American influence in the Middle East:

*Started to bend downward at the end of the Clinton administration with the failure to achieve a breakthrough between first Israel and Syria, and then between Israel and the Palestinians at Camp David. And that was then followed by the outbreak of the intifada, which looked like anything but peace between Israel and the Palestinians, and by the American-led invasion of Iraq. And that is when American influence began to decline rather precipitously (Jones, 2018, p. 5).*

America's gradual withdrawal from the Middle East security intervention enabled Russia to play an important role in the Middle East politics more than ever after the end of the Cold War era. Russia's comeback as an active actor in the region was perhaps considered as one of the big challenges of America's Middle East policy after the cold war era. What is more remarkable on Moscow's comeback to the Middle East is that unlike Washington the authority of Moscow is successful to build cooperative nexus with the 'region's main protagonists and antagonists: Israel and the Palestinians; Israel and Iran; Iran and Saudi Arabia; Turkey and the Kurds; both Libyan governments; and Hamas and Hezbollah' (Jones, 2018, p. 14).

Apparently, America's role in the Middle East is challenged by regional actors such as Iran, Turkey, Saudi Arabia and UAE. In this sense, unlike Egypt other regional actors' trajectory on economic, political and military dominancy is remarkably increasing. The growing dominancy of regional actors frustrated the America-Egypt promise to obstruct any regional states from dominating the region. On the same manner, America's role in the Middle East is encountering challenge from China. In the process of all these developments, Egypt—which was one of the main actors of the region—has been losing its dominant status. So, why did Trump favor Egypt in his 'speech act' against the GERD? Here are the three major reasons:

*First, despite the fact that Egypt is declining in the regional politics, Cairo is a major player on the matter of the Palestine-Israel peace talk. In this sense, in the scheme of Trump's move to normalize Israel's relations with the Arab states Egypt, it became one of the key players. Thus, one of the reasons for Trump to securitize the GERD and to show sense of guardedness for Cairo through securitizing 'speech act' that reads ' [Egypt] will end up blowing up the dam,' And I said it and I say it loud and clear ... they'll blow up that dam. And they have to do something' stems from Trump's aspiration to use Cairo as conduit for the Arab-Israel normalization scheme (Berger, 2020).*

Second, even if the role of Egypt is declining as a major actor in the politics and security of the Middle East it is unlikely for a big country like Egypt to remain dormant for long time - meaning its historical background; geopolitical strategic position; political culture and; the changing nature of the regional politics will possibly help to reactivate the active role of Cairo on the regional politics because it is improbable for countries such as Egypt to remain a dormant regional actor much longer. So, in order to win back America's declining status in the Middle East, it is not unlikely that Cairo would be a more preferable strategic alliance for Washington than Ethiopia's strategic significance for Washington in the Horn of Africa. The other possible scenario that pushed America under Trump to betray Ethiopia on the issue of Nile stems from the projection that if America withdraws its political support to Egypt on critical issues like the GERD, Cairo would approach Russia and China closer, a fact which has a profound geopolitical and economic ramification for Washington.

Thus, the securitization speech act of Trump against the GERD perhaps indicates that the strategic meaning and weight of Egypt for America in the Middle East and Northeast Africa politics is more important than the strategic gravity of Ethiopia for Washington in the Horn of Africa.

Third, the personal diplomacy between President Al Sisi and President Trump could be the other reason that inspired the latter to forward a securitizing speech act against the GERD. The loyalty of Trump for Al Sisi's Egypt was reflected at different time. For instance, when Trump met with Al Sisi in 2016 before he was appointed to the presidential post Trump stated that 'the United States of America will be a loyal friend, not simply an ally that Egypt can count on' (Staff, 2019). In the same vein, Al Sisi was the first oversea leader that sent congratulations on Trump's election victory and made a state visit to Washington in April 2017 where he failed to gate invitation from the Obama administration. In other cases, during the 2019 G-7 meeting in France, President Trump mentioned Al Sisi as 'my favorite dictator' (Staff, 2019). Thereby, the close personal diplomacy between the two leaders substantially helped Cairo to use the political capital of Washington to securitize and portray the GERD as 'threat'.

### **The differing nature of the Ethiopia-Egypt securitization move over the Nile Issue**

The primary issue for the rise of securitization and counter-securitization by the two highly populated African nations is Ethiopia's active engagement on dam project along the Blue Nile. The considerable political stability and economic development in Ethiopia in the 2000s enabled Addis Ababa to challenge the hegemonic cycle of Egypt over the Nile River. Cairo considered the growing challenge from Addis Ababa as a bad example for the other upper riparian states which have the same interest to use the River. In the same token, the construction of Africa's ever biggest dam, GERD, along the Blue Nile

will possibly enhance the hegemonic status and capacity of Ethiopia in the Northeast Africa region, where Egypt is literally accepted as the hegemonic actor. As a result, despite the hydroelectric dam over the Blue Nile do not significantly affect the flow of the Nile water, Egypt over and over securitize the construction of the dam claiming water security. For instance, on February 2, 2021 while explaining about the GERD to the US Congress aides, the Egyptian Ambassador to the US Moataz Zahran, argued the 'negative repercussions of the Ethiopian dam's construction on the water security of Egypt' (Ahramonline, 2021).

