Customary Institutions in Contemporary Politics in Borana Zone, Oromiya, Ethiopia

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Chapter 8 of the book:

Contested Power in Ethiopia:
Traditional Authorities and Multi-party Elections
edit by Kjetil Tronvoll Tobias Hagmann
Brill, Leiden and Boston, 2012

PRE-PRINT VERSION FOR OPEN ACCESS

(For quotation please refer to the published version due to minor editing and different pagination)

Published version:

ISSN: 1568-1203 (African Social Studies Series)
Book ISBN: 978 90 04 21843 7
Book E-ISBN: 9789004218499

Book DOI: 10.1163/9789004218499
Book URL: http://booksandjournals.brillonline.com/content/books/9789004218499

Chapter DOI: 10.1163/9789004218499_010
Chapter URL: http://booksandjournals.brillonline.com/content/books/b9789004218499_010

Citation of the published version:
Bassi, Marco. 2012. "Customary Institutions in Contemporary Politics, Borana Zone, Oromia, Ethiopia", in K. Tronvoll and T. Hagmann (eds*.), Contested Power in Ethiopia: Traditional Authorities and Multi-party Elections*, pp 221-250. Leiden and Boston: Brill.

Introduction

Customary institutions are varyingly understood by scholars, development experts and governmental officers. Since they are not legally or constitutionally recognised by the state, most sociologists and political scientists have usually assumed that customary institutions are informal. Elizabeth Watson (2001, 4, 18) has tried to apply this mainstream theoretical model to natural resource management in Borana Zone, but she found a mismatch with the fact that the Borana 'indigenous' institutions operate in quite a formal way. Indeed, functionalist anthropology has fully shown how roles of authority, decisional and juridical procedures, norms and institutions are legitimised or formalised in non-industrial polities. The problem with functionalism was that customary institutions were ethnographically treated as if in isolation from the colonial or post-colonial states. The formal/informal theoretical divide reflects the different disciplinary and methodological approaches to the study of social reality. Customary institutions are in fact considered 'formal' when priority is given to the point of view of local actors; they are regarded as 'informal' when evaluated through the sole legitimating prism of the nation-state.

With the development of the notion of indigenous rights, this dichotomy can be considered a dated one. In fact, the expanding body of international law on indigenous and tribal peoples provides the legal framework for the recognition of customary law, institutions and territorial rights. Self-determination is the encompassing political principle that defines an independent decisional space with reference to the management of natural resources and development. In practice, however, the enhancement of these rights varies greatly between different continents and is highly dependent upon the degree to which international law has been adopted into national legislation. Despite the fact that the peoples of Ethiopia have a variety of fully fledged and still operative customary institutions, the internal political debate and the international discourse on development have so far been constructed without any reference to indigenous rights.

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

In the field of development, the attention to customary institutions has been mainly raised in the pastoral sector. The pastoral lowlands of Ethiopia were less affected by the imperial and socialist land reforms forcibly implemented by the Ethiopian governments (Boku Tache and Gufu Oba 2009, 412–13). The governance of the natural resources on which pastoralism relies remained fundamentally based on customary elements. The contemporary relevance of the customary institutions is recognised in an international report commissioned by the International Fund for

[1] The OLF was one of the three major political organisations that formed the TGE after the fall of the *Derg* government in 1991.

Agricultural Development (IFAD) and prepared for the Pastoral Community Development Project (PCDP), an initiative by the World Bank, IFAD and the Government of Ethiopia to reduce poverty among pastoralists. In this report it is claimed that 'the PCDP is based on the assumption that pastoral livelihoods can be improved by strengthening the self-management capabilities of indigenous institutions' (Waters-Bayer 2003, 2). The report goes on to advocate capacity- building for both governmental and indigenous institutions among the Somali, the Afar, the Borana, and various ethnic groups in South Omo. The Pastoralist Communication Initiative (PCI) has been particularly active in the field of advocacy. Its initial objective was to obtain a chapter dedicated to pastoralism in the National Poverty Reduction Paper. In line with the poverty reduction strategy of ensuring citizens' participation and institutional responsiveness, the PCI supported the dialogue between the pastoralists and the Government of Ethiopia.

Along with various initiatives in the 'formal' political sector, from February 2004 on it tried to work through the customary institutions. This initiative was in line with the policy adopted by the Oromiya Pastoral Development Commission and included an explicit reference to the need to integrate the pastoralists' customary institutions (OPDC 2003). Customary leaders in the study area were invited to a number of local and regional meetings and gatherings facilitated by the PCI.[2]The PCI advocacy initiatives run in parallel to the efforts made from 1998 onwards by civil society and the government on Pastoralist Day.[3]

Most of the aforementioned initiatives to involve customary leaders are theoretically grounded in the theory of 'direct' or 'participatory' democracy, implying a capacity of poor and marginalised groups to influence policy outcomes outside of the standard mechanisms of electoral representation. This issue is particularly relevant in Ethiopia, a country affected by seriously flawed mechanisms of formal representation and accountability to constituents (Lister 2004, 13–14, 28–30). Customary institutions are presented as a 'bridge' with the community (Hagmann 2005, 529) or a 'ready-made set of participatory structures' (Watson 2001, 15, 18). As explained by Sarah Lister (2004, 27), it is assumed that 'the interaction between formal and traditional systems mediates between citizen interests and policy outcome, and thus fulfils a "representation" function'. Despite these assumptions, the Ethiopian federal policy on pastoralism completely disregards customary institutions and promotes a model of development entirely opposed to the customary governance of natural resources (FDRE 2002).

