

**UNIVERSITY OF NAIROBI**  
**INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES (IDIS)**  
**MA INTERNATIONAL CONFLICT MANAGEMENT**

**“THE ROLE OF TRADITIONAL LEADERS IN CONFLICT MANAGEMENT IN  
AFRICA: A CASE STUDY OF THE SOMALIA NATIONAL RECONCILIATION  
CONFERENCE (SNRC) 2000-2010”**

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**R52/81017/2012**

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OF MASTER OF ARTS IN INTERNATIONAL STUDIES, INSTITUTE OF  
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**OCTOBER 2015**

## DECLARATION

### DECLARATION

I declare that this research project is as a result of my own independent research work and has never been previously submitted for any publication, degree programme or examination at any University. I further uphold that any information, cited and referenced from the works of others have been given the appropriate acknowledgement.

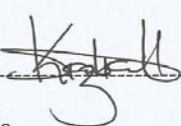
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## **DEDICATION**

This research project is dedicated to my mother, Jael Wasonga Ogwari and husband Shadrack Osewe Adero who encouraged me to register for my master's degree, supported and encouraged me all through the course of the study; to my baby Edem Osewe Adero for her patience during the time I was doing my research and Ms. Edem Wosornu, truly you are a Godsend. Thank you all.

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To my friends Edem Wosornu and Daphine Hunter, thank you for the constant support, empathy and encouragement that the sky is the limit. I also extend my deepest appreciation to Jackline Apiyo for believing in me.

## ABSTRACT

Traditional leaders have been involved in solving conflicts in Africa for many decades yet their input in international conflict management have not been documented widely compared to the modern conflict management techniques. These leaders are still highly respected and used in conflict management in Africa and Asia compared to the European States, therefore their input in conflict management should not be overlooked, instead they should be encouraged, facilitated and included especially in mediation to be able to have local ownership of peace processes. Somali Peace Process held at Mbagathi, Kenya proved to be a good case study since Somali is one of the African communities which still hold their traditional leaders in high esteem and still use these leaders in indigenous conflict management institutions such as *Shari'a* courts to solve disputes between clans, sub-clans and at the rural areas where modern institutions of conflict management are few. The main purpose of this study was to do a critical analysis of the role of traditional leaders in mediation, look at their importance in conflict management and propose recommendations that would contribute to strengthening the use of traditional leaders in international conflict management.

The research findings were based on broad literature review and were supplemented with focus group discussions, informant interviews and questionnaires. Different categories of respondents were interviewed on the role of traditional leaders in conflict management; Traditional and religious leaders, political leaders, representatives from Non-Governmental Organizations (NGOs), academicians, civil societies and special groups (involving the Somalis in Diaspora).

The study established that traditional leaders have continued to be fundamentally involved in mediation of communal conflicts in Africa since most conflicts in Africa are as a result of unequal distribution of resources, widespread corruption and ethnicity. The study acknowledged that traditional leaders role in mediation has been successful in peace processes citing the *Borama Conference* in Somaliland as an example. Furthermore, the study found out that the role traditional leaders in mediation has not been given enough support and recognition by the international community hence weakening their role in international conflict management. The study realized that despite the continued support for the use of traditional leaders in mediation, most societies have also disregarded them terming their techniques as old fashion ideologies due to the presence of modern practitioners of mediation and conflict managers.

The study concluded by giving some recommendations on how the role of traditional leaders can be strengthened in international conflict management. The study recommended international recognition of these important leaders in mediation processes, facilitation of the role of traditional leaders in conflict management and more research by conflict management scholars on traditional leaders input in international conflict management.

## ABBREVIATIONS

<b>ACCORD</b>	African Centre for the Constructive Resolution of Disputes
<b>APFO</b>	Africa Peace Forum
<b>AMISOM</b>	African Union peacekeeping Mission in Somalia
<b>AU</b>	African Union
<b>CEWS</b>	Continental Early Warning System
<b>CEWARN</b>	Conflict Early Warning and Response Mechanism
<b>COMESA</b>	Common Market for Eastern and Southern Africa
<b>DAC</b>	Development Assistance Committee
<b>DPC</b>	District Peace Committees
<b>EAC</b>	East African Community
<b>ECOWAS</b>	Economic Community of West African States
<b>EU</b>	European Union
<b>FN</b>	Forces Nouvelles
<b>ICT</b>	International Criminal Tribunal
<b>ICRM</b>	Indigenous Conflict Resolution Mechanisms
<b>IDIS</b>	Institute of Diplomacy and International Studies
<b>IGAD</b>	Inter-Governmental Authority on Development
<b>ICISS</b>	International Commission on Intervention and State Sovereignty
<b>IPC</b>	International Peace Academy
<b>IRC-L</b>	Inter Religious Council of Liberia
<b>NGOs</b>	Non Governmental Organizations
<b>ODM</b>	Orange Democratic Movement
<b>ODM</b>	Orange Democratic Movement
<b>PNU</b>	Party of National Unity
<b>RECS</b>	Regional Economic Committees
<b>SADC</b>	Southern Africa Development Community
<b>SNF</b>	Somali National Front
<b>SNRC</b>	Somalia National Reconciliation Conference
<b>TFG</b>	Transitional Federal Government
<b>TNG</b>	Transitional National Government
<b>UN</b>	United Nations
<b>UNESCO</b>	United Nations Educational Scientific and Cultural Organization
<b>UNDP</b>	United Nations Development Programme
<b>UNPC</b>	United Nations Peacebuilding Commission
<b>US</b>	United States
<b>USAID</b>	United States Agency for International Development

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## CHAPTER ONE

### INTRODUCTION AND BACKGROUND OF THE STUDY

#### 1. Introduction

In the traditional setting, conflicts were solved by traditional elders whereas today, conflict management is as a result of increased interdependence among actors and complexity of issues that underlie the interests leading to conflict which under rates the role played by the traditional leaders in conflict management. Conflict management refers to the management of conflicts by which parties of a conflict come together to solve their conflict or differences<sup>1</sup>. Traditional leaders have long been involved in mediation by creating a balance in the process of mediation and tribal disputes and in some cases led in restoring peace and reconciliation ventures.<sup>2</sup>

Traditional leaders have been given prominence in mediation of disputes especially in Africa and Asia and are often perceived as leaders with wisdom to navigate negotiation process, they are also highly valued and regarded in our African institutions as important part of the African culture however, this is just in theory since their input in solving conflicts is not put in practice in both international and regional organizations that are entrusted with resolution and management of conflicts such as the African Union, Inter-Governmental Authority on Development and the Common Market for Eastern and Southern Africa. From the crisis in Angola, to the post genocide reconciliation process in Rwanda and Liberia, traditional elders have played an important role, however their role in international conflict management has arguably not been well documented within the realm of peace initiatives, Somalia is particularly unique since traditional leaders are a

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<sup>1</sup>Makumi Mwagiru, 2006, Conflict in Africa, 'Theory, Processes and Institutions of Management', Nairobi, Center for Conflict and Research, pp 43.

<sup>2</sup>Economic Commission for Africa, 2007, Relevance of African Traditional Institutions of Governance, Addis Ababa, pp 14

part of the administration system and concede an important part of Somalia culture which forms the basis of this study.

In the past, traditional leaders were regarded as old people with wisdom who were able to participate in decision making, mediate any dispute in the community, however today the Somalis regard them as people with economic power hence anyone can be an elder by virtue of their wealth. However this does not imply that the importance of traditional leaders should not be overlooked in international conflict management especially in mediation of the African conflicts.

### **1.1 Statement of the Research Problem**

Neighboring states like Kenya, Ethiopia and Djibouti, and organizations like AU and IGAD have hosted a series of peace initiatives to resolve the Somali conflict. Despite the numerous peace initiatives, peace was and is still elusive regardless of engagement of arguably the significant resources both academic and policy in an attempt to find peace.

The problems facing Somali as a country could be attributed to the way the 1991 conflict was managed after Siad Barre was overthrown by rebel forces<sup>3</sup>. It is instructive to note that despite the presence and influence of the communal traditional leaders among the Somali clans they were not given due recognition in the peace processes. Instead of assuming prominent roles in the negotiation of peace the elders were given less prominent roles. Furthermore apart from the Arta peace process held in Djibouti<sup>4</sup>, the current reconciliation efforts were and have not been inclusive of all prominent stakeholders leading to suspicion among the main players in the peace process.

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<sup>3</sup> Ochieng Kamudhayi, 2004, '*Somali Peace Process*', in Makumi Mwangi, African Regional Security in the Age of Globalization, Nairobi, Heinrich Boll Foundation, pp 108

<sup>4</sup> Opp Cit Ochieng, *Somali Peace Process*, pp 109

These among other factors especially the non-recognition of the traditional leaders has led to increased hostilities in Somalia with the result being increased conflicts<sup>5</sup>.

The success of traditional leaders in solving inter-clan conflicts stems from the fact that they form the core of Somalia society and socialization process. When traditional leaders were engaged, their input was arguably not taken into consideration. As a result, peace outcomes negotiated were not accepted or implemented successfully by Somalia people who are intrinsically webbed in clan leadership as they do with internal peace agreements. Therefore it can be argued that social strands of Somalia are weaved within traditional tenets, making it necessary that any attempted effort for reconciliation considers traditional leaders in mediation, therefore it is on this basis that this research study seeks to find out the role of traditional leaders in mediation in the Somalia National Reconciliation Process especially the Mbagathi peace process where the traditional leaders inputs was not prominent.

## **1.2 Study Objectives**

The overall objective of the study is to examine the role of traditional leaders in international conflict management.

### **1.2.1 Specific Objectives**

- i. To examine the role of traditional leaders in mediation.
- ii. To examine the role of traditional leaders in the peace process in Somalia.
- iii. To establish the opportunities and challenges facing the use of traditional leaders in conflict management globally.

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<sup>5</sup> Mwinyi H M, 2014, Approaches to Resolving Conflicts-Use of Communal Leaders, Arusha, Tanzania, Longman Publishers, pp 25- 36

- iv. To examine ways in which the use of traditional leaders' role can be strengthened in international mediation of conflicts.