However, here it is vital to note that Egypt's securitization of the GERD mainly stems from power anxiety and hegemonic challenge from the new balancer of the region (i.e. Ethiopia in this case). Therefore, in terms of geopolitics:

*The Nile dispute is not only the main "existential" threat for Egypt's national security—which could lead to growing domestic discontent as happened in May-June 2013, when President Mohamed Morsi was harshly criticized for his ambiguous position on the Nile crisis- but also a big gamble for the future of the alliances in the wider arena encompassing the Eastern Mediterranean, the Red Sea, and the Horn of Africa. It is a game with multiple geopolitical implications, in which Cairo is trying to position itself as a reliable and unavoidable player* (Dentice & Corda, 2020).

In the pursuit of the rivalry, both Ethiopia and Egypt have their securitization instruments. For instance, Cairo associated itself as the 'gift of the Nile' citing 97% of its fresh water consumption from the River. This situation bestowed Cairo a striking leverage to securitize any project over the Nile River and to assert the so called 'historic right' on the River. In the same token, the availability of 70% of the surface water of Ethiopia on the Nile (Abay) derange and the issue of exploiting its water resources to fight poverty and to provide electricity for more than 60 million Ethiopians who are still living in darkness, allowed Addis Ababa to counter-securitize Cairo's veto claim and 'historic right' rhetoric on the River.

Apparently, the securitization and counter-securitization dynamics amid the two countries has been schematized through geo-economic, geostrategic and geopolitical instruments. Against this background, the foreign policy of Egypt for a long time has been operating to shape the order of the Northeastern African region and Nile riparian countries to secure Egypt's de facto 'historic right' on the River. In the process of systematizing the order of the region in favor of the concept of 'historic right', Cairo worked to obstruct the challenge from Addis Ababa, in particular, through means of isolation and destabilization. This is apparent because big dam projects like the GERD have a remarkable impact in revolutionizing the economic and political capacity of a country (i.e., Ethiopia in our case) that will possibly challenge the existing Egypt-led order which Cairo is not interested to see. Thus, to maintain the Egypt-led order in the

region, Cairo is extensively working on approaching the economically and militarily growing actors of the gulf (i.e., Saudi Arabia and UAE). Notably Egypt's partnership with Saudi Arabia and UAE has been rising since the counter-revolution in Egypt in 2013. However, the two gulf emerging regional actors' (Saudi Arabia and UAE) growing geo-economic, geopolitical and geostrategic interests in the Horn of Africa in general and in Ethiopia in particular could be formidable challenge for Cairo to further conceptualize its hegemonic interest over the gulf actors. Meaning, it looks not easy for a country like Egypt whose military, economic and political role is conventionally declining to lobby the gulf actors to abandon their interests in Ethiopia, which is considerably influential actor of the Horn of Africa. Thus, for the emerging gulf actors to support Egypt's scheme undermining the new balancer's (i.e., Ethiopia's) role on the geopolitical order of the Northeast Africa and the Horn regions could not be an easy task.

Egypt's anti-Ethiopia activism also possibly encounters a challenge from other emerging regional actors such as, among others, Turkey, Qatar, and Israel that see the activities of Cairo along the Eastern Mediterranean in a wary eye. Additionally, Turkey, Qatar, and Israel have remarkable strategic, economic and political interests in the Red Sea and Horn of Africa regions. For instance, Ankara has significant economic and strategic interest in Ethiopia and Somalia respectively. In this regard, the Egyptian media outlets time and again accuse 'the dam as a proxy war by Qatar, Turkey and Iran in their regional rivalry since the rift in GCC. Israel has also been drawn in, with accusations that it is supporting Ethiopia by providing technology and military support in securing the dam' (Maru, 2020). Thus, Egypt's securitization move to curtail Ethiopia's challenge seems an uneasy scheme because the former's interest to uphold itself as a significant regional actor is encountered by the above emerging actors. And the situation is effectively exploited by Addis Ababa to counter-challenge and counter-securitize Cairo as well as to emerge as a new balancer over the issue of Nile River.

Additionally, the comparative political stability among the upper Nile riparian states and the emergence of a multi-polar global political and economic order has helped countries like Ethiopia to counter-securitize and counter-challenge Egypt's claim and had enjoyed from the polity of global actors. In this regard Mehari Taddele Maru argued that 'in the past two decades, Ethiopia's influence on the regional and continental agenda (by extension its global role) has increased drastically so that it has become a major ally of the great powers'. In Mehari's argument the overall effects of Ethiopia's role on the regional and global affairs has 'brought a slight shift of vision by the international community, particularly in regard to global governance institutions and the emergence of China and other sources of developmental investment in various urgent projects such as infrastructure in the upstream countries. Assertiveness within the Nile basin countries has surged significantly. This has created tensions over the Nile that require a more robust legal and institutional framework to govern the various interests of the riparian countries' (Maru, 2020).