In this paper I will analyse the outcome of the interface of customary with state politics in the pastoral area of the Borana, taking as my main reference the 2004 referendum on the definition of the border between Oromiya Regional State(Region 4) and Somali Regional State(Region 5) as well as the 2005 national elections.[4] In the

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

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

[4] This study was implemented in two phases of fieldwork during the 2005 national elections and draws

conclusion I will address the risk involved in dealing with customary institutions in a theoretical framework of 'direct democracy', without any reference to the international notion of indigenous rights and to the inherent legal instruments and development procedures.

The peoples of Borana District and Borana Zone

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

Pre-colonial settlement

In 1896, just before its incorporation into the Ethiopian state, Italian explorer Vittorio Bòttego's second expedition crossed this region. The area had already been explored by Donaldson-Smith, Bòttego and others. On this occasion Bòttego received the mandate to expand and reinforce Italian colonial influence, signing protectorate treaties with the local leaders and establishing a military post in the important trade centre of Luuq (Vannutelli and Citerni 1899, 14). Accordingly, the explorers carefully collected information about the distribution of local groups and their trade relations. The rock 'Dacà-Barru' (Dakaa Barruu), on the caravan route along the Dawa River, was clearly identified as the marker of the old border between the Borana (Oromo) and the Muslims (Somali). According to the cartography drawn up by Achille Dardano in Rome (in Vannutelli and Citerni 1899), this rock is located on the southern side of the Dawa River, corresponding to present-day Mandera. The locality of 'Bua-Herere', probably not far from present-day Ramu, was the field of a major battle occurred 50 years before Bòttego's expedition. The expedition's Somali guides recounted that the Somali had gathered from Luuq and Bardera to fight against the Borana. The Somali alliance won, forcing the Borana to retreat beyond the 'Sancuràr' (Sankuraar) wells, a locality reported on Dardano's cartography as being to the north-east of Eel Deer. 'Sancuràr' was considered the border between the Borana and the Somali at the time of Bòttego's second expedition. The Muslim groups identified on their route were the 'Garra-Marra' (Garrimarro) living in a small triangle at the confluence of the Dawa

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

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

and the Ganale Rivers, the 'Garra-Ganana' along the Mandera tract of the Dawa River, and the 'Garra-Lìvin' along the caravan route roughly between present-day Malka Mari and Sancuràr.[6] The 'Garra-Ganana' were said to be Somali, but they were able to speak Borana. The 'Garra-Lìvin' also identified themselves as Somali and Muslim, but the explorers considered them to be culturally and linguistically closer to the Borana (Vannutelli and Citerni 1899, 136–9).[7]

This cultural affinity can be explained with the Borana hegemony in the region. The Ajuran and the Garre were part of a Borana network of alliance until the Somali effectively challenged the Borana power in the mid 19th century (Goto 1972; Gufu Oba 1996, 123–4, 128–9; Haberland 1963, 141–2).[8] The 19th century resurgence of international trade favoured the emergence of new city-states in the interior of southern Somalia including Luuq (Luling 2002, 3, 21). The account provided by the survivors of Bòttego's exploration describes the existence of a Somali trade network including the towns of Luuq and Baardheere (Bardera). Luling has also outlined Luuq's links to Geledi, the coastal and Swahili towns, and to Awdheeglee (2002, 184). Such city-states interlinked the nearby local clans in a web of trade relations. The 'Garra-Ganana', and the 'Garra-Lìvin' mentioned by Vannutelli and Citerni thus became part of the Luuq confederation. The Degodia, another Somali clan encountered by the explorers to the east of the Ganale River, were apparently excluded, having been described as an 'independent tribe that is normally an enemy of Lugh' (Vannutelli and Citerni 1899, 90, author's translation). In the mid 19th century this network appears to have been scaled up into a military alliance against the Borana Oromo in order to gain control of trade. Indeed, Bòttego and his colleagues were told by their Garre friends that fifty years earlier anyone advancing beyond 'Dacà-Barru' without permission would have been killed (Vannutelli and Citerni 1899, 136, 149). By the time of Bòttego's expedition, after the Bua-Herere defeat of the Borana, several tolls were still imposed on Somali caravans crossing into Borana country, as were fees for watering at wells and for grazing their animal. This indicates that trade relations favoured the emergence of the notion of a border before the region was incorporated into the colonial or imperial states. The following account provided by Duuba Dima suggests that the same notion was applied to grazing:

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

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

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

[8] The encroachment of new Somali clans into the region started in the mid 18th century (Gufu Oba 1996). Günther Schlee has found that the expression *Warr Libin* is used still today in Northern Kenya to stress cross-ethnic solidarity based on the ancient Borana-centred alliance (2007, 424–26). The 'Garra-Lìvin', or 'Gère Lìban', were probably the Garre group most closely tied to the *Warr Libin*.

leaders of the Borana.[9]

The westwards movement by the Somali was confirmed in the interviews made during my 2005 fieldwork with both Degodia (Somali) and Borana (Oromo) elders.[10] The Degodia justified Somali expansion as a defensive reaction to the cruel attitude of the Borana, a 'pagan' group, towards the Muslims. The Borana mentioned the presence of several relatively recent Borana tombs deep inside current Somali territory, including in Luuq. Indeed Vannutelli and Citerni reported the presence of numerous Oromo tombs along the same caravan route between 'Dacà-Barru' and Bua-Herere. As for Luuq itself, explorers described a Somali-dominated multi-ethnic town, with the presence of many Oromo slaves (1899, 82, 139).