### **1.3 Research Questions**

- i. What is the role of traditional leaders in mediation?
- ii. What was the role of traditional leaders in the Somalia peace processes?
- iii. What are the opportunities and challenges facing traditional leaders in international mediation?
- iv. How the role of traditional leaders can be strengthened in the international conflict management?

### **1.4 Hypotheses**

This study will test the following two hypotheses

- i. The inability to incorporate the traditional leaders in the Somali peace process explains the continued Somali conflict.
- ii. The input of traditional leaders was overlooked in the mediation of Somali conflict hence leading to no conflict transformation.

### **1.5 Justification and Significance of the Study**

#### **1.5.1 Academic Justification**

Mediation can be defined as an extension of negotiation according to Schelling<sup>6</sup> meaning that if negotiation fails a third party can be brought in to help with the negotiations. Though the conflict has subsided in Somalia, it is witnessed in some areas especially where the traditional leaders have not been recognized even after the peace processes. It is these leaders who organize

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<sup>6</sup> Jacob Bercovitch , 1992, *Structure and Diversity of Mediation*, In *Mediation in International Relations, Multiple Approaches to Conflict Management*, edited by Jacob Bercovitch and Jeffrey Z. Rubin, Macmillan Press Ltd, Great Britain, pp 4.



their clans to either fight against the government by supporting terrorist activities or encourage stability for example, Alshabaab terror group has thrived in the rural areas of South Central and the semi-autonomous region of Puntland because of the support they have received from those extremist traditional and religious leaders who believe that the Somalia Federal administration is occupied by *Fidels*.

The omission of these vital actors during the Mbagathi Peace Process or their input is of importance since it will bring out the fact that though regional organizations are mandated by the United Nations<sup>7</sup> to institutionalize the role of traditional leaders in conflict management at the international, regional and local levels, it is not done in practice because despite IGAD taking the lead in trying to manage the Somalia Conflict, it undermined the authority commanded by these leaders through thinking that the vital parties to the conflict were businessmen and war lords which left loopholes in the Mbagathi Peace Process. As Zistel<sup>8</sup> inserts, modern conflicts are a direct consequence or continuation of past formations and tendencies hence, traditional strategies may be more relevant in mediation of modern conflicts since most African people and especially the Somali still remain mainly attached to their traditional ways of life and their traditions are present in today's politics, there is a sufficient reason to consider the inclusion of traditional leaders in prominent roles when it comes to mediation and strengthen them appropriately to help in resolution of international conflicts especially in regions where the traditional rulers are still held in high esteem.

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<sup>7</sup> UN Charter, June 1945, San Francisco, USA

<sup>8</sup> Zistel B. Susanne, 2008, *Conflict Transformation and Social Change in Uganda, Remembering After Violence*, New York, Palgrave Macmillan, pp 206

Traditional conflict resolution mechanisms can bridge tradition with modernity to be able to face the challenges of the twenty first century as currently witnessed in Somalia<sup>9</sup>.

Kamudhayi<sup>10</sup> notes that the traditional leaders are authentic in Somali community as opposed to the elected political leaders who must fight for their legitimacy therefore Somalia will remain a stateless society consequently; these leaders ought to be recognized in any political process, mediation, and peace building or reconciliation effort in Somalia.

### **1.5.2 Policy Justification**

According to the UN Charter<sup>11</sup>, the regional organizations are mandated to solve regional conflicts to maintain international peace and security, therefore as an institution of conflict management they need to incorporate traditional leaders in mediation to maintain peace among communities, at the national and international level.

This study will be of use to both the government institutions and other organizations. The regional governments may use the study outcomes as the backbone to effect improvements of relationships in communities. Conflict management institutions could also use the study to develop policies and procedures of including traditional leaders in the resolution of conflicts amongst their stakeholders and staff. The UN and other NGOs can be able to use the study to improve their mediation efforts all over the world especially in Africa and Asia where the traditional leaders are still held in high esteem.

The information to be generated by the study will be used as reading materials and references for academicians, scholars and consultants in conflict management field especially

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<sup>9</sup>Niklas L.P. Swannstrom, Mikael S. Weissmann, 2005, *Conflict, Conflict Prevention, Conflict Management and Beyond: a Conceptual Exploration*, Central Asia- Caucasus Institute Silk road, Concept Paper, pp 16, Atieno Odhiambo, 'The Economics of War among marginalized people of Eastern Africa', in Francis Deng, William I. Zartman, 1991, *Conflict Resolution in Africa*, Washington D.C., The Brookings Institution, pp 347-366

<sup>10</sup> Ochieng Kamudhayi, 'Somali Peace Process, pp 108

<sup>11</sup>Opp Cit, UN Charter

those involved in traditional conflict mechanisms to get more information on the importance of traditional leaders in mediation.

## **1.6 Literature Review**

This section reviews literature on the centrality of traditional leaders in conflict management which is important to build a platform and understand the basis upon which traditional leaders are important in mediation of African conflicts. The second section examines the mediation as a technique of conflict management which was used during the Somalia peace processes.

Traditional conflict management practice is a part of well social system which has been proven over time to be efficient in reconciliation since it improves social relationships by restoring balance, settling disputes and managing conflict<sup>12</sup> because it is deeply rooted in the customs and traditions of Africa. Conflict management involves a healing process which should involve all stakeholders to rebuild the social harmony that was lost during the conflict. Traditional conflict resolution mechanisms still prevail at the grass root level where the communities exchange gifts and slaughter animals<sup>13</sup> for example the Karamoja in Uganda and other pastoralist societies in Kenya through their traditional elders still do these to solve conflicts among themselves hence promoting reconciliation.

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<sup>12</sup>Choudree R.B.G, 1999, Traditions of Conflict Resolutions in South Africa, African Journal on Conflict Resolution, South Africa, No 1

<sup>13</sup>Ndumbell Kum'a, 2001, The Spiritual Dimensions of resolution mechanisms in African Countries, University of Oslo, Unit for Comparative and International Education, Institute for Educational Research

The role of African traditional leaders in conflict management should be restored since the basic objective of the traditional elders is to maintain peace in their clans in addition, community networking in Africa are usually constantly respected, maintained and strengthened since priority is always given to restoring relationships whereby relationships are given prior attention mostly presided over by the clan elders after a dispute which the modern techniques of conflict management such as peace keeping has overlooked. An external mediator will not have an in depth understanding of a conflict compared to the traditional leader because they usually start at the point of initial conflict while the elder will go way back forming a social reference which will reveal long standing grievances and the wide difference in interests between the parties involved in the conflict hence helping to find out the deeply rooted causes of the conflict at hand.<sup>14</sup> This is perhaps the major reason why conflicts in Africa have escalated at the national front and not at the clan level. Traditional leaders are also respected as seasoned mediators depending on traditions, personalities and circumstance of the conflict. For example in the pastoralist societies of Kenya, Ethiopia, Uganda and South Sudan where cattle rustling is a mayhem, it is the clan elders who are called upon by their respective communities to intervene and find solutions with the help of the conflict managers. This shows their ever importance in mediation in a society where they are believed to be experienced in conflict resolution mechanisms for example<sup>15</sup> the Kpelle people of Liberia convene ad hoc local meetings, *Moots* where parties to a conflict reach a mediated settlement while the Ndendeuli of Tanzania suggest agreements and sometimes pressurize parties to accept it in instances where conflicts are self-explanatory.

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<sup>14</sup> Birgit Brock-Utne, 2001, Indigenous Conflict Resolution in Africa, University of Oslo, Institute for Educational Research 23-24 February, pp 8-9

<sup>15</sup>Opp Cit, Birgit, pp 10

In strengthening international and regional organizations to deal with international conflict management, internal solutions to conflict management have been neglected due to foreign interference especially in areas where there is heavy dependence on foreign aid, forgetting that as conflict is inherent in a society, so are the mechanisms in solving it. The decline in the role of traditional authority in mediation has contributed to the development of protracted conflict like in Liberia, Sudan and Somalia while other parties to conflicts that has called upon traditional mechanisms or included the traditional leaders in solving their conflicts like Rwanda has quelled violent conflict in their state leading to peaceful coexistence among warring communities due to the balance these leaders bring in restoring relationships and changing attitudes during conflict resolution.

Scholars like Bercovitch<sup>16</sup> argues that mediation was one of the ancient ways in which conflict was resolved and gives the example of mediation being used in ancient China, Homer's Iliad (750BC) and in the bible to solve personal disputes which justifies the existence of mediation since time immemorial being used by the traditional societies, though it has evolved the essence is still intact in all areas of the human social fabric. If the conflict is protracted, has become more complex, or if the parties want to break their stalemate and avoid humanitarian crisis or if a negotiation has hit a deadlock then mediation could be a last resort just like what happened in Somalia after decades of war and after all other means of conflict management techniques failed.

Mediation is cheaper than other conflict management techniques like peace keeping, it is flexible since it allows different views and can be adopted legitimately by the private citizens, any other actor and international organizations and he goes on to say that it helps in the constructive conflict management.<sup>17</sup>

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<sup>16</sup> Opp Cit Bercovitch, pp 1-10

<sup>17</sup>Opp Cit, Bercovitch, pp 1-10

Curle supported mediation by saying that mediation promotes good communication between the differing parties by acting as a buffer zone thereby reducing unnecessary tension and suspicion while, Bercovitch argued that mediation created a bargaining structure without the parties conceding defeat to each other since it supports their own efforts to manage the conflict with the presence of a third party<sup>18</sup>. This can be seen in the Somali conflict which lasted for a long time because of constant fear, anger and suspicion among the warring parties leading to various negotiations to no avail but deteriorating humanitarian crisis. However, when mediation started between the parties by the IGAD their perceptions started to change because of the understanding of the consequences of the violent conflict and the acceptance by the parties to end the conflict.

Zartman<sup>19</sup> et al, argues that in order for mediation to be successful, a mediator has to look for a ripe moment to gain entry into a conflict because then mediation will not take place because it creates a conducive environment which brings conflicting parties to the negotiating table. This is true in most African conflicts because once the parties saw that indeed they are losing ground they decide to enter into mediation without much coercing from the external forces and got a neutral mediator. The parties to the conflict made a decision to accept mediation which is a vital step in mediation; this creates solidarity in decision making compared to other conflict management strategies used in the conflict like peace keeping.