Yet, there are assertions that Egypt's inability to halt and influence the dam program on the Blue Nile is because of the internal political and economic crisis in the country. In fact, Egypt's inward shift of focus has its own reliable influence on its move to influence Ethiopia; but the most remarkable reasons that weakened Egypt's move to influence the dam project stems from the following three geopolitical related reasons: (i) as mentioned earlier Egypt's economic, political and military organizations are not as effective as the newly emerging regional and global actors in radiating influence beyond the national boundary. Meaning, for 50 or 60 years Egypt was the figurehead state in its geopolitical influence in the Middle East, Red Sea, Northeast Africa and the Horn of Africa regions. However, the current Egypt is comparatively weak and its influence is not effectively radiating beyond its boundary. This situation helped Addis Ababa to get leverage to form free alignment with the newly emerging regional and global actors to counter Cairo's geopolitical influence; (ii) the change of international attitude to accept and portray Egypt as the sole dominant actor on the politics and security of the Middle East, Red Sea and Northeast Africa regions in the past two decades had also been sharing its own stake for the reduction of Egypt's influence to halt the dam project over the Blue Nile. The growing economic and political multi-polarity as well as the employment of more assertive administration from Ethiopia in managing and handling the influence from Egypt also has its own stake here; (iii) time have changed a lot and many more new strategies, tactics and models are introduced to manage trans boundary resource crisis. Particularly, the strategy of transparent and trustworthy inter-state cooperation has given much value to avert trans-boundary resource crisis such as the case of the Nile. Yet, Egypt time and again asserts 'historic right' — a concept that has colonial origin and lacks the spirit of the current geo-economic and geopolitical shift of the world.

The other striking point in the dynamics of the Ethiopia-Egypt securitization and counter securitization rivalry is the dispute over the definition of expressions such as "drought", "prolonged drought", and "severe drought" in the process of the filling and administration of the GERD. It is apparent that these terminologies are used time and again in the process of negotiations from the side of Cairo possibly for two simple reasons: First, to further securitize the dam project along the Blue Nile through loaded expressions which do not go away easily; second, to influence the water negotiation process to Cairo's advantage through demanding the maximum water security.

The other instrument employed by Egypt to securitize the GERD is the 'safety of the dam'. In fact, the safety of the dam is confirmed by the IPoE after several discussions, field works, surveys and design analysis. The IPoE confirms that the dam project along the Blue Nile fulfills international standards. While explaining on its report, the IPoE stated that the 4.8 billion investments on the Blue Nile meet standards of the International Commission on Large Dams (International Panel of Experts [IPoE], 2013, pp. 20–21). The contractor of the dam is also explained as one of the world class companies that has 'designed and constructed over 200 large dams around the globe' (Maru, 2020).



On the same manner, the GERD which is around 1000 mile far away from Egypt is condemned and securitized for the 'lack of technical studies and assessments of the dam's environmental and social impact downstream' (Luck, 2021). Yet, the report of the IPoE on the GERD states that 'in terms of structure and content, the Environmental and Social Impact Assessment (ESIA) satisfies the recommendations of most international funding agencies' (IPoE, 2013, p. 39). Furthermore, while explaining the trans-boundary environmental impact of the GERD, the IPoE states that the dam has significant contributions for the down-stream nations on areas such as, among others, (i) to regulate and reduce flood in wet season; (ii) to improve water supply in dry season; (iii) to reduce sedimentation load on down-stream dams and; (iv) to increase irrigable area for Egypt and Sudan (IPoE, 2013, p. 41).

## **Conclusion**

The insincere broker of the Trump administration on the GERD related matter further complicated the water diplomacy between Ethiopia and Egypt. On the negotiation process which is named 'the Trump deal' Ethiopia withdrew itself asserting Washington's bias on mediating the two disputing parties. Subsequently, Trump declared partial cut of the US aid to Ethiopia and he remarked that 'Egypt will eventually 'blow up that dam' (Africa Times, 2020). The speech of Trump is taken as leverage for Cairo to further conceptualize its securitization campaign against the growing challenge from Ethiopia on the water security issue. Yet, beyond the water security issues, Egypt's loss of the game will significantly challenge the prestige and the geopolitical role of Cairo on the Northeast Africa and Red Sea regions. To this matter 'Egyptian insiders privately say the prospect of Ethiopian control over the most populous Arab country's water and food security is viewed as "a humiliation" (Luck, 2021). Thus, behind water security, the issue of geopolitics, geo-strategy and prestige has significantly influenced the two nation's peace process over the GERD and paved the way for securitization and counter-securitization activities.

Apparently, the geopolitics of the Middle East, North East Africa and the Horn region Egypt is not as effective as 40 or 50 years ago because the economic and military capacity of the country is eclipsed by emerging regional actors such as, among others, Turkey, Iran, Israel, Saudi Arabia, and UAE. So, Cairo is focusing inward and its capacity is not radiating beyond its boundary sufficiently. Yet, on the geopolitics of the Horn and Northeast Africa, Ethiopia is becoming a good player and a 'real' nation with a huge number of population, a very wide and unexploited landmass, untapped natural resources, fast growing economy, indeed, the seat of the African Union (AU) and the United Nations Economic Commission for Africa (UNECA). All these dispositions make Ethiopia an important security, political and economic player of the Horn and Northeast Africa regions, where global and emerging regional actors are increasingly competing to secure their geo-economic and geopolitical interests. Against this background, in the



past two decades the above mentioned dispositions enabled Ethiopia to challenge the cycle of Egypt's dominant role on the Nile politics. The changing nature of the global community's attitude towards Ethiopia's role on the security and politics of the region and the fast changing regional dynamics could be asserted as additional impetus on the Ethiopia's move to challenge Egypt cycle of dominance in the Northeast Africa region. However, Egypt tried to counter-challenge the growing encounter from Ethiopia through securitizing the latter's dam project along the Blue Nile. Egypt's securitization move against the dam project uses every means from media outlets to individual activists and from religious leaders to international political leaders. Here it is vital to note that overplaying the securitization game is profoundly devastating on the negotiation process and the fragile relations of the two countries. When the securitization game is systematically advocated by international leaders such as Trump, the ramification is deep and possibly irreparable.