Administrative demarcation until 1991

By the time of the Ethiopian conquest, Borana territory extended from Teltelle to the confluence of the Dawa and Ganale Rivers. Despite the penetration of the Degodia and Mareexaan Somali clans and the bilingual Garre communities into the eastern sector of their territory from the 1920s onwards and, especially, during the Italian colonial era, this large territory came to be identified as a 'Borana' administrative space within the Ethiopian state.[11] After the Italians were defeated, the old provinces of Borana and Welayta were merged into the Sidamo Region. Still in 1991, Borana Province (*awraja*) was a major administrative division of the Sidamo region and was subdivided into two districts (*woreda*): Liiban and Doolo. Liiban District took its name from the portion of the Borana customary territory known by the name of *Liiban* that was bordered by the Dawa and Ganale Rivers and extended eastwards to the confluence of the two rivers. The customary *Liiban* included Doolo District, an area that by 1991 was mainly inhabited by Mareexaan and Degodia Somali.[12] The western portion of the Borana customary territory was under Areero Province, subdivided into Teltelle, Dirree, Yaaballoo, Areero, Mooyyale, Burji and Hagaramaram districts. With the exception of Burji and Hagaramaram districts – inhabited by the Burji and the Guji respectively – Areero Province was mainly inhabited by the Borana. The districts of Yaaballo, Areero and Mooyyale included the whole of *Dirree,* a second important customary region of the Borana that was often coupled with *Liiban* to indicate the Borana homelands and ritual centres. *Dirree* is the Borana customary territory to the southwest of the Dawa River and north of the escarpment that roughly divides Ethiopia from Kenya. *Dirree* is characterised by the presence of the famous *tulaa* wells.[13] The Gabra, an Oromo-

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

[10] Various interviews, August 2005.

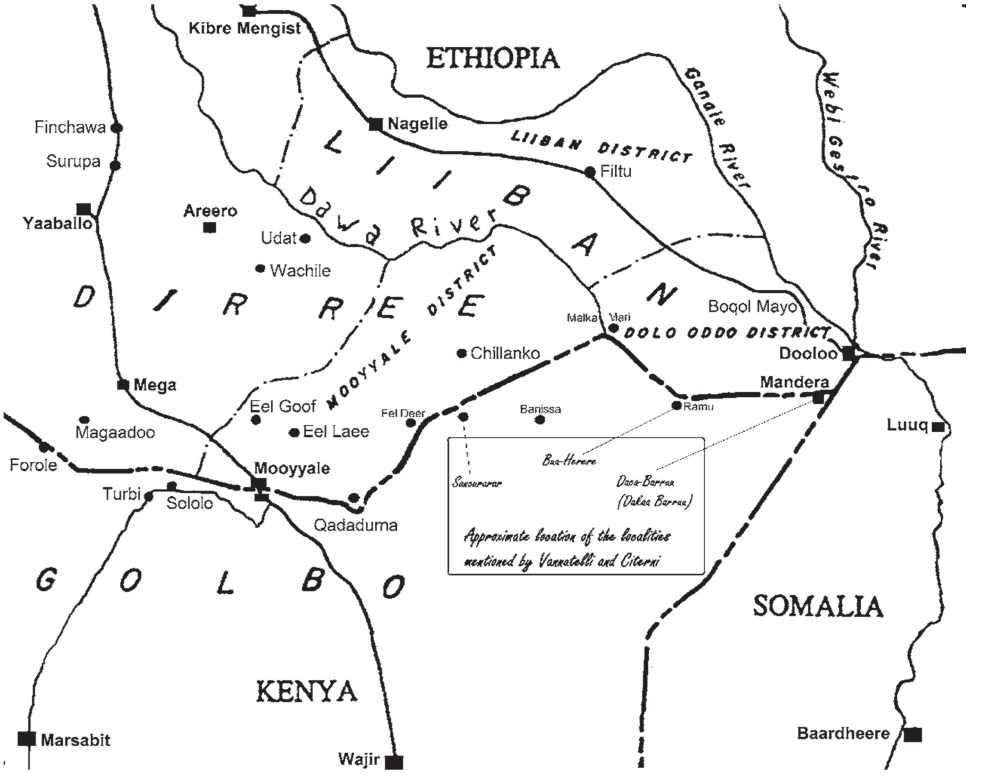
[11] Details of the historical process of penetration of the Muslim groups into Borana territory are provided by Belete Bizuneh (1999), Boke Tache and Gufu Oba (2009, 415–18), Bassi (1997; 2010), Haberland (1963), Gufu Oba (1996), Getachew Kassa (1983), Fekadu Adugna (2004, 75–7).