Mwagiru<sup>20</sup> agrees that mediation is the dominant form of conflict management in the Greater Horn of Africa which is true in the case of the Sudan Conflict, Somali Conflict and the Kenya Post Election Violence (where Koffi Annan was the principal mediator).

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<sup>18</sup> Ho-Won Jeong, 2000, Peace and Conflict Studies, An Introduction, Ashgate, USA, pp 181.

<sup>19</sup> Zartman I. William, Mohammed O. Maundi, Khadiagala M. Gilbert and Nuamah Kwaku, 2006, Getting In 'Mediators Entry into the Settlement of African Conflicts', Washington D.C, United States Institute of Peace Press, pp 1-2

<sup>20</sup> Makumi Mwagiru, 1997, The Greater Horn of Africa Conflict System: Conflict Patterns, Strategies and Management Practices, USAID Project, Nairobi, pp 30

In conclusion, it can be argued that peace reconciliation processes and peace negotiation efforts have not accommodated the role of traditional leaders or their role has not accorded the respect that it deserves. There is also need to make a distinction between the true traditional leaders and traditional leaders in disguise. This is important because the role of traditional leaders and spiritual leaders has been successful in negotiating of clan based conflicts; therefore, if the same is also duplicated on a national level of peace negotiations, Somalia can arguably make progress towards peace. Hence, it is this gap that this research study aims to study.

### **1.7 Conceptual Framework**

This study uses mediation as a conceptual framework. Mediation refers to the reconciliation of two opposing forces within a given society.<sup>21</sup> The nature of the conflict dictates the mediation process to be used and the conflict's likely outcome. Mediation takes place through the intervention of a third party, which serves as a facilitator of communication between the parties and as a catalyst for reaching an agreement between the opposing interests, the parties become active participants in the dispute resolution process, and help forge the terms and conditions of their own settlement.

Mediation offers two key understandings of confidentiality in mediation. First, confidentiality is used to assure parties that information introduced or exchanged by parties in the process cannot be used later against a party, for example, in subsequent court proceedings and cannot be otherwise divulged, by another party or the mediator, outside the mediation process. Mediation fronts tenets that confidentiality has been, and remains, one of the essential theoretical cornerstones of the mediation process. It allows the process to offer a protected negotiation environment away from public view. This aspect of confidentiality ostensibly ensures that parties feel they can negotiate

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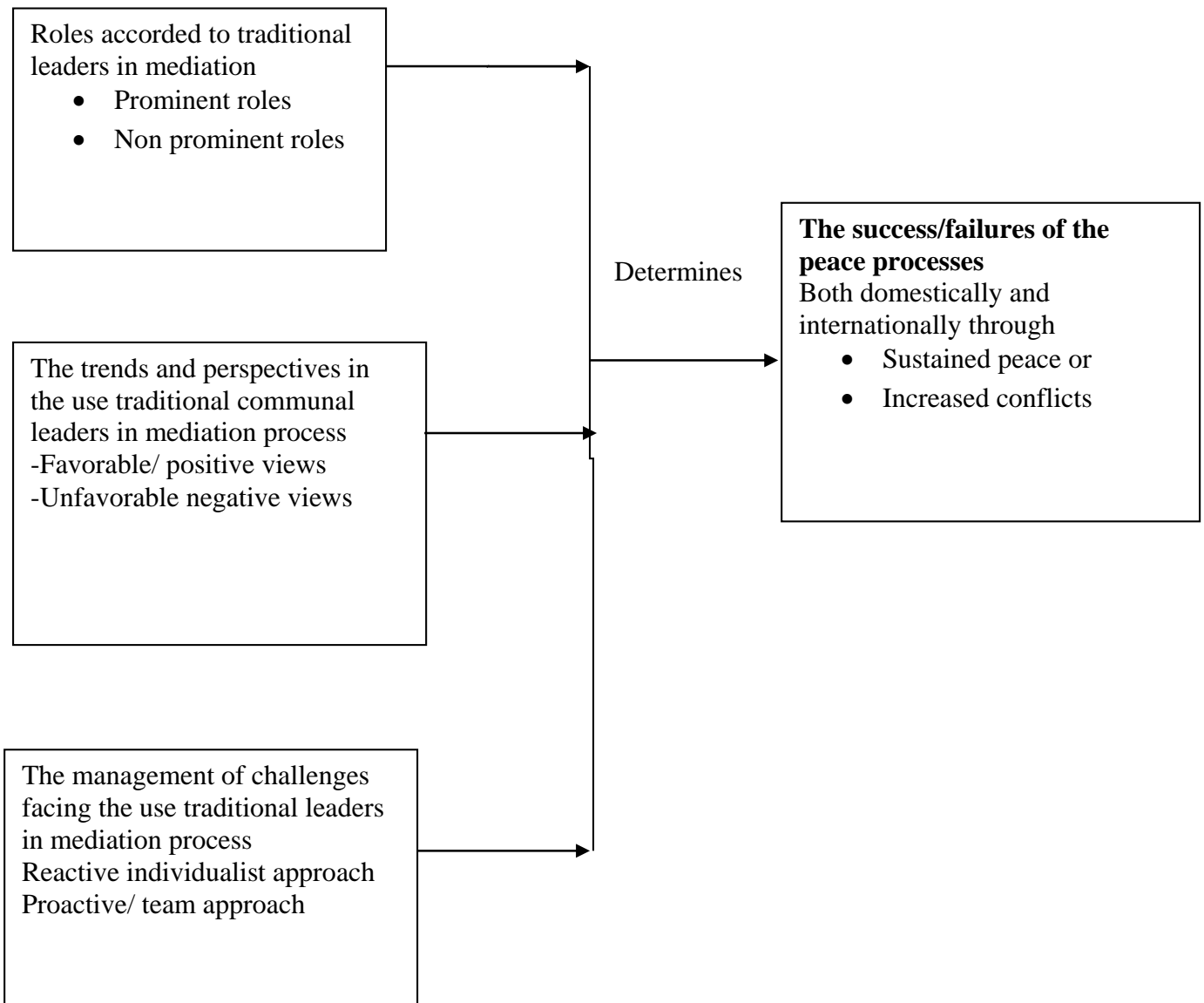
<sup>21</sup>Karl Marx and Friedrich Engels, 1972, *The German Ideology*, Ed by CJ Arthur, Chicago, New York International Publishers

in an open, honest and secure atmosphere. Parties may also feel that they are able to disclose information they might not otherwise disclose, without fear of later prejudicial.

Figure 1.1 depicts the role of traditional leaders in mediation. It shows that the role accorded to the traditional leaders has an impact on the success or failure of mediation. There will be more success if the traditional leaders will be given prominent roles than when they are given non-prominent roles.

**Figure 1.1**

**A conceptual framework of the impacts of use traditional leaders in mediation of conflicts:**





Additionally the perspectives held by the society and international community about the use of traditional leaders in peace processes had an impact on the success of mediation process. There seems to be more success when the society and international community had positive views on the use of traditional leaders in the management of peace processes than when they possess negative perspectives about the same. Furthermore, the approaches adopted towards the management of the challenges facing use of traditional leaders in mediation determine the success of the peace process. There tends to be more success in the peace process when the proactive and strategic approach is adopted than when the tactical and reactive approach is adopted.

## **1.8 Methodology**

This identifies the research methodology that will be used in the study. It involves data collection methods, data analysis and data presentation.

### **1.8.1 Case study**

A case study enables the researcher to investigate the study under research in-depth by using a variety of data collection methods which will produce evidence leading to the understanding of the case study while answering the research questions namely; how and why?. Case study enables the study under research to be focused. The case study selected for the study was Somalia which has been in protracted conflict for decades. Here the researcher gives the geographical location of the area under study and afterwards gives a reason why this area was chosen. Case study was appropriate for the study of the role of traditional leaders in international conflict management as Kothari<sup>22</sup> notes it is an exhaustive study of a social unit that enables one

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<sup>22</sup>Kothari R. Chakrayanti, 2009, *Research Methodology Methods and Techniques*, New York, USA, New Age International Limited Publishers, pp 113-117

to understand fully the behaviour pattern of a community and helped formulate hypotheses along with data that were helpful in testing them. It helped to enrich the generalised knowledge.

**Figure 1.2: Map of Somalia**



Source of the map: <https://www.google.com/search> accessed on August 20th 2014

As seen in figure 1.2 Somalia is situated in the Eastern part of Africa, bordered by Indian Ocean to the right, while Ethiopia, Kenya, and Djibouti to the left. Somalia is used to refer to the

*de jure* existing state of the Republic of Somalia which is located in the Horn of Africa. In Somalia's present day mapping it consists of the Republic of Somaliland in the northwest, the autonomous region of Puntland in the north and northeast as well as Southern Somalia or South Central Somalia.<sup>23</sup> Somalia as a state is notorious for the long standing conflict, lawlessness and insecurity for the international system in general and particularly for the Horn of Africa region.

Somalia has witnessed one of the longest conflicts in African continent and has been traced back to the period after the overthrow of Siad Barre in 1991 by allied forces led by Ali Mahdi, General Mohamed Aideed and others<sup>24</sup>. The rule of Siad Barre was marred with corruption and clanism<sup>25</sup> since he favoured his clan, Darood while Dir, Hawiye, Issak and Rahaweyn were left in abject poverty. Somaliland and Puntland seceded from the original Republic of Somalia and formed their own administrations after the conflict became rampant in hence, leaving the South Central in complete turmoil and in a state of humanitarian crisis. Clans fought one another in an attempt to gain power after Ali Mahdi declared himself as president leading to competition, destruction of property, internal displacements and terrorism activities hence degradation of law and order<sup>26</sup>. This led to the international community terming Somalia as the worst place in the world to live due to increase in the abduction of humanitarian workers, rise of Alshabaab terror group and increase in piracy at the Gulf of Aden. However, when the conflict started to spill to its neighbours causing insecurity in the Horn of Africa, the international community was obliged to intervene and resolve the conflict.