Yet again, Trump's securitization 'speech act' over the GERD, which is possibly stems from points such as, among others, (i) Washington's strategic attachment with Cairo; (ii) Cairo's role on the Israel-Palestine peace talks and; (iii) the personal diplomacy of President Trump and President Al Sisi, remarkably denied the principle of mediation and exacerbated the tension and hostility between Egypt and Ethiopia which is illegal, even, in the charter of the United Nations.

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# Ethiopia:

## *Tomo*—Indigenous Conflict Resolution Mechanism of the Benč Community

Tagel WONDIMU

**Abstract:** *Tomo* indigenous conflict resolution approach is practiced by the Benč ethnic group and their neighboring communities within the southwestern fringe of Ethiopia. As an indigenous apparatus, the *Tomo* approach exhibits spirituality through blessing and cursing which are directed against the accused based on complying or contravening the very indigenous dispute management rules and regulations. The objective of this study was exploring the custom through which the studied community deals with conflict by using the indigenous *Tomo* approach. In pursuit of this objective, the researcher utilized a qualitative approach, particularly phenomenology. In terms of data collection tools, the researcher used key-informant interview with selected Benč ritual leaders, non-participant observation on *Tomo* adjudication sessions and critical document analysis. Built up on such data sources, the findings of the study discovered five inferences. First, regardless of the fact that *Tomo* is an indigenous approach owed by Benč communities, none of the Benč neighboring communities make use of it. Secondly, the majority of cases seen by *Tomo* institution are issues that defy credible eyewitness and are cumbersome for verification and/or falsification within the mainstream court system. Thirdly, unlike the habitual *Tomo* practice within the Benč community, contemporary *Tomo* exhibits two conflicting formality and informality characteristics. Due to its semi-formal nature, contemporary *Tomo* ritual leaders notify charges against the presumed wrongdoer by sending an invitation letter for the accused to attend the charges against him/her, comparable with formal courts. Contrary to this formality, contemporary *Tomo* is also characterized

by informality due to the fact that verdicts given against the perpetrator are passed through ritual cursing just like the habitual *Tomo*. Furthermore, identical with the habitual *Tomo* practice, cursing within contemporary *Tomo* goes the presumed wrongdoer including his/her family up to some future generations along with those who feast and bury the presumed wrongdoer. Overall, contemporary *Tomo* has terrifying delinquency deterring outcome along with the accustomed indigenous conflict resolution mechanism features.

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## Introduction

Conflict is a striking and significant aspect of human experience. It has existed among nations, between various groups and within individual(s) (Wynn *et al.*, 2010). Thus, it is a normal, integral and inevitable part of human relations (Gupta *et al.*, 2020). Such ontological impetus enforced mankind to look into effective approaches for conflict resolution (Chereji & Sandu, 2021). These constant searches for effective and workable conflict resolution approaches facilitated the discovery of “several stages and generated many methods and techniques for conflict management” (Chereji & Sandu, 2021, p. 3) which, in turn, forced scholars to dichotomized conflict resolution approaches as “modern court system (formal litigation) vis-à-vis ‘traditional mechanism’ (Gupta *et al.*, 2020, p. 10).

Built upon this view, formal approaches are correlated with state institutions, while the informal /indigenous approaches are associated with cultural mechanisms (Mulugeta & Getachew, 2013). Elucidating terminologies, Murithi (2008) and Mutisi (2009) contended that, the term indigenous and endogenous approaches are interchangeable within the realm of conflict resolution. Thus, such approaches are defined as conflict resolution practices which are “embodied [with] in the cultures and traditions of communities” (Mutisi, 2009, p. 18). In terms of application, “‘traditional’ [indigenous conflict resolution] practices and institution have been revived across the globe” (Chereji & Sandu, 2021, p. 4). With this respect, we could conjure the historic South Africa *Ubuntu* approach which advanced the reconciliation process on South African apartheid injustice. Likewise, we can point to the Rwandan indigenous *Gacaca* approach, which latter on transformed into *Gacaca* court so as to adjudicate the Rwandan genocide and so on (Murithi, 2008).

Moreover, Batley (2005), who prefers the name restorative justice rather than indigenous conflict approaches, noted that restorative justice programs, policies and legislative reforms being implemented in many parts of the world. Equally, Braithwaite (2010), noted that the 1990s as an epoch which revealed the New Zealand variety of family group conferencing; which latter on expanded into, too many countries such as Australia, Singapore, United Kingdom, Ireland, United States of America and Canada. Hitherto, restorative justice movements triggered the so called Africanization vis-à-vis Westernization dichotomization of restorative justice (Mangena, 2015), yet this debate is beyond the scope of this article.