[12] In this paper I differentiate customary from administrative geographical units by using italics for the first.

[13] The *tulaa* are clusters of deep wells found in nine localities. They impressed early travellers by their remarkable physical structures. More recently they have attracted the attention of pastoral development

speaking community, and the Garre had regular access to some of the wells located in the customary *Dirree*.

Map 2. Borana and Areero provinces, Sidamo Region (1991) and main localities mentioned in the text



The demographic politics of space from 1991

The collapse of the Somali state in 1991 set in motion a massive movement of population and clans from Somalia to Kenya and Ethiopia. According to its mandate, the United Nations High Commissioner for Refugees (UNHCR) was very active in assisting the refugees and promoting repatriation in coordination with the concerned governments. These settings facilitated the enhancement by the Muslim groups of what I have elsewhere called the 'demographic politics of space', a 'planned attempt to gain control over land by means of forced or voluntary migration' (Bassi 2010, 241). I

experts because of the important role they play in modern pastoralism. Foreign and indigenous scholars have also studied their complex social and normative implications.

introduced this concept by building on Clapham's (2002, 25–30) notion of 'the new politics of space' that defined the politics involved in the process of demarcation of ethnicbased regions and other administrative boundaries after the introduction of federalism in Ethiopia. Inside the study area, the local politicised elites managed to manipulate demographics by exploiting Ethiopian macro-politics. After its withdrawal from the Ethiopian government in 1992, the OLF established one of its military branches in northern Kenya, just across the border from Ethiopia (Schlee 2003, 358–62).

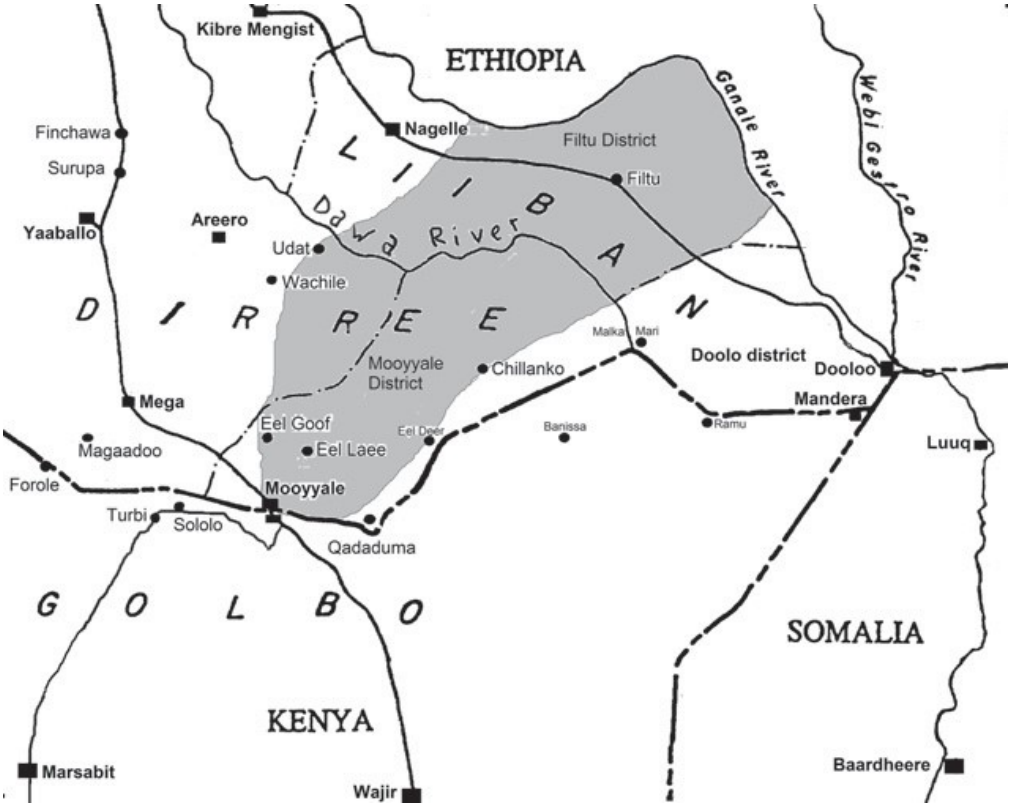
When the Tigray People's Liberation Front (TPLF) entered the area, it arbitrated on a number of conflicts that had broken out between the Borana and the Muslim groups connected with the arrival of refugees. The Borana were accused of supporting the OLF, a factor that generated mistrust with the TPLF. The Muslim minorities within Borana territory were politically empowered, in a context of general disregard for fundamental human and political rights (Bassi 1997; Schlee 2003, 358; Vaughan and Tronvoll 2003, 134; Lister 2004, 24; Bassi 2010, 231–2). This was the time when the TGE was re-drawing the administrative borders of the constituent regional states of the emerging federal Ethiopia. The large Oromo and Somali regional states were subdivided into more manageable units, or administrative zones. The Somali living in *Liiban* and the new groups of Somali refugees and returnees favoured a further massive demographic influx of Somali refugees and Kenyan Somali into *Liiban*. Similarly, the Garre and the Gabra moved into *Dirree* (Bassi 1997; Fekadu Adugna 2004, 98–104). UNHCR was working under the pressure of the emergency, with little opportunity to differentiate between proper returnees and those who were simply claiming that status. The demographic politics of space was thus strongly sustained and funded by international aid, in terms of support to individuals, services provided in the returnees' settlements, and infrastructural development (Bassi 1997; Fekadu Adugna 2004, 37–40, 113–14; Ahmed Farah Yusuf 1996, 133–4, 138–9). For instance, Filtu, just a small village before 1991, became a district administrative centre with the key support of Italian NGOs.