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<sup>23</sup> Jean-François Bayart, 1993, *The State in Africa. The Politics of the Belly*, London, Longman, pp. 7-8

<sup>24</sup> Ibid, Ochieng Kamudhayi, '*Somali Peace Process*', pp108

<sup>25</sup> Kizito Sabala, 2011, '*Regional and extra-regional inputs in promoting (in)security in Somalia*', in Sharamo Roba and Mesfin Berouk, *Regional Security in the post-Cold War Horn of Africa*, Pretoria, Institute for Security Studies, pp 97

<sup>26</sup> Opp Cit Ochieng Kamudhayi, pp 108

Several interventions were done to manage the Somali conflict, for example there was international peacekeeping in the 1990s however, after 1993 when US troops were ambushed and killed in Mogadishu in what came to be known as *Black Hawk Down*, most of the international peacekeepers were withdrawn leaving the AU to lead the peace operations but under the UN<sup>27</sup>. The peace keeping missions failed to bear any fruit mostly due to insufficient funds, in addition this was an internal conflict which required home grown solutions to stop the conflict hence the parties decided to meet and hold negotiations to find a permanent solution to their conflict. Though TFG was formed after the Arta<sup>28</sup> Peace Conference in 1991 to restore peace and order, it did not last long in power due to differences among the delegates who participated in the peace conference, increased tension in Mogadishu and the high level of corruption in the government. Conflict still continued especially in the South Central part of Somalia while Puntland and Somaliland continued to foster peace and stability.

The main reason why other regions in Somalia enjoyed peace was because traditional leaders were incorporated in governance which made instilling law and order easier for example it was these leaders together with the business leaders that decided to secede from the larger Somalia and form Somaliland after the fall of Siad Barre. This shows the importance of traditional leaders in mediation and governance which was overlooked in Somalia during the peace initiatives to find a solution to the conflict. The actors who were immensely involved were the businessmen and the war lords yet they held no importance in the Somalia clans since the conflict was contained at the clan level but still continued at the national level. Though from 1991 there were peace initiatives to enforce national reconciliation and disarmament of Somalia from Djibouti to Kenya, the most crucial one, Mbagathi peace conference held in Nairobi, Kenya excluded the role of the

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<sup>27</sup> [www.wikipedia.com](http://www.wikipedia.com)

<sup>28</sup> Opp Cit, Ochieng, *Somali Peace Process*, pp 109

traditional elders in mediation hence genuine reconciliation did not happen among the Somali communities as a result the major aim of the peace conference, to end hostilities and enforce arms embargo in Somalia was eluded and conflict continued to erode the already fragile state despite these peace processes.

### **1.8.2 Data Collection**

This study will use primary and secondary data collection. Information will be gathered through interviews and questionnaires. Structured questionnaires will be useful in this research because of the rich information that will be gathered from potential group of people in a short amount of time; results are easily quantified by the researcher and will be cost effective. Kothari<sup>29</sup> notes that questionnaire generates data in a systematic and orderly fashion hence this will be the researcher's key data collection tool. Pre-testing of questionnaires will be carried out to enable the researcher determine the precision of the instrument and if it will be easy to use<sup>30</sup>.

Interviews are oral administration of questions and can be on face to face encounters or through a telephone. Interviews are flexible since the and get more information through adapting to the situation at hand, the researcher can get more honest and complete answers from the respondents due to the personal interaction. This research will use both unstructured and structured interviews and as Mugenda<sup>31</sup> argues, “... *they are very easy to administer and analyze since one is at liberty to pick the relevant content and leave out the others that are irrelevant.*” Unstructured interviews will give the researcher the advantage of using probing questions which can gather

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<sup>29</sup>Chakrayanti R. Kothari, 2009, Research Methodology Methods and Techniques, New York, New Age International Limited Publishers, pp 31-52

<sup>30</sup> Catherine Dawson, 2009, Introduction to Research Methods: A Practical Guide For Anyone Undertaking A Research Project 4<sup>th</sup> Edition, Oxford, Howbooks, pp 257-268, Allan Bryman, 2008, Social Research Methods 3<sup>rd</sup> Edition, Oxford, Oxford University Press, pp 603- 626,

<sup>31</sup> Olive M. Mugenda and Abel G. Mugenda, 1999, Research Methods: Quantitative and Qualitative Approaches, Nairobi, Acts Press, pp 71-93

more information about the research. Working groups of academicians, NGOs, political and local leaders will be convened to comment on the research. Interviews will be based on written documentation on the meetings and signed peace agreements.

Finally the researcher will seek secondary information to build up on the study research. Information will be sought from relevant academic books, journals, articles, and documents of external communication emanating from the peace process. The researcher will also seek information from IGAD and AU. This is important because IGAD was the platform upon which the Mbagathi peace process was conducted. The researcher will seek information regarding the actors allowed to participate in the peace process, in particular the role of individuals and their influence in peace process. The information obtained from IGAD will form a basis for precisely making a distinction between the fold of individuals that participate in the peace process, hence differentiate and concentrate on traditional leaders as actors in peace process. The researcher also seeks published primary documents that regard the Somalia peace efforts. This will be important to gauge the effect of the Somalia to the region and international community.

The researcher also seeks information from the Africa Peace Forum Organization. APFO has been active in reconciliation efforts that are conducted within the limits of traditional and clan dynamics. In particular APFO conducts research that seeks to find out the impact and role of clan based solutions to African crisis and conflicts. Hence information obtained from here will be important to understand the theoretical foundations upon which traditional leaders participate not only in Somalia but also in other parts of the Africa. This also helps in analysis of the critical chapter of this research study.

### **1.8.3 Data Analysis**

The raw data collected is examined in order to find linkages between the study and the outcomes of the data collected with reference to the research questions. The researcher uses both qualitative and quantitative data analysis methods which help to strengthen the research findings and conclusions by giving accurate and reliable findings.

The data obtained will be analyzed through the use of descriptive statistical tools, measures of dispersion of frequency distribution methods and measures of central tendency. Therefore the simple frequency distribution systems, the computation of the mean, range and standard deviations will be used for this research<sup>32</sup>. The statistical analysis of data will be supported with the application of computer software programs such as Ms excel, and SPSS 16.0 for windows.

### **1.8.4 Data Presentation**

The values emanating from the data analysis will be presented using the statistical tools such as frequency tables and pie charts. The data presented will show the impact of having traditional elders in the mediation of the Somali conflict.

### **1.8.5 Sample Size and Sampling Procedure**

The study will adopt a stratified random sampling method in the sampling of the population. As a result the population under study will be categorized into specific stratas. The groups will be divided into specific categories including traditional leaders, NGO representatives, politicians, academicians and special groups.

Random sampling will be used to make sure that different groups of the population under study are fairly represented in the sample so as to provide true representation of the population. The

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<sup>32</sup> Opp cit Olive M. Mugenda and Abel G. Mugenda, pp 115-120



researcher will use purposive sampling where a specific group of people will be randomly picked for the objective of the research findings. The sample will represent the entire population<sup>33</sup>.

### **1.9 Scope and Limitations of the Study**

The study focused on Somali peace processes and how the role of traditional leaders can be strengthened in mediation. The research was carried over a period of three months and was done in Somalia and Kenya which has the largest population of Somali refugees in Africa.

During the study, the researcher experienced financial problems because the most of the interviewees were located in Somalia. There was also a language problem since most of the respondents were Somalis who could not speak English, hence an interpreter was involved. Some respondents exhibited negative attitude during the interview while others did not quite understand the terms mediation or international conflict management while there was also a time factor since not all respondents were conducted because time for the research study was limited.

### **1.10 Ethical Consideration**

The researcher did not intimidate the respondents, bribe or take advantage of the respondents condition to get data for the. The purpose of the study was fully explained to the respondents that enabled them make judgments whether to participate in the study or not, and the respondents were also guaranteed that the information given was to be treated confidentially. The information obtained from the respondents was used for the purpose specified for the study. Consequently, the researcher conducted the research without bias while being clear, open minded and objective about the study purpose.

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<sup>33</sup> Opp Cit Chakrayanti Kothari, pp 152-181

## **1.11 Chapter Outline**

### **Chapter One**

#### **Introduction and Background to the Study**

This chapter introduces the study and highlights the background to the study, the problem statement, objectives of the study, study hypotheses. Subsequently the significance, academic and policy justification of the study was discussed.

Conceptual framework followed on the practice of mediation followed by the methodologies used by the researcher to collect data, data analysis and presentation. The chapter concluded with scope and limitation of the study and some of the ethical considerations that guided the study to ensure its subjectivity.

### **Chapter Two**

#### **The Role of Traditional Leaders in International Mediation**

This chapter looks at the role of traditional leaders in conflict management globally, normative and institutional frameworks. The chapter looks at how the United Nations, regional and sub-regional bodies have involved the traditional leaders in international conflict management, mediation and peace building initiatives to enhance local ownership of peace processes. Furthermore, the role of traditional leaders in mediation is discussed as rampant in Africa and Asia as opposed to Europe and United States in this chapter.

### **Chapter Three**

#### **The Role of Traditional Leaders in the Somali Peace Process**

This chapter reviews attempted efforts of the Somalia peace negotiations since the collapse of the Somalia government in 1991. The chapter gives a brief overview of the role of traditional

leaders in Somali conflict, their challenges, weaknesses and their importance in the Somali community. Although there have been many attempts to peace in Somalia, the chapter gives six main peace efforts held between 1991 and 2004.

#### **Chapter Four**

##### **Opportunities and Challenges of the use of Traditional Leaders in Conflict Management**

This chapter seeks to tie together all issues discussed in the above chapters to develop a line for argument. The argument developed shows without a doubt that traditional leaders can play a positive role in mediation efforts in managing the Somalia conflict while at the same time noting some arguments for the increasing calls for reduction of their role in mediation.

#### **Chapter Five**

##### **Summary, Conclusions and Recommendations of the Research Study**

Chapter five gives a summary of the study, conclusions and recommendation arising from the study and suggest further areas for research in the role of traditional leaders in international mediation.