By and large, this article will be more focused on *Tomo* indigenous conflict resolution approach practiced by ethnic Benč communities from the extreme southwestern fringe of Ethiopia. Before continuing discussion on indigenous approach in general and the *Tomo* approach in particular, we need to have a common understanding on two dichotomized concepts so as to have common understanding throughout the article. The first dichotomized concept we need to have common understanding of, is the

term, 'traditional' vis-à-vis 'modern' conflict resolution categorization. As it is widely discussed within literatures, the use of these terms are subjected to academic disputes. With this respect, Magoti (2019) notes, scholars debating on these terms suggest two-fold construction created by the West, to justify their dominion over societies within developing countries. Being aware of negative connotation, Magoti (2019), further goes to use these terms in a manner that informs readers:

The term traditional approach refers to peace building and conflict resolution approaches which rely on non-formal or non-state based customary institutions such as council of elders, council of chiefs...on the other hand [the term] modern is used to refer to formal or state-centered approach to peace keeping and conflict resolution (Magoti, 2019, p. 176).

Gupta *et al.* (2020) further expanded this dichotomization by stressing formal institutions as involving judges, juries, administrative dispute resolvers and the apparent relation between them and that of the legal system. Contrary to this, informal / 'traditional' approaches are elucidated as mechanisms which stemmed from extended societal practices. Likewise, they are also seen as rooted in cultural milieu of a given society. This in turn leads us to the concept of indigenous conflict resolution. Academically speaking, these approaches infer dispute resolutions and conflict management techniques that are based on long established practices and local custom (Ginty, 2008). Thus, throughout this article I will use the term indigenous conflict resolution approach instead of the terms such as informal or 'traditional' approach.

The second dichotomized concept on which we should have a common understanding is the separation between restorative *vis-à-vis* retributive justices. Conceptually, restorative justice is typology of conflict resolution, concerned with superior moral values (Allais, 2012; Zehr, 2014). It is more focused on addressing hearts and needs victims and offenders along with the very local communities (Gromet & Darley, 2009). Contrary to this, retributive justice is more focused on reestablishment of justice through punishing the delinquent (Wenzel *et al.*, 2008). In comparative sense, restorative justice is a category of justice based on principle of non-dominance, mutual empowerment, reciprocated listening of each other with stakeholders getting equal opportunity to express their stories (Braithwaite, 2010). Thus, restorative justice resembles/fits the indigenous conflict resolution approaches while retributive justice bears closeness to formal court systems. Therefore for the purpose of this article, informal, 'traditional', indigenous, endogenous as well as restorative justice approaches are meant to infer conflict resolution approaches, which are intrinsic, innate and instinctive to a given society.

Generally, this article is not about an extended discussion on *formal vis-à-vis informal* approach categorizations. Equally, it is not about far-reaching conceptual clarification on the ostensible synergy between indigenous, endogenous and restorative justice semantics and semantic elucidation. The modest objective of the article is focused on

contemporary practice of indigenous conflict resolution approach by taking the *Tomo* approach from the extreme southwestern fringe of Ethiopia. As it is well known, Ethiopia is multi-cultural, multi-ethnic and multi-lingual country. This being the case, the country is inferred as “museum of peoples with more than 80 [different] ethnic groups” (Abebe *et al.*, p. 230). Along with these multiplicities of culture, identities and language, the country hosts numerous indigenous knowledge and knowledge systems. And these aboriginal Ethiopian indigenous knowledge and knowledge systems encompasses almost every aspects of the community which include medicine, agriculture, politics and conflict resolutions and so on (see Workneh, 2011; Yeshambel, 2013; Daniel, 2016).

This article is focused on indigenous knowledge and institutions meant for conflict resolution. According to MacFarlane (2007), many rural communities of Ethiopia choose indigenous institutions, rather than state courts. Empirical researchers also signify that, the various Ethiopian nation’s nationalities and peoples exhibiting and using their own indigenous political and conflict resolution adjudication institutions. To mention just a few, the *Gada* system and conflict adjudication is accustomed among ethnic Oromo. *Gada*, is a system of classes of age groups changeable every eight years in assuming culturally enshrined responsibilities (Zelalem & Endalcachew, 2015). Similarly Wubeyed (2010) who studied indigenous conflict resolution mechanisms of ‘Enner Gurage’ identified five indigenous institutions serving ‘Enner Gurage’ community. These are ‘*Ye Sera dana*’, ‘*Ye muragengne dana*’, ‘*Ye tib dana*’, ‘*Shengo*’ and ‘*Yejoka*’, (Daniel, 2016). Ethnic Kambata communities, are well known for their effective tradition of ‘*kokata*’, ‘*Reda*’, ‘*Gotcho*’, ‘*Gogata*’ and ‘*Ilammo*’ indigenous institution in dealing with conflicts (Abebe *et al.*, 2015).

When we look into the extreme southwestern fringe of Ethiopia, to the best knowledge of the researcher there are three very important studies were conducted. Bisrat (2018) could be mentioned as erstwhile for his enquiry focused on indigenous conflict resolution within Kaffa communities. He identified *Geno*, *Eqqo* and *Tomo* approaches and he enlightened that within ethnic Kaffa communities; ‘*Eqqo*’ is a ‘traditional’ spirit, accepted by a significant segment of the local communities. Moreover, within ethnic Kaffa communities individuals with *Eqqo* spirit are believed to possess supernatural gift of prophecy/ divination operational in conflict adjudication. With respect to *Tomo*, Bisrat argued that leaders of the *Tomo* clan allegedly possess mystic power of knowing hidden actions; and based on this mystic power, they adjudicate conflicts within ethnic Kaffa community. The other scholarly work worth mentioned in this article is the one by Adinew (2017). Through exploratory research, Adinew recognized ‘*Dofie*’ indigenous conflict approach among ethnic Dizi communities. Based on Adinew’s finding, *Dofie* conflict adjudication works through ritual slaughtering of sheep/goat with subsequent examination/reading of its intestine by ritually skilled clans named *Geima*. And the third academic work worth mentioning with this regard is the research conducted



by Teklemariam and Kassaye (2018). Their work touched upon the *Tomo* approach focused on ethnic *Benč* communities. Based on this review we can see the existence of two published works focused on *Tomo* approach, yet both works display limitations which in turn will be discussed within forthcoming sub-section.