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

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

Map 3. Approximate area of displacement of the Borana from 1991 in Liiban Zone and other territories administered by the Somali Regional State

Note: The map includes both permanently occupied territories and seasonally used pastures.



Two types of customary institutions

Generally speaking, the Somali give prominence to patrilineal genealogy as a key element of customary social and political organisation. Luling (2002, 2–3) has outlined three models of political organisation. Among the mobile pastoralists of northern Somalia, the lineage represents the main corporate group. This is a residential group with corporate control over water points. Ioan Lewis (1999) has stressed the egalitarian process of decision-making in meetings, and the relevance of the 'contract' (*heer* or *xeer*) among lineages and clans to add flexibility to the genealogical structure in building larger alliances. In the agricultural and agro-pastoral areas of Southern Somalia clanship is the main organisational principle. Alien groups can be

incorporated into the clan through fictional kinship. The internal segmentation of the clan is reflected in political representation, with 'a definite and permanent administrative organisation' built on the office of headman of each lineage and at various levels (Lewis 1994, 136). Under particular circumstances, strong centralised institutions may develop, as in the case of city-states like Mogadisho, Marka, Baraawe, Geledi, Luuq. This is the 'urban model' analysed by Luling, which is strongly associated with trade. In its typical form it consists of a tied alliance, or federation, of clans or lineages, under the unifying symbol of a sultan (Luling 2002, 81, 176–8).

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

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

The customary institutions of the Oromo reflect a different model, whose structural analogies are rather to be found in the interior of East Africa. Clanship is still a fundamental element of identity and solidarity, but the relation with natural resources is mediated by the political integrative action of the generational class system (Tornay 1988; Tornay 1991, 24; Tornay 1995; Bassi 2005, 274–9). The generational class system of the Oromo is called *gadaa*.[15] The main element of the *gadaa* system is a

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

[15] The *gadaa* system was described in detail by Asmarom Legesse (1973) and chosen by Bernardi (1995) as an illustratation of the generational model in his classification of age class systems.

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

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

Among the Borana, each generational class (*luba*) is ritually represented by six *hayyuu adulaa*. The first to be nominated is known as the *arboora*; the entire generational class takes his personal name. The second and the third are the *kontoma*. The six *adulaa* are selected when they are kids. They go through a long ritual and training process (Bassi 2005, 171–3). When they reach the *gadaa* stage, the first three become the three *abbaa gadaa* (literally 'the father' of the eight-year *gadaa* period). They lead three different villages that together form the *yaa'a gadaa*. The *yaa'a arboraa* is the senior one, led by the *abbaa gadaa arboraa*. The other two are the *yaa'a kontomaa*, led by the *abbaa gadaa kontomaa*. The *yaa'a gadaa* is also formed by other officers, including several *hayyuu garbaa* and *hayyuu meedichaa,* plus several other assistants and ritual officers (Asmarom Legesse 1973; Baxter 1978). The Borana also have five recognised *qaalluu*. Two of them are of greater relevance, as they are associated with each of the moieties. Borana social and economic life is regulated by a wide range of different types of meetings, each implemented according to specific procedures and with reference to highly articulated sets of law (*seera*) and norms (*aadaa*). The most engaging gatherings are the *koraa gosaa* (assembly of the clan), organised annually by each clan, and the *Gumii Gaayoo*, the general assembly organised every eight years by the *yaa'a arbooraa*. Decisions are formally made by general consensus during meetings

[16] The Oromo are the largest nation in Eastern Africa.

and assemblies, with the retired *gadaa* officers acting as competent facilitators. In fact, they retain political authority even after they have completed their service in the *yaa'a* (Bassi 2005).

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

The Gabra Malbee are based in the Kenyan lowlands to the west and south-west of the Borana, to the east of Lake Turkana. Like the Borana, they have preserved a fully active *gadaa* system, but are internally divided into five fratries, each with its own *gadaa* centre and *qaalluu*. Each fratry is associated with a separate territory and has a main ritual site along the escarpment on the border with Ethiopia (Torry 1978; Schlee 1998; Tablino 1999, 34; Aneesa Kassam 2006, Watson 2010, 205). Several of these ritual sites are located in what is normally considered the territory of the Borana. Indeed Aneesa Kassam (2006) has clearly outlined the strong inter-dependence of the two systems.[17] The relations between the two groups used to be excellent until the recent conflict in 2005.