## CHAPTER TWO

### ROLE OF TRADITIONAL LEADERS IN INTERNATIONAL MEDIATION

#### 2. Introduction

Conflicts existed long before colonization of Africa and it was the task of the traditional leaders to solve these conflicts therefore it is important to recognize them in international conflict management. Most of the African societies still prefer the use of traditional and informal justice and reconciliation forums to help in conflict resolution because most of the populations still live in the rural areas, limited infrastructures in the state justice systems and the unfair justice systems provided at the formal courts which tend to favour the rich in society hence it cannot be trusted. The traditional elders and chiefs have been mediating in violent conflicts where they give penalties which focus on compensation and restitution in order to restore status quo. These leaders also act as facilitators in conflict resolution whereby they reconcile parties by helping them negotiate in a peaceful manner so as to live harmoniously in the community.<sup>34</sup> African societies also have a preference for traditional institutions because it deals with reconciliation, well embedded in the African culture, allows flexibility in its proceedings and re-establishes social harmony<sup>35</sup>. Nonetheless, their role in mediation of conflicts has remained null, since the conflict managers and regional institutions have gained popularity in international conflict management. Traditional community based mechanisms such as the use of traditional leaders in conflict management are still used in regulating conflict and providing justice in Africa therefore their role in mediation processes should not be overlooked<sup>36</sup>.

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<sup>34</sup> Tinashe Rukuni, Zadzisai Machingambi, Maxwell C.C. Musingafi and Kwaedza E. Kaseke, 2015, The Role of Traditional Leadership in Conflict Resolution and Peace Building in Zimbabwean Rural Communities: The Case of Bikita District, Public Policy and Administration Research, ISSN 2225-0972 (Online), Vol 5, No. 3, pp 75-76

<sup>35</sup> Zeleke Meron, Ye Shakoch Chilot, 2010, (the court of the Sheikhs): A Traditional institution of Conflict Resolution in Oromiyazone of Amhara regional state, Ethiopia, African Journal on Conflict Resolution, pp 71

<sup>36</sup> Chris Chapman and Alexander Kagaha, 2009, Resolving Conflicts using Traditional Mechanisms in the Karamoja and Teso Regions of Uganda, London, Minority Rights Group international , pp 1

## 2.1 Normative Frameworks

### 2.1.1 United Nations

Traditional actors play key roles in early warning systems, instilling peaceful values and reconciliation in the African culture which made the UNESCO approve a new programme and a medium term strategy for 2014-2021 to promote the African culture of involving the traditional actors in conflict management to prevent violent conflicts because of the nature of Africa internal conflicts.<sup>37</sup> According to the Doha agreement between the African Union and the UN, the role of traditional leaders and local institutions were allowed under the *Ajawid* councils and were encouraged to act as mediation councils in times of conflict, however government interference with their proceedings was seen as the major reason which made the Darfur conflict to be persistence. Therefore government support is required if these local mechanisms of solving conflict and the role of traditional leaders is to work effectively in prevention, reconciliation and conflict management especially mediation.<sup>38</sup>

IPA and ICISS have urged the UN to encourage and strengthen the local and regional actors to buffer conflict prevention efforts in war torn areas while Carment and Schnabel<sup>39</sup> have argued that there should be coherent cooperation between the UN and the local actors to help in preventing conflict and to enhance conflict management. The UN Charter, Chapter 1, Article 1 shows the purpose of the UN as;

“to maintain international peace and security, to that end take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring out by peaceful means, and in

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<sup>37</sup> Hélène Duquin and Ana Elisa de Santana Afonso, 2012, Report of the International Forum of Reflection, A culture of peace in West Africa: Essential for economic development and social cohesion, Abidjan, Côte d’Ivoire, United Nations Educational Scientific and Cultural Organization, pp 15

<sup>38</sup> Jérôme Tubiana, Victor Tanner and Musa Adam Abdul-Jalil, 2012, Traditional Authorities Peacemaking Role in Darfur, Washington DC, United States Institute of Peace, pp 84-86

<sup>39</sup> David Carment and Albrecht Schnabel, 2001, Building Conflict Prevention Capacity, “Methods, Experiences, Needs”, Tokyo, UNU Workshop Seminar Series Report, pp 18

conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace”<sup>40</sup>

UN’s broad objective in its preamble<sup>41</sup> “*to save successive generations from the scourge of war*” is in support of the article. In addition the UN Charter also justifies structural conflict prevention if undertaken early to reduce the use of operational prevention such as peace keeping which will only address the immediate threat of a violent conflict.<sup>42</sup> UNDP also works with the local traditional institutions to address the structural causes of conflict by enhancing the economic opportunities of the disadvantaged ethnic groups in a society<sup>43</sup> hence preventing ethnic violent conflicts because the traditional institutions help in reduction of the structural group inequalities through rebuilding relationships for example in Kenya, UNDP is working with the disadvantaged communities in collaboration with the traditional leaders, local NGOs and the local civil societies to help reduce tensions and conflict transformation especially in the arid and semi-arid areas where conflict is rampant.

UNPC which was established in December, 2005 ensures local ownership of peacebuilding process while the UN Peace operations help domestic actors such as the traditional leaders in peace processes through capacity building them with skills and knowledge in peace building. These activities have been witnessed in Sierra Leone, Burundi, Central African Republic and Guinea Bissau where this commission was involved in full national ownership and participation of relevant

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<sup>40</sup>United Nations Charter, 1945, New York, UN, Chapter 1, Article 1, pp 3

<sup>41</sup> UN Charter Preamble, 2014 , [www.un.org/en/documents/charter/preamble.shtml](http://www.un.org/en/documents/charter/preamble.shtml), accessed on 3<sup>rd</sup> June

<sup>42</sup>Jenny Gustafsson, 2007, The Role Of The United Nations in Preventing Violent Ethnic Conflicts Peace and Conflict Studies, Sweden, Malmö University, pp 29

<sup>43</sup> Opp Cit, Jenny, pp 35

stakeholders.<sup>44</sup> The state has to provide a harmonious environment for human security<sup>45</sup> to thrive through its institutional and normative frameworks such as finding ways to unite, respond to needs, engage the disadvantaged people in the society and embark on sustainable development programmes which strive to improve standards of living hence invigorating their economies.

After the Rwandan genocide of 1994, the UN established the ICT in Arusha to prosecute the people who supervised and fuelled the violence in Rwanda while the Rwandan government created the *Gacaca* courts which are local traditional institutions to foster conflict management and reconciliation at the grass root level whose main focus was reconciliation.<sup>46</sup> *Gacaca* was credited with accountability and the efficient way the proceedings were finalized in 2010 since it was done in public. *Gacaca*'s success made the Rwandan government to institutionalize the traditional mechanisms of conflict management in its legal system by recognizing the role of *abunzi* as mediators by passing the Organic law No 31/2006 to help Rwanda in peace building as a result of their expertise in resolving conflicts<sup>47</sup>. These traditional courts also created a sense of local ownership to the local residents in criminal justice systems contributing to effective peace building in Rwanda.<sup>48</sup>

Though the UN has had an impeccable record in mediation and conflict management, it has failed to prioritize African conflicts especially after the Somalia and Rwandan conflict of 1994

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<sup>44</sup> Hideaki Shinoda, 2010, *The Principle of Local Ownership as a Bridge between International and Domestic Actors in Peacebuilding*, in *Indigenous Methods of Conflict Resolution in Africa*, University of Botswana, Gaborone, Center for Culture and Peace Studies, pp 78-79

<sup>45</sup> Kizito Sabala, 2008, *Towards a Regional Security Architecture for the Horn of Africa: A Framework Analysis*, in *Human Security Setting the Agenda for the Horn of Africa*, edited by Makumi Mwangi, Nairobi, Africa Peace Forum, pp 18

<sup>46</sup> Linda James Myers and David H. Shinn, Fall 2010, *Appreciating Traditional Forms of Healing Conflict in Africa and the World*, Ohio State University, *Black Diaspora Review* 2(1), pp 5-6

<sup>47</sup> Martha Mutisi, 2012, *Local conflict resolution in Rwanda: The case of Abunzi mediators in Integrating Traditional and Modern Conflict Resolution: Experiences from selected cases in Eastern and the Horn of Africa*, Martha Mutisi and Kwesi Sansculotte-Greenidge, Durban, South Africa, ACCORD, pp 43-46

<sup>48</sup> Opp Cit Shinoda, pp 83

prompting African security organizations to seek home grown solutions.<sup>49</sup> On the other hand, the UN does not normally rely on local culture in its peace building and peacekeeping ventures which maybe a reason for the organization's failure in conflict resolution because the foreign mediators advocated by the UN impose their own assumptions about the conflict which the conflicting parties do not usually share.<sup>50</sup>

### **2.1.2 African Union**

African Union's Panel of the Wise was launched in Addis Ababa, December 2007 after the post-election violence in Kenya and in 2010 appointed members to the panel in accordance to Article 11(1) with the aim of supporting Peace and Security Council and the Chairperson of the Commission in conflict prevention, conflict management, promotion of peace, security and stability and confidence building mechanisms in Africa. It consists of five highly respected African personalities from different parts of Africa who have made significant contributions in peace, security and development. The Panel of the Wise has been instrumental in conflict management and has continued to spearhead early warnings in regions that have had tensions with the assistance of the civil societies and the CEWS depending on their proximity to the conflict areas and conflict mapping. Panel of the Wise has been effective, for example Ahmed Salim convened the Panel of the Wise in South Africa to meet with the government representatives, civil societies and the media to caution of the rising tensions that could have led to election violence due in 22 April 2009, this early warning led to conflict prevention which had been foreseen by the Panel.<sup>51</sup>

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<sup>49</sup> Bertha Z. Osei-Hwedie and Treasa Galvin, 2010, *The Socio-Cultural Bases of Conflict, Conflict Resolution and Peacebuilding* in Africa, in *Indigenous Methods of Conflict Resolution in Africa* University of Bostwana, Gaborone, Center for Culture and Peace Studies, pp 8