### **Indigenous conflict resolution among Benč communities**

As indicated earlier, Ethiopia is multi-ethnic, multi-cultural and multi-lingual country. Benč communities are one among these cultural groups with in the extreme southwestern fringe on the country. Comparatively speaking, according to the Central Statistics Authority (2007) report, the Benč ethnic group is the second largest, seen from the perspective of the sub-region. In terms of designation, the name 'Benč' was originated from Benush, which name of a person believed to be the founding father of the studied community (Muluneh & Dereje, 2013, p. 20). With respect to language, the study community use Benčnón, literary it infers Bénc mouth or Bénc language. According to Rafold (2006), Benčnón is a dialect of Osmotic language and speakers of Benčnón commonly recognize mutually intelligible three vernaculars, which are Béncnón, Sheynón and Mernón,

Along with linguistic segmentation, there are three major clan categorizations within the studied community. These are 'Bénc Tate', 'Mer Tate' and 'Shey [Je] Tate' clans with further hierarchical splitting into sub-clans. For example, BéncTate' clan is preceded by the *Baykes*, 'Mer Tate' with *Zangnd* and 'Shey Tate' clan is preceded by *Koyinkes* (Muluneh & Dereje, 2013). Along with these linguistic and clan dissection the study community utilize indigenous administrative and conflict adjudication. There many indigenous conflict adjudication within the study community; however this article is focused on *Tomo* institution, which located within 'Shey Tate' clan dominion of *Benč* ethnic group preceded by *Tomtate* sub-clan.

### ***Tomo* indigenous conflict resolution: academic gloominess**

As indicated above, there are two published articles focused on *Tomo* approach. Regardless of sharing similar nomenclature 'Tomo', the articles suggest conflicting interpretation. For example Bisrat (2018) recounts *Tomo* adjudication mechanism of Kaffa communities, while Teklemariam and Kassaye (2018) contend *Tomo* indigenous apparatus for Benč communities. To understand the difference, it is vital to clutch the following quotes from the two articles:

*Tomo* is one of the clans of Kaffa society. It also refers to the leader of such a clan who has a gift of knowing what people have done to other people even if he has not seen it in person and /or heard of that act from other people... The *Tomo* conflict resolution mechanism is used by all clans of Kaffa society, beyond that of just the *Tomo* clan (Bisrat, 2018, p. 139).

Contrary to this, the article by Teklemariam and Kassaye (2018) contends that:

The institution of *Tomo* is found in Shey-Benč District; *Tikimlshet* Kebele Ethiopia. It is one of the traditional dispute settlement institutions in *Benč* Community. It is named from the clan of “*Tomo*” in *Benč* Tribe [ethnic group]. It has a spiritual basis. It is believed that its foundation is relayed with traditional god called “*shinabossind*” which is worshiped by *Tomo* community (p. 5).

In line with this comprehension, a critical scrutiny entails the following tentative conclusions. First the two articles might have been discussing two different indigenous approaches entitled: ‘*Tomo*’. Or, one of the two articles/scholars’ might have been misinformed in comprehending *Tomo* institution. These being said, this article attempts to deliver nuanced discussion on the indigenous *Tomo* approach practiced by ethnic *Benč* communities. Thus, this article will answer where, when and how *Benč* ethnic groups apply *Tomo* approach. With these objectives and enlightening the academia on *Tomo* institution, the researcher employed a qualitative approach, particularly phenomenology. In terms of data collection tools, the researcher employed key-informant interview with selected *Benč* ritual leaders, non-participant observation on *Tomo* adjudication sessions and literature review.

### 1. *Benč* ethnic groups and their approaches for conflict resolution

Among ethnic *Benč* communities, the *Tomo* indigenous conflict resolution approach rests on voluntary concession, demonstration of regret, admission of guilt and appeal for forgiveness by the wrongdoer. Key informants, emphasize that ‘traditional’ or old-style *Tomo* accent morality as the basis for adjudication. Moreover, *Tomo* courts are administered by members of ethnic *Benč* communities from ‘*Tomo*’ clan (Teklemariam & Kassaye, 2018). Within the ethnic *Benč* communities, there are dozens of beliefs and belief oriented sacred sprits/gods. These include ‘*Garamando*’, ‘*Diwosndo*’, ‘*Ashilosndo*’, ‘*Giztetindo*’, ‘*Shinobosindo*’ and so on. Each of these sacred gods has their own unique presumed power. For example ‘*Garamando*’ is the great god, while others are goddess under *Garamando*. Some are gods of rain and productivity while others are gods of sun and punishment. One among these gods is *Shinobosindo*, which punishes through abdominal swelling and *Tomo*’ indigenous adjudication process is associated with *Shinobosindo*. Key informants contend that, *Tomo* approach works *Shinobosindo* spirit/good.