A separate group of Gabra live among the Borana in Ethiopia, sharing natural resources. During the 2004 and 2005 field interviews I was told that the Gabra Miigo used to have their own *yaa'a* in *Dirree*, but it was abandoned after their conversion to Islam.[18] Many Gabra Miigo were forced into becoming refugees in Somalia after the irredentist Somali war of 1977–78. With the collapse of the Somali state, they were re-integrated as returnees and later re-established good relations with the Borana by reconstituting their *yaa'a* in Weebi. The senior leaders of the reconstituted *yaa'a Gabraa* said that they are still struggling to figure out the mechanism of *luba* affiliation and the timing of the transitional ceremony.

The customary institutions of the Oromo groups respond to their own internal logic, in the sense that they did not take shape in relation to the colonial or modern state, or as a response to trade. Indeed, among the Borana, the overlapping of customary and governmental offices by a same person was carefully avoided. The two domains were perceived to be sharply separated and to contradict each other. The Amhara conquerors tried to co-opt the two main *qaalluu* by appointing them as *balabat* or imperial intermediary chiefs. The *qaalluu*, however, transferred the office to other members of their family (Donham 1986, 44–5). At the time of my doctoral fieldwork (1989–90), when relations between the Ethiopian government and the Borana were considered excellent and a fair number of Borana were in the local administration (including at district level), I was still unable to identify a single customary leader involved in the administration, even at the lowest level of peasant association. The

[17] The mechanisms of ritual coordination between the generational class systems of the Gabra and the Borana have been described by Günther Schlee (1998). At the cultural level, the basic values of the Gabra outlined by Paolo Tablino ([1980] 1999, 245–61) – *aadaa* (custom), *luba* (generation set), *jila* (ceremony) *nagaya* (peace) *rooba* (rain) and *Waaqa* (God) – correspond to the pivotal values of the Borana described by Paul Baxter (1965; 1978; 1990).

[18] As in the case of the Gabra Malbe, in the ya'aa of the Gabra Miigo there was no abbaa gadaa.

reason given was always the same – the need to protect the internal processes and promote the wellbeing of the people. Despite the separation of personnel and the lack of official recognition, the customary institutions of the Borana continued to play a key role in the governance of natural resources and in family and interpersonal relations in rural areas. The division of responsibilities between the state and the customary sector was well defined and reciprocally acknowledged (Bassi 2005). In the late phase of the *Derg*, this customary system used to sustain the highest levels of livestock production for export in Ethiopia.

Violence and elections

Several scholars have observed how the administrative space in federal Ethiopia came to be too closely identified with ethnic affiliation, a phenomenon that has generated various localised, but violent, ethnic conflicts across the country. This trend was particularly acute in the pastoral areas (Markakis 2003; Asnake Kefale 2004; Bruchhaus 2008; Hagmann and Alemmaya Mulugeta 2008). The case discussed here of the Borana and their Muslim neighbours provides a good illustration of this point. The Borana were in fact totally displaced from districts that the federal government entrusted to the Somali Regional State administration. They were dispossessed of their wells – including those in Eel Goof and Eel Laee, two important *tulaa* localities, and in Udat – and from the rangelands served by them.[19][19] Herders and well-owners were actively prevented from re-entering their customary territory by the army and the local militia, and the Borana were reported to have been exposed to extrajudicial killings, arbitrary detention, and torture in military camps, especially during the period 1992–96. The displaced communities from both *Liiban* and *Dirree* found themselves in the condition of internally displaced persons, albeit hosted by their Borana neighbours and unrecognized by the national and international authorities. The concentration of population and livestock in the remaining lands of the Borana produced a high environmental impact, increasing poverty and exposure to drought (Boku Tache and Gufu Oba 2009, 420).

During the 1990s the Borana tried to stop the territorial expansion of the Muslim groups by engaging in several armed conflicts. In 1991– 92 they clashed with the Gabra, the Garre, and the Mareexaan. Later, the Gabra and the Mareexaan rebuilt good relations with the Borana by recognising their customary pastoral rights. The Degodia – who had earlier preserved good relations with the Borana, both in Ethiopia and Kenya – in the early 1990s joined the Garre in the demographic politics of space. Serious clashes between the Degodia and the Borana took place in Ethiopia in 1997 and 2001, inside the Borana's customary territory (Bassi 1997; Fekadu Adugna 2004,

[19] The lists of the lost wells in these two *tulaa* localities with the record of their legitimate owners were collected by Gufu Oba (1996, 125) before the outbreak of the current territorial dispute. Similar lists from these and other localities from which the Borana have been displaced were independently gathered by myself in 1993 and by other researchers. The complex customary system of rights over permanent water points and the customary interdependence of water and land rights were addressed by Helland (1980), Gufu Oba (1998), Boku Tache (2000) and myself (Bassi 2005, chapter 8, 261–3).

79–91, 98–9, 103–7, 124; Schlee 2007; Boku Tache and Gufu Oba 2009). The conflict also extended across the Kenyan border, as shown by the 'Bagalla' massacre that occurred in Wajir District in 1998, this time in the Degodia's customary territory (Schlee 2007, 420–2).