<sup>50</sup> Fry, D, and Bjorkqvist B, 1997, *Introduction: Conflict Resolution Themes in Cultural Variation* in *Conflict Resolution*, edited by Fry, D and Bjorkqvist, New Jersey, Lawrence Erlbaum Associates Inc Publishers, pp 5

<sup>51</sup> Laurrie Nathan, 2004, *Mediation and AU's Panel of the Wise*, in "Peace in Africa, Towards a Collaborative Security Regime", edited by Shannon Field, Johannesburg, Institute for Global Dialogue, pp 64-65



AU work closely with the Regional Economic Communities such as ECOWAS, IGAD, COMESA and SADC through Council of the Wise, Secretariat, Committee of Elders and Panel of Elders respectively<sup>52</sup> to help in curtailing violence, election observation, mediation, post conflict reconstruction, conflict transformation processes, capacity building for negotiation and peacemaking activities with assistance from the UN. Panel of the Wise complemented SADC's efforts in intervening in Zimbabwe after post-election violence erupted in 2008 by brokering a power sharing agreement between Zanu PF and MDC with the UN providing assistance to the mediation process. In 2008, the Panel went on a fact finding mission in Sudan after the International Criminal Court through Louis Moreno Ocampo issued an arrest warrant for Al Bashir, the President of Sudan only for the Dean of the Panel, Ahmed Ben Bella to voice his concerns that the arrest would destabilize the nation prompting the African Union to refuse to arrest him so as to maintain peace and stability in the region showing the importance of this council because they are seasoned mediators and conflict managers who can foresee crisis before it erupts.<sup>53</sup>

Lack of peace, security strategy and institutional mechanisms have been a contributing factor to the effective engagement in peace processes in the Horn of Africa for example Sabala<sup>54</sup> noted that, "*IGAD agreed that conducting these peace negotiation is an impossible mission.*" Nonetheless, increased calls for African solutions to African problems by the African presidents such as Kaguta Yoweri Museveni of Uganda and Robert Mugabe of Zimbabwe should be a benchmark for the AU, regional and sub regional organizations since the African culture has long

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<sup>52</sup>African Union Press Release, The Chairperson Of The AU Commission Looks Forward To Working Closely With The New AU Panel Of The Wise, Addis Ababa, June 2014

<sup>53</sup> Tim Murithi and Charles Mwaura, *The Panel of the Wise*, in *Africa's New Peace and Security Architecture, Promoting Norms, Institutionalizing Solutions*, Edited by Ulf Engel and João Gomes Porto, England, Ashgate, 2010, pp 85-88

<sup>54</sup> Opp Cit, Sabala, pp 16

been overlooked as tools and mechanisms of management, mediation, resolution and peacebuilding due to external initiatives from the UN and other western donor states like United States and European Union.<sup>55</sup> DAC argues that there is strong need to support and identify local capacities for preventing, solving conflicts and finding innovative solutions through DAC guidelines of being transparent and communicating intentions through widening and deepening dialogue with all concerned partners at all levels including the traditional leaders to ensure local ownership, in addition DAC calls on to donors to support the role of traditional leaders in peacebuilding capacities<sup>56</sup>.

### **2.1.3 Regional Economic Committees**

ECOWAS, Council of the Wise was established in 1999 to support conflict prevention efforts and aid in post conflict efforts in West Africa. They have been successful during election observations through conflict prevention networks by participating in early warning systems to prevent violence from erupting. They have also been instrumental in peace making ventures by working closely with the special mediators to partake third party intervention in crisis situations in West Africa due to their wealth of experience in the conflict dynamics of the region. ECOWAS Council of the Wise has been applauded as a model for other Regional Economic Committees because of their intense involvement in conflict management and participating in peace processes compared to others, their level of training and expertise among others. COMESA's Committees of Elders prefer dialogue in their mediation ventures and have also been used in election observation in Democratic Republic of Congo, Uganda and Zambia.

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<sup>55</sup> Opp Cit, Bertha, pp 2-22

<sup>56</sup> Hideaki Shinoda, 2010, *The Principle of Local Ownership as a Bridge between International and Domestic Actors in Peacebuilding*, in *Indigenous Methods of Conflict Resolution in Africa*, University of Botswana, Gaborone, Center for Culture and Peace Studies, pp 73

IGAD has been active in mediation of the Horn of Africa's intractable conflicts such as Somalia and Sudan conflicts and though not successful<sup>57</sup>, IGAD was instrumental in the signing of Comprehensive Peace Agreement of the Sudan Peace Process in *January 2005* while leading to the formation of Transitional Federal Government in Somalia in *April 2004*, IGAD still has a lot to learn from ECOWAS especially in the field of regional peace, conflict management and security<sup>58</sup> to be able to solve and foresee conflicts before they become protracted and take a life of their own hindering any attempt at constructive resolution<sup>59</sup>.

*"No denying that a regional framework must incorporate perspectives from a wide range of actors "*, Sabala<sup>60</sup> argued, therefore regional institutions policy frameworks should have partnerships with a cross section of actors such as the traditional leaders in mediation processes to promote human security and development in the region.<sup>61</sup> Though the Panel of the Wise and similar councils in the Regional Economic Committees (RECs) have been important peacemaking institutions in Africa for many years and are a contemporary version of the traditional cultural councils which were previously used in conflict management, their initiatives especially in mediation and preventive diplomacy, they have excelled on their own, in practice their roles have been limited to supporting the Peace and Security Councils while in reality these roles have been assigned to the special envoys and eminent persons like former Presidents Thabo Mbeki, Daniel Torotich Arap Moi and Koffi Annan (former UN Secretary General). This needs to be looked into as this Panel and Councils can be very useful in international conflict management because of their

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<sup>57</sup> Adams Oloo, 2008, *Regional Institutions and the Quest for Security in the Horn of Africa*, in Human Security Setting the Agenda for the Horn of Africa, edited by Makumi Mwagiru, Nairobi, Africa Peace Forum, pp 228

<sup>58</sup> Ibrahim Farah, 2008, *African Regional Security Arrangements: ECOWAS and Lessons for IGAD*, in Human Security Setting the Agenda for the Horn of Africa, edited by Makumi Mwagiru, Nairobi, Africa Peace Forum, pp 239-240

<sup>59</sup> Kingsley Makhubela, April 2012, A paper on Reflections on the Somali Peace Process, University of Pretoria, Consultative Workshop on Mediation, pp 2

<sup>60</sup> Opp Cit, Sabala, pp 22

<sup>61</sup> Opp Cit, *Ibrahim Farah, Regional Institutions and the Quest for Security in the Horn of Africa*, pp 236

prior experiences in peace; stability and development which made the regional bodies nominate them in the first place since these mediators have the appropriate and process skills<sup>62</sup> required in conflict management.

In accordance with the African Union and the UN Resolution calling on African nations to establish national frameworks for the prevention, management and resolution of conflict, countries like Ghana, Kenya and South African have formed peace councils to help mitigate and reduce effects of conflict in their nations.<sup>63</sup> Peace practitioners like John Lederach<sup>64</sup> have argued that establishment of these peace structures should be all inclusive and mandatory for peace building in a society for example in Kenya, the national and local peace structures have been credited for conflict management and peacebuilding during and after 2007-2008 post-election violence in the North and North Eastern part of the country which the peace councils are active, the National Peace Councils were also instrumental in peace building and conflict prevention during and after the 2010 Kenyan Referendum which aimed to change the existing constitution. These peace councils comprises of the local traditional leaders in conjunction with the youths, women and government representatives. In Ghana, the National Peace Councils set up by UNDP collaborated with the Electoral Commission to facilitate dialogue among political parties helping to reduce tensions in the 2008 Presidential election leading to a peaceful transition of power<sup>65</sup>. Zimbabwe is also working towards comprehensive peace infrastructure after peace has been elusive for a long time hence the Zimbabwe Civic Education Trust has called upon the local peace committees to

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<sup>62</sup> Jacob Bercovitch and Rubin Z. Jeffrey, 1992, *Mediation in International Relations, Multiple Approaches to Conflict Management*, New York, Macmillan Press Ltd, pp 252

<sup>63</sup>Donwell Dube and David Makwerere, October 2012, Zimbabwe: Towards a Comprehensive Peace Infrastructure, *International Journal of Humanities and Social Science*, Centre for Promoting Ideas, USA, Centre for Promoting Ideas, Vol. 2 No. 18, pp 302

<sup>64</sup> Lederach John Paul, 1997, *Building Peace: Sustainable Reconciliation in Divided Societies* Washington DC, USIP Press

<sup>65</sup> United Nations Development Programme in Ghana, "National Peace Council: A Peace Architecture for Ghana," available at [www.undp-gha.org/mainpages.php?page=national%20peace%20council](http://www.undp-gha.org/mainpages.php?page=national%20peace%20council)

help deal with the post-election violence which has continued to trouble the nation since 2000 after the religious, local traditional leaders, women and politicians voiced their concerns of wanting positive peace<sup>66</sup>.

DPCs in Kenya have played a major role in peace processes since 1990s when Kenya acknowledged the importance of customary conflict management mechanisms and have been used to address conflicts like the conflict in Wajir and in Kerio Valley. It is a hybrid of traditional conflict management and the use of formal government structures in solving conflicts involving the traditional leaders, women, youth, civil organizations and government representatives.<sup>67</sup>DPCs have been deemed successful in conflict management in rural areas of Kenya and are perceived to be the reason why the 2007-2008 post-election violence did not spread to such intensity compared to the Rwandan genocide which escalated due to lack of traditional conflict management mechanisms to curb the spread of violence in the rural areas to such an extent.