### The *Tomo* adjudication process

In contemporary *Benč* ethnic groups and their neighboring communities, the *Tomo* approach for conflict resolution encompasses five exceptional steps. The steps are listed as follows:

- The first step for *Tomo* adjudication is litigants’ sue commencement into *Tomo* court;

- Following the aforementioned first step, the ritual *Tomo* jury, who heard the litigant situation, will send invitation epistle for the presumed wrongdoer / offender so as to avail him/her/their selves before *Tomo* verdict was made through cursing;
- Thirdly, the litigant, who visited *Tomo* court and who collected invitation letter from *Tomo* jury will contact the presumed wrongdoer /offender and give him/her *Tomo* jury invitation epistle along with the date for court session;
- The fourth steep is litigant revisit of *Tomo* court for final verdict regardless of the accursed person decision to hear the verdict by attending *Tomo* court; and
- And the last step is the *Tomo* ritual verdict.

For the purpose of clearer understanding, the following two paragraphs will unpack how the *Tomo* process functions in serving justice using these five steps. As indicated above, *Tomo* adjudication process is initiated with the litigant's first visit of *Tomo* court. According to key-informants, in foremost circumstances, litigation cases seen and adjudicated by *Tomo* courts are those which dearth evidence. Correspondingly, unlike state courts and that of monolithic religious adjudication methods within the study area, for cases which are adjudicated within *Tomo* courts perpetrators tend to distress *Tomo* courts. Hence, they incline to confess their guilt without a need for any sort of proof, including eye witness. Secondly, unlike in other approaches, in contemporary *Tomo* rituals an invitation letter is sent to the presumed wrongdoer /offender to hear the case against him/her before the ritual verdict. In addition to these, the contemporary *Tomo* jury sends an invitation letter with two unique physiognomies. These are, first, the formal state institution *Tomo* court sends a written invitation letter to the presumed wrongdoer. Secondly, unlike any other indigenous apparatus, the *Tomo* jury sends a written invitation letter with its own stamp, which in turn turns it into a quasi formal institution. That being the case, the *Tomo* institution in general and the written invitation in particular have deterring effect on perpetrator(s)/or presumed perpetrator(s). With this regard, most presumed wrongdoer / offender exhibit two characteristics while receiving *Tomo* invitation letter, according to informants. Some get distressed, while others reject it. Those who get distressed discharge their duty before the *Tomo* deadline in some cases and in some other circumstance negotiate with the litigant before their court day. While those who reject the invitation end up being cursed by *Tomo* ritual, which will be discussed latter within this article.

The fourth and fifth steps within *Tomo* adjudication process are litigants succeeding to visit the *Tomo* court, followed by the last step. With present-day *Tomo* adjudication process, litigants succeeding to visit the *Tomo* court, I mean passing everything through the aforementioned three steps, then the forth step will be initiated. And on the forth step, the litigant will meet the main *Tomo* judge himself, assisted by facilitators. The manner through which the litigant meets *Tomo* ritual judge face to face, functions on a principle called first come first served, and the meeting is orderly arranged by chair within the *Tomo* court. There are two circumstances for the litigant to meet with the *Tomo* judge.

The first circumstance occurs when the accused accepts the invitation to attend *Tomo* adjudication session and both parties make conversation with *Tomo*. Following that, the *Tomo* ritual judge interrogates both parties for the final judgment. Within this circumstance, if the accused accepts the charge against him/her, then the *Tomo* ritual judge orders the accused to discharge his/her duty by paying compensation both for *Tomo* court and the litigant. This circumstance is explicit voluntary and accompanied by *Tomo* blessing. The other circumstance occurs when the accused rejects *Tomo* invitation and shun away by a *Tomo* court. In this circumstance, the *Tomo* will only interrogate the litigant and order him to spin a needle on a ritual tree within *Tomo* court compound, symbolizing ritual cursing against the accused including his family members up to some generation and those who feast with him/her. If the litigant doesn't have needle with him/her, then the *Tomo* judge will order the him/her to clean tree within *Tomo* court, which denotes similar cursing with pinning a needle on *Tomo* ritual tree.

### **Strengths and weakness of *Tomo* adjudication**

The *Tomo* approach highlights the fundamental role of indigenous knowledge and knowledge systems in conflict adjudication for charges which dearth evidence. It also highlights the study communities' ability in settling conflicts through indigenous approaches through indigenous institution. Empowering the very local communities by providing them the chance to solve conflicting cases that defy evidences is the principal advantage of the *Tomo* apparatus. Within the realm of *Tomo* adjudication, both the accused and the accuser will also acquire the chance of dialogue on the issue that pushed them into disagreement within ritual *Tomo* court compound, assisted by well reputed elders who serve as jury for complex cases. As a norm, if a litigation case between the accused gets too complex, the *Tomo* ritual leader will direct the case for panel of elders who serve as jury. The panel empowered to cross examine both parties and bring the case back to the ritual *Tomo*, with recommendations for final verdict. In every case, pursuant to *Tomo* ritual rule for being dishonest, the *Tomo* approach has evident supremacy in deterring crime, which includes theft, murder and refutation; which in turn can be seen as additional strength of it. Here it is vital to quote one of my key informants who went to prosecute his business partner for deceitfulness in *Tomo* court and subsequently recalled a poster text on the entrance *Tomo* ritual compound, which says "only the truth can save you from death". He narrates the manner through which both accused and the accusers were deterred against any crime as well as confession. As it is rightly observed by Teklemariam and Kassaye (2018):

The decisions passed by *Tomo* institution are fair, low costly and without delay... *Tomo* solves disputes which are dangerous for the wellbeing of society, but committed without evidence. For instance, theft, [adultery] adultery, homicide and other crimes which are committed in hidden and sophisticated manner are usually entertained by *Tomo* institution (p. 4).