Before, during and after these clashes, the Borana elders tried to draw the attention of the competent state institutions to the problems they were facing. For instance, they appealed orally to the President of Oromiya, Kumaa Dammaqsaa, and to the President of Ethiopia, Nagaso Gidada, during the 1996 *Gumii Gaayoo* assembly (Hukka 1997, 27–8, quoted in Gufu Oba 1998, 35, 63), and again to the new president of Oromiya, Juneydin Sado, and to several other regional and local level governmental officers during the 2004 *Gumii Gaayoo* assembly (Boku Tache and Gufu Oba 2009, 420).[20] During PCI-facilitated local, national and international gatherings, elders and customary leaders also complained about their shrinking territory due to both external factors and the expansion of agriculture into key pastoral lands. In addition, they have submitted a number of written appeals to various governmental offices at federal, regional and zone levels with attached documentation concerning the territorial complaint and human rights abuses (Elders 1996; 1997; 2004; Boorana Oromo Elders 2001; IDPs 2004; Liiban Jaldeessaa, undated; Oromo Community, undated).[21]

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

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

Already during the 1991–92 inter-ethnic crisis, the *abbaa gadaa arbooraa* Boruu Guyyoo Boruu engaged in the inter-ethnic peace negotiations arbitrated by the TPLF. He was assassinated as a result of this activity, in 1992. This event marked a turning point in the deterioration of relations between the Borana customary leaders and the TPLF, right at the time when the politicised elites and the customary leaders of the Muslim groups of the region were aligning themselves with the TPLF on pro-government positions.

The customary leaders' involvement in state politics scaled up to full electoral activism on the occasion of the 2004 referendum organised by the federal government to address the border issue between the Oromiya Regional State (Region 4) and the Somali Regional State (Region 5). As Boku Tache and Gufu Oba (2009, 421) have explained, the Borana feared that the referendum 'was held as a means of giving

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

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

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

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

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

The *abbaa gadaa* Liiban Jaldeesaa not only led delegations, negotiated with governmental officers and actively campaigned for the vote; he also filed a formal letter of complaint about the abuse of customary grazing rights, abuses of human rights including illegal detention, disappeared persons and violence against women, and various perceived violations in the preparations for the referendum (Liiban Jaldeessaa, undated).

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

OPDO officers also used the possibility to raise lower administrative divisions to the level of district and to create new districts for their electoral campaign.

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

Table 1. Election results in Borana Zone (Source: National Election Board of Ethiopia, 2005)

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

The overall participation in the 2005 federal elections by Oromo pastoralists in the Borana and Guji zones emerges from an analysis of the results of the ballot, as summarised in Tables 1 and 2 below. The parties that managed to present candidates

were the OPDO component of the EPRDF (present in all constituencies), the Oromo National Congress (ONC) component of the United Ethiopian Democratic Forces (UEDF), the Oromo Federalist Democratic Movement (OFDM), and the Coalition for Unity and Democracy (CUD). Of these parties, all but the CUD expressed a federal ideology. Despite flaws and claims of abuse, the candidates from the federal opposition parties managed to win, or to seriously challenge the OPDO candidates, in all the constituencies in which they were present. [22] At national level, the CUD seriously challenged the EPRDF, but in Borana and Guji zones their candidates remained below 17 percent in all constituencies, and below 10 percent in all the constituencies where a candidate of a federal opposition party also competed. These results show that, from the available choices, people expressed a clear preference for federalism.[23]

Table 2. Election results in Guji Zone (Source: National Election Board of Ethiopia, 2005)

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

The ballot was peacefully held on May 15, but given the recent experience with the Somali Region and the aforementioned tendency to identify the administrative space with specific ethnic groups and subgroups, the mistrust about ethnic favouritism by the ruling party grew into open warfare. After the referendum had temporary frozen

[22] Further details on the 2005 federal elections are given in Bassi (2005).
[23] This election, like all the previous ones, was affected by the absence of the OLF.

the regional boundary,[24] the Oromo-Somali conflict turned into an intra- Oromo conflict in concomitance with the definition of the internal administrative space of Oromiya.

The conflict initially broke out between the Guji and the Gabra Miigo, with large scale and protracted attacks by the Guji on the two small towns of Surupa and Finchawa, and some other rural localities, starting in April 2005. Rumours had been circulating about the establishment of a Gabra district extending between the Borana and the Guji. As I have noted elsewhere, these attacks did not fit in with the normal pattern of pastoral raiding. The number of raiders involved, the coordination, the armament and logistics used, the attack on urbanised settlements, the deliberate attempts to kill women and children, and the burning of houses instead recalled the symbolism of ethnic cleansing (Bassi 2010, 239).[25] Indeed, it was reported that 43,000 people had been displaced. In July 2005 a similar attack was launched on Turbi – a small town in Northern Kenya mainly inhabited by the Gabra Malbee – with the likely involvement of the Borana from Ethiopia. 70 people were reportedly killed, of which 22 were children.[26] In Ethiopia, rumours had been spreading about an alliance between the Gabra Malbee and the Gabra Miigoo to enhance a demographic strategy similar to the one adopted by the Somali, with crossborder population movements so as to change the demographic balance.