While conflict in Northern Uganda also led to the realization of the importance of the traditional chiefs as arbitrators and reconcilers when disputes occur to restore peace<sup>68</sup> and the Acholi reconciliation ceremony of *mato oput* which involves drinking of traditional herb as a way of reconciliation to help in re-assimilating the Lord Resistance Army child soldiers back to the community thereby the Uganda Amnesty Law, 2000m solidified its legal basis after the traditional leaders from the Acholi sub-region, Ugandan government and Northern Peace Initiative acknowledged it.<sup>69</sup> During the Akobo Peace conference in 1994 which aimed to resolve the conflict between the Jikany and Luo of Southern Sudan, indigenous traditional institution was involved in

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<sup>66</sup> Opp Cit, UNDP, pp 301

<sup>67</sup>Emma Elfversson, April 2013, Third Parties, the State and Communal Conflict Resolution,; A Comparative Study of Evidence from Kenya, Sweden, Uppsala University, Department of Peace and Conflict Research, pp 13

<sup>68</sup> Jannie Malan, 2010, *Indigenous Dispute Resolution and Reconciliation: Past, Present and Future*, in Indigenous Methods of Conflict Resolution in Africa, University of Bostwana, Gaborone, Center for Culture and Peace Studies, pp 26

<sup>69</sup>Reconciliation Stakeholders Conference Report, (2004).

conflict management as the chief presided while the Nuer women acted as witnesses meaning that the role of traditional leaders can be very important in solving intra-tribal conflicts.<sup>70</sup> In addition Murithi and Pain<sup>71</sup> argued the All African Conference of 1999 prioritized use of indigenous methods to conflict management while complementing the modern approaches to create a culture of peace while shunning impunity in Africa.

## **2.2 Institutional Frameworks**

In Ghana and Bostwana, traditional conflict management practices have been endorsed in the modern governance and administration systems through dual legal systems because of the high regard held for indigenous cultures and traditional institutions of the Akans and Tswanas respectively. Conflict management in these two communities are transparent and are publicly performed in a round table discussion where there is value for dialogue that is essential in peacemaking. These customary processes are well understood by the population thereby allowing for a harmonious living for all in the society and also give them a chance to participate in conflict resolution and management. Chiefs, queen mothers, elders and other actors in the community all play important roles in promoting peace by quelling tensions among people.<sup>72</sup> Therefore, these two examples show concrete evidence that traditional conflict management mechanisms based on principles recognized and internalized by a community can yield positive results since it captures the essence of the experiences of humility, peaceful co-existence and social cohesion of the African communities in Bostwana and Ghana.

Traditional systems and leadership that were created during the colonial period have disintegrated which is the opposite for Nigeria where these traditional rulers have continued to

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<sup>70</sup>Opp Cit, Reconciliation Report, pp 9

<sup>71</sup> Ibid, Jannie, pp 24

<sup>72</sup> Kwaku Osei-Hwedie and Morena J. Rankopo, 2012, Indigenous Conflict Resolution in Africa, The Case of Ghana and Bostwana, University of Bostwana, Gaborone, pp 38-47

thrive since their establishment in the 1960's probably because of their involvement during post conflict situations which have continued to be witnessed in Nigeria<sup>73</sup>. The traditional leaders are perceived as custodians of their societies by the people they represent hence their importance is unshaken by the public who values their role in conflict management with or without constitutional provision for them making the government to recognize their role importance in peacemaking therefore making an ad hoc policy whenever need arises, state by state basis and usually evolves faster. These traditional leaders are often used to solve the internal conflicts in Nigeria for example conflicts between Muslims and Christians, some of the traditional leaders recognized are the Berom chiefship and Emirs of Zazzau.

African traditional conflict management evolved from the past even before colonization and embodies mediation, arbitration and negotiation. African conflicts are viewed as a disruption of the community harmony therefore; peace needs to be restored as a normative goal of society.

Lederach<sup>74</sup> asserts that, "Conflict resolution must situate the conflict disputants' frame of reference, understanding how the participant interprets the boundaries and context of the conflict which is seen in African communities who value their traditional cultures hence holding their clan leaders in high esteem so in case of conflicts these leaders should be involved for effective conflict resolution. Choudree<sup>75</sup> also argues that traditional conflict resolution processes strive to restore balance, settle conflicts and eliminate disputes hence the traditional elders not only resolve conflicts but also anticipates conflicts by virtue of their position in society. In addition, traditional leaders tend to develop peaceful relations while the political figures make deals to stop the conflict

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<sup>73</sup>Roger Blench, Selbut Longtau, Umar Hassan and Martin Walsh, April 2006, The Role of Traditional Rulers in Conflict Prevention and Mediation in Nigeria, Interim report, DFID Nigeria, pp 1-17

<sup>74</sup> Opp Cit, Bertha, pp 4

<sup>75</sup> Ibid, Kwaku, pp 33

or by resolving the conflict in war meaning that wisdom is often ignored.<sup>76</sup> For instance, during the post-election violence in Kenya in 2007-2008, the ODM leader and the PNU leader, Raila Odinga and Mwai Kibaki respectively, made a deal to have a power sharing government which unfortunately, did not benefit the local *mwananchi* because their grievances were not put in consideration hence making the tensions to continue soaring leading to negative peace. This trend was also witnessed in Zimbabwe after violence erupted, though power sharing is a good example of quelling tensions, the major beneficiaries are the political class when the population continue to hoard ill feelings towards each other. Traditional leaders in Kenya held peace initiatives after the post-election violence, for example the Agikuyu and the Kalenjin elders met on several occasions and performed peace rituals to cleanse the two ethnic communities who were more affected compared to the rest. This attests to the fact that these traditional elders are still relevant in conflict management because as much as the major actors were the party leaders, they were not severely affected compared to the people who were displaced from their lands hence becoming internal displacement persons in their own country. These local leaders are still on the ground to date trying to reconcile these two communities by finding solutions to the root causes of the grievances that led to the violence in 2007, this shows their importance in mediation because many of the people still believe in their cultural practices and traditional institutions while some have lost hope in the conflict managers who are there in the short term, provide irrelevant solutions to the conflict and are inexperienced.

Traditional institutions have been successful in the conflict management in the Horn of Africa because these communal conflicts tend to be complex and at times more problematic to the government, since in trying to stop the tension, the government might end up favouring one

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<sup>76</sup> William I. Zartman, 2000, Traditional Cures for Modern Conflicts, African Conflict Medicine, London, Lynne Rienner Publishers Inc, pp 224-229



community for example, in Kenya where politics have been ethicized which might aggravate the conflict rather than solve it therefore, they tend to be neutral while in some cases the intervention by the security forces has been criticized due to human rights abuses, therefore these traditional conflict management practices have thrived in concluding peace processes because the government has slim chances of being the major mediator or facilitator. Consequently, the government of Kenya representatives and the traditional elders in Northern Kenya adopted Modogashe Declaration in 2001 giving customary regulations on how to manage and prevent conflict among pastoral communities living there, another example of a successful peace initiative carried out in Kenya with the involvement of the traditional leaders is the Nakuru Peace Accord drafted in Nakuru where the elders representing the Agikuyu and the Kalenjin signed an agreement to end the recurring hostilities between the two communities living in Nakuru in 2012 after mediation<sup>77</sup>. This shows that the role of traditional leaders in international mediation are better placed than the government institutions because they are likely to build trust and foster an agreement between warring parties because of the society's allegiance to these leaders compared to the politicians.

Traditional indigenous institutions and the role of traditional actors in mediation is effective in solving not only the communal conflicts but also the intra-group conflicts due to an enabling environment and the different coalitions of chiefs scattered around the globe vis-à-vis the state and are perceived by their societies to have first-hand experience in reducing ethnic conflicts.<sup>78</sup>

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<sup>77</sup> Opp Cit, Emma Elfverson, pp 4-6

<sup>78</sup>Economic Commission for Africa, 2007, Relevance of African Traditional Institutions of Governance, Addis Ababa, pp 14

The role of traditional leaders is viewed as complementary and not competitive as compared to the national and regional initiatives<sup>79</sup> as observed in most peace processes carried out in conflict management. Though the elders are included in the peace initiatives that occur especially in Africa, their prominence is always deemed by the presence of other conflict management institutions who have overlooked role of traditional institutions in conflict management by employing inexperienced mediators and taking into consideration the politicians, external pressure and war lords who do not often look at the underlying causes but the immediate causes of conflict hence leading to no conflict transformation in an area. For example, what happened in Sudan during the conflict between the North and the South there were many conflict managers and too much external pressure due to foreign aid yet failing to take into account the importance of traditional leaders leading to negative peace in the two states since peace was elusive in a long time. After the Comprehensive Peace Agreement<sup>80</sup> was signed and a new African state was born, South Sudan violence erupted yet again since conflict transformation was not done properly starting from the rural areas of South Sudan because most of the rural communities were not included in the signing of the agreement while some of the agreements signed were also not implemented. It is only through the involvement of the traditional leaders that conflict transformation can occur especially if it was an ethnic conflict, since it is them who are most likely to identify with the victims who are part of the society and not the other actors involved in conflict management who have their own interests in the peace process.

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<sup>79</sup> Gilbert M. Khadiagala, 2001, Acholi Religious Leaders Peace Initiatives, Greater Horn of Africa Peace Building Project, DGI Conflict Evaluation and Analysis Services, pp 17

<sup>80</sup> Ibid, Adams Oloo, *Regional Institutions and the Quest for Security in the Horn of Africa*, pp 228

Rafi<sup>81</sup> argued that *Jirga*, a traditional institution consisting of a large conference of representatives of local districts by Pashtans in Afghanistan has been used in mediation in solving the nation's tribal, national, political, social and religious conflicts through authoritative decisions thereby promoting social order either directly or indirectly in the rural or less urbanized areas. This traditional council is deeply embedded in the cultural history of the Afghans and defines how the Afghans resolve their tribal and national conflicts and has shown potential to also solve future conflicts. *Jirga* strengthened stability in Afghanistan and legitimized the peace process in 2002 after the Bonn agreement of 2001 was signed because many Afghans were inspired to participate in the political process<sup>82</sup>. *Loya Jirga* is also used as a peacemaking tool among the ethnic tribes and has proven to be a powerful mechanism of communication between them in case of rising tensions, thereby making the peace council to be recognized internationally and is a part of the global village due to the evolving transformation in the 21<sup>st</sup> century since it is perceived to be legitimate in solving conflicts in Afghanistan and its potential to bridge tradition with modernity.<sup>83</sup>