Due to these unique characteristics, dissimilar to formal court adjudication within *Tomo* courts is swift; free from corruption for cases which lack evidence. Based on key informants' experience, *Tomo* is relatively swift when compared with formal courts. Hitherto, when compared with other indigenous conflict resolution approaches within the study area and beyond, *Tomo* adjudication can be seen slow due to the fact that they consume a maximum of one or two days only. Apart from this, as implied above, *Tomo* adjudication functions through defendants' explicit confession of the offense irrespective of evidences for verification or falsification. Here, the psycho-sociological role of the *Tomo* apparatus in facilitating reconciliation and adjudication of cases is also acknowledged by majority of key-informants. With this regard, key-informants assert that in a formal court system when sued, offenders tend to show dishonesty /deceitfulness. One key informant further asserted that, given to the prevailing high level psycho-sociological deterring power of the *Tomo* approach, some litigants frighten their adversaries by proclaiming that he/she will go to *Tomo* so as to acquire a swift result.

When we see the *Tomo* approach in comparative sense especially with monolithic religious approaches (mainly Christianity), accused persons renounce their offense. Hitherto, when sued into *Tomo* court, some accused individuals exhibit authentic confession. Nevertheless, there are also special cases in which the accused totally rejects the power of *Tomo* ritual and tear down the above-mentioned *Tomo* ritual jury invitation later. Additionally, *Tomo* adjudication plays pivotal role in preventing further crimes due to its greater psycho-sociological deterring power. In terms of resemblance, just like *gacaca* courts of Rwanda (Mutisi, 2009), *Tomo* courts reflects hybrid approaches for peace and reconciliation. Equally, notwithstanding the fact that *Tomo* is a 'traditional' institution for communal justice and has retained its' traditional' open-air location, it has been partly formalized /institutionalized. As substantiation for this claim, *Tomo* adjudicators send invitation letters for the accused before passing verdict. The invitation letter, just like in formal institutions, has its own seal /stamp and it is entitled '*Tomo* religious court'.

When it comes to weakness, as it is apparent for other indigenous conflict approaches within Africa and beyond, the *Tomo* approach has its own. The researcher observed the following weakness. One of the weaknesses associated within *Tomo* approach is that, it is adjudication through truth telling; which in turn does not always result in peace-building or reconciliation. According to Mahmood "truth doesn't necessarily invoke mercy and forgiveness. In some cases, truth may lead to reprisals against those who present it" (Mutisi, 2009, p. 20). In cases where the accused rejects the charge or reject the decision passed by *Tomo*, then the punishment is death through abdominal swelling /bloating with subsequent death, which is another weakness associated within the approach. Furthermore, family members and community members within the study community in some cases contemplate other sort of abdominal swelling /bloating with *Tomo* and

encounter various costs to undo the cursing. Overall, punishment is not proportional with the offense committed.

Furthermore *Tomo* approach characterized by challenge when it comes to contemporary concepts of human rights due the deep embedded *Tomo* cursing potent for killing the accused, which in turn is contrary to human right declaration. The other weakness embedded within the approach is associated with contemporary notion of double jeopardy; which insists prohibition of multiple prosecutions for the same offense (Hessick & Hessick, 2012). Contrary to this notion, homicide accused person within *Tomo* court, if exposed guilty, then he/she will be punished by *Tomo* first and then handed over for state institution along with his confession as evidence. The last but not the list limitation of contemporary *Tomo* approach is associated with losing acceptance. In plain terms, contemporary *Tomo* rituals and *Tomo* decisions are not much feared anymore, hence the approach is losing its social capital.

## Conclusion

*Tomo* is indigenous conflict adjudication apparatus among Benč ethnic groups. The approach exhibits plentiful strengths, of which, adjudication without evidence is seen as the vital benefit. In plain terms, within the *Tomo* adjudication process, justice is served for litigants, regardless of proof for the offense. The other excellence is associated with its deterring injustice by the spirit of 'Shinabossind'. As we have seen on discussion part of this article, 'Shinabossind' is potent to punish by abdominal swelling /bloating with subsequent death. Hence, psycho-sociological deterrence of delinquency/ crime/ misbehavior is the other value of the *Tomo* approach. Furthermore, the approach is characterized by its informality, due to the fact that ultimate verdicts within *Tomo* adjudication are given in the form of cursing or blessing.

Apart from these advantages, the *Tomo* approach has limitations. The principal limitation is its incapability to modify victim versus perpetrator narratives. The other limitation is associated with its softness for being unfair. In other words, in conflict situation where the accused end up guilty and reject to recompense penalty laid by *Tomo* jury or if the accused rejects the charge in general, the verdict is cursing. Worsening the already bad issue, *Tomo* ritual curse is believed to cause death not only against the accused but also against those who feast and bury him/her if he/she dies. Additionally, the curse also passes into some future generations. That being the assumption, the system could be questioned for being unfair due to its disproportional punishment and failure. Given that in short to medium term, the limitation needs to be addressed, otherwise good sides of the approach might be lost along with its shortfalls.



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