In Ethiopia the Borana customary leaders took on responsibility for mediating – in coordination with the government – between the Gabra Miigoo and the Guji.[27] This is in line with the overall customary responsibility of the Borana on the territory at stake. Unfortunately, this attempt developed into a new war between the Borana and the Gabra Miigoo on one side and the Guji on the other, starting in May 2006, when the latter attempted to enter the Borana customary territory without the customary permission. The two parts engaged in heavy fighting for two weeks, with an estimated 100–150 casualties and 24,000 new displaced. The conflict continued at lower intensity for several months. In 2007 Jaldessa Borbor, the *abbaa gadaa kontomaa* of the Borana (Konitu clan), was assassinated by a Guji.

Violent inter-ethnic clashes connected to the administrative set-up have continued since, involving the Borana in heavy clashes with the Garre in Udat and surroundings in 2008 and again in 2009, as well as with the Konso on the western side of their customary territory in 2008.[28]

[24] With the exception of some areas where the ballot was planned but did not take place (Bassi 2010).

[25] This method, which had been recorded in Ethiopia during several previous violent episodes, occurred during the referendum along an Oromo/Somali divide, in other border areas than the Borana Zone.

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

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

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

Co-option of elders and customary leaders

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

Among the southern Oromo, the possibilities for choosing which elders to co-opt are far more limited, since the customary leaders are selected in their youth according to internal dynamics. Here the options are restricted to co-opting elders that do not hold formal titles in the customary system – as used to happen with the imperial *balabat* system –, to negotiating at personal level, or to trying to influence the process of internal selection among those groups that do not strictly apply the customary rules. The symbolic value and impact of elders other than the customary leaders would of course be quite irrelevant; hence the OPDO based its informal system of co-option on the two remaining options. When involved in state politics, customary leaders act in a field for which they have received no explicit or implicit mandate, and they are not answerable to the customary rules and procedures. They are therefore neither legitimate nor accountable to their community anymore: they act as individuals.[29] The absence of formal mechanisms of accountability and representation while acting in the modern arena was indeed identified by Boku Tache and Ben Irwin (2003, 42) during an applied experience with SOS Sahel. In the absence of a clear institutional mechanism to regulate the interaction between the customary institutions on the one side and the government and development organisations on the other, any action taken by the customary leaders can be interpreted by the community as being motivated by self-interest.

Similar mechanisms of mistrust engage the inter-ethnic arena. I have elsewhere discussed the role of the customary institutions in assuring a regulated access to the natural resources available to the primary group (Bassi 2010, 224). This implies that the

[29] A similar problem of legitimacy has been raised in relation to the *guurti* elders by Hagmann and Mulugeta (2008, 28).

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

Conclusion

When engaging in state politics, customary leaders may still play their customary role of assuring the well-being of their own community, while actually engaging in the most destructive cross-ethnic practices. The 'bridge', in fact, builds synergies across the opportunistic motives of the various actors. Co-option takes the shape of an exchange of favours between the ruling party and the co-opted ethnic groups. On the one hand, the ruling party makes the most of the ethnic solidarity implicit in a shared identity – and symbolised by the customary leaders – to bring the entire group into its own camp in electoral politics and for its strategic aims in relation to insurgency. On the other hand, the ethnic group has obtained concessions on its territorial claim, at the expense of their neighbours. It was these overlapping federal, national and local motives in a context of abuses of fundamental human and political rights that led to the enhancement of the demographic politics of space, and ultimately to the ethnic cleansing of the Borana from the area administratively entrusted to the Somali Regional State.[30] It was the defensive reaction to these politics, and the replication of some of these elements in the process of defining the administra tive space within Oromiya, that led to the most destructive episodes of ethnic violence in the region, including cross-border violence. The mechanisms of formal and informal co-option also 'bridge' the interests of various peripheral social components, thereby forming ethnic blocs such as the pastoralists and the urbanised elites of a same ethnic group. As Hagmann and Mohamud H. Khalif (2006, 34) noted, the party and the state officials 'have nurtured these ethno-political conflicts by providing money, weapons, and

[30] This case fits with the definition of 'policy of ethnic cleansing' theorised by Petrovic (1994, 9, 11, 19) with reference Bosnia and Herzegovina.

political support to their respective Somali and Oromo kin groups'.

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

The challenge, then, is to achieve the integration of the state and the customary dimensions of governance while also safeguarding the accountability and balancing mechanisms of both domains. In international discourse, this means guaranteeing first-, second- and third- generation human rights. While the abuse of political rights has been under some scrutiny in Ethiopia, little has been said about the collective rights of the indigenous and tribal peoples. The International Labour Organization (ILO) Convention No. 169 and the United Nations Declaration on the Rights of Indigenous Peoples set the guidelines for the recognition of customary law and procedures, indigenous tenure systems, and self-determination in development.[31] The provisions contained in international law and the experience of indigenous peoples in Europe, America and Australia aims to define specific sectors for which the indigenous institutions are competent within the overall state jurisdiction, and to establish an agreed procedural interface, thereby ensuring a high degree of autonomy to the indigenous institutional settings. These principles are in line with the practices already in place in Borana before 1991, albeit this reciprocally acknowledged arrangement was taking place at the informal level. More efforts are required to set up an institutional interface that can take into account the specificities of the Ethiopian mobile pastoralists. This seems to be the most viable way of avoiding the violence produced by the perverse modalities of the current interaction between customary and state politics.

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