Traditional leaders were also instrumental in preventing violence and quelling tensions though positive traditional forms of peacemaking, mediation and peace interventions on behalf of the victims of the ethnic conflict in Liberia together with IRC-L for example, Catholic Arch Bishop Michael Kpakala Francis, Arthur Kulah and Sheikh Kafumba Konneh by participating in the mediation efforts between the government of Liberia and rebel factions which led to the formal peace talks among the major actors in Ghana, involvement of ECOWAS and the deployment of peace keepers, that is ECOMOG.<sup>84</sup>

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<sup>81</sup>Ali Wardak, 2004, *Jirga - A Traditional Mechanism of Conflict Resolution in Afghanistan*, United Kingdom, University of Glamorgan, pp 4

<sup>82</sup> Ibid, Shinoda, pp 81

<sup>83</sup>Opp Cit, Ali, pp 17

<sup>84</sup>Thomas Banchoff, 2013, *Role of Religion in Peace Building*, Journal of Religion, Conflict and Peace, Georgetown University, Plowshares, Vol 5

Though use of traditional institutions remain the backbone of conflict management in Côte d'Ivoire and is still the preferred way of solving conflicts today, there are multiple conflict management mechanisms lacking clear institutional path which has weakened the role of traditional governance system hence making the outcomes depend on the individual perceptions.<sup>85</sup> Moreover, the majority of the population has also been excluded from the formal justice system therefore, there is need to strengthen the capacity of these traditional institutions and a clear defined relationship between the state and these institutions on ways to address conflicts which were persistent up until the signing of the Ouagadougou peace agreement between the Government of Côte d'Ivoire and FN in 2007 in order to maintain peace after the country had been in a military crisis since 2002. In Sierra Leone, the Parliament has reserved twelve seats for the paramount chiefs who represent traditional regional issues such as local conflict management of regions where the political parties do not represent<sup>86</sup>.

Traditional approaches of conflict management are usually applicable in situations where there is a failed state, a collapsed state or a state in absentia and have been used to regulate violence and sustainable peace building from local to national level for instance in Bougainville, New Papua Guinea has remained a peaceful community due to the presence of traditional chiefs and leaders who strived to maintain a community based justice system during and after the conflict through the restorative justice. Boege<sup>87</sup> has argued that the western view of cases where there is no state tends to be chaotic is false by giving an example of states in Africa where people have coexisted peacefully without a functioning state like in Somaliland and Bougainville because of the firm

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<sup>85</sup>Maurizia Tovo, 2008, Local governance and national crisis in Côte d'Ivoire "Opportunities and challenges for community-based development and peace-building", Washington DC, World Bank, pp 37-58

<sup>86</sup> Parliament of Sierra Leone, "Overview of the Sierra Leone Parliament" available at <<http://www.sl-parliament.org/>>

<sup>87</sup>Volker Boege, 2006, Potential and Limits of Traditional Approaches in Peacebuilding, Berlin, Berghof Foundation, pp 445-446

authority of the traditional institutions. In Bougainville, post conflict peacebuilding involved all the stakeholders in the conflict which made it a success and as Menkhaus argues, traditional conflict management mechanisms such as mediation are process oriented and not product oriented which advocates for peace treaties and not international diplomacy, traditional institutions manage the conflict effectively and lead to conflict transformation compared to resolving the conflict which will only quell the violence for a short while.<sup>88</sup>

Not all traditional indigenous approaches to conflict management are good especially when using traditional leaders as mediators in peace processes and neither are western values bad therefore to deal with the challenge of integrating the indigenous approaches into national and international mechanisms for conflict resolution. However before integration, research should be done about the method used for conflict resolution in a particular area by a particular society for example in Hawaii there is Ho'o PonoPono process where the perpetrators, victims and traditional elders moderate a gathering to reach a consensus on how to resolve conflicts.<sup>89</sup> Moreover before involving traditional leaders in mediation, their moral values should be looked into and the perception of their clan members towards them.

## **Conclusion**

Though the role of traditional leaders is steadily declining in mediation process and involvement in peace processes, states have continued to call on them to help in reconciliation, conflict management and confidence building ventures in efforts to maintain stability in their nations. Most of the indigenous people have lost confidence in their traditional conflict

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<sup>88</sup>Opp Cit, Volker Boege, pp 445-446

<sup>89</sup> Ibid, Jannie, pp 25

management structures, however the few who still have confidence of their people have excelled in their areas of jurisdiction and have been recognized globally like Jirga. Traditional institutions have also thrived in areas where states have failed or instances of collapsed states for example in Somalia, South Sudan and other war torn countries. In some places conflict have been effectively managed at the local level than at the national level due to limited interference from the government like in Kenya, thereby showing that these traditional leaders are still useful in international mediation as third party actors because of their seasoned expertise in conflict management which was acknowledged even before Africa was colonized where conflicts were amicably solved through rebuilding relationships and harmony was restored.

The governments of the day in Africa should incorporate traditional leaders in mediation in cases of conflict and decision making so as to reduce tensions and maintain their citizens' confidence in them, establish indigenous conflict management institutions, train these local and clan elders to also make them handle disputes amicably. The international institutions like the UN and regional institutions should involve these traditional leaders in international conflict management especially mediation in Africa and Asia where the traditional leaders are still held in high esteem, offer training and seminars to capacity build them in managing these conflicts and other international conflicts outside Africa to enhance their expertise.

## **CHAPTER THREE**

### **ROLE OF TRADITIONAL LEADERS IN THE SOMALI PEACE PROCESS**

#### **3. Introduction**

Conflict has been rampant in Somalia since the collapse of the state after the overthrow of Siad Barre in 1991. The conflict has since taken a life of its own and continued resisting attempts

at peaceful resolution<sup>90</sup> making conflict management practitioners like Sabala<sup>91</sup> argue that, “*Somalia has been in conflict with itself, its neighbours in the Horn of Africa and the international community*” while Ochieng<sup>92</sup> noted that, “*Somalia will remain a stateless society.....*”. Somali conflict has led to mass destruction of property, loss of lives, mass internal displacements of the population and worst humanitarian crisis ever witnessed in the Horn of African region in decades<sup>93</sup> moreover, this protracted conflict has led to poor governance, widespread corruption, piracy, terrorism activities, natural disasters and destruction of community networks which were vital in traditional conflict management since the role of traditional elders have been weakened by introduction of modern weaponry, war lords, modern conflict practitioners and political forces who are involved in peace processes<sup>94</sup>. Despite various interventions such as the United Nations peacekeeping<sup>95</sup>, United States intervention<sup>96</sup>, African Union peacekeeping Mission in Somalia<sup>97</sup> and fourteen peace processes including the Somalia National Reconciliation Conference (SNRC) held in Kenya<sup>98</sup> yet peace is still elusive in Somalia due to the non involvement of Somali traditional leaders yet these leaders are authentic<sup>99</sup> compared to the political, businessmen and war lords involved in the peace processes such as the Mbagathi Peace process in Kenya.

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<sup>90</sup> Kingsley Makhubela, 2012, A paper on Reflections on the Somali Peace Process, University of Pretoria, Consultative Workshop on Mediation, pp 2

<sup>91</sup> Kizito Sabala, 2011, ‘*Regional and extra-regional inputs in promoting (in)security in Somalia*’, in Sharamo Roba and Mesfin Berouk, *Regional Security in the post-Cold War Horn of Africa*, Pretoria, Institute for Security Studies, pp 96

<sup>92</sup> Ochieng Kamudhayi, 2004, ‘*Somali Peace Process*, in Makumi Mwagiru, *African Regional Security in the Age of Globalization*, Nairobi, Heinrich Boll Foundation, pp 122

<sup>93</sup> www.wfp.org

<sup>94</sup> Kizito Sabala, 2008, *Towards a Regional Security Architecture for the Horn of Africa: A Framework Analysis, in Human Security Setting the Agenda for the Horn of Africa*, edited by Makumi Mwagiru, Nairobi, Africa Peace Forum, pp 15-19

<sup>95</sup> <http://www.un.org/en/peacekeeping/missions/past/unosom1backgr2.html>

<sup>96</sup> George B. N. Ayittey, 1994, *The Somali Crisis, Time for an African Solution*, Policy Analysis, No. 205

<sup>97</sup> Opp Cit, Sabala, pp 99-100

<sup>98</sup> Opp Cit, Ochieng, pp 107

<sup>99</sup> Ibid, Ochieng, pp 122

### 3.1 Role of Traditional Elders in Somali Conflict

Amid the prevailing Somalia conflict there are individual actors who double up as domestic constituent on one hand and on the other are a part of a process of finding a solution. Besteman refers to these actors as the traditional leaders, often referred to as clan elders<sup>100</sup> in Somalia. Traditional elders are distinct to Somalia crisis because they compose of a unique set of actors whose integral input influences the conflict both positively and negatively, therefore any attempt to examine Somalia conflict cannot be examined in totality without a study of their input in conflict management and the quest to find positive peace in Somalia.

The clan leaders in Somalia have been known to facilitate communication and act as mediators in Somalia peace processes whether at clan level or national level by bringing together the business leaders and militant leaders in a round table of discussions to maintain peace in their area of jurisdiction, therefore these leaders can make peace or bring war making them elusive characters in international conflict management that if not studied and handled carefully can create havoc in Somalia with or without a stable a stable government. For instance there was less enthusiasm when the Transitional Federal Government of Somalia drafted a constitution to put in place a stable government in 2011 which was more focused on state building that peace building undermining the reconciliation efforts in the country since most resources were geared towards capacity building hindering the healing process yet this is more important than any development of a country since the stability of a country depends on the positive peace and not national development. Many local stakeholders felt this downward approach to peace building was doomed

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<sup>100</sup> Catherine Besteman, 1999, *Unraveling Somalia, Race, Class, and the Legacy of Slavery* Philadelphia, PA: University of Pennsylvania Press, pp 80.



to fail due to no conflict transformation and not participatory of the local leaders who are vital in instilling peace in a conflict prone society.<sup>101</sup>

A person can become a clan elder in Somalia through a vote by the clan/sub clan members, through inheritance or appointment by the authorities for example in Digil and Mirifle communities<sup>102</sup>. These leaders are expected to adhere to strict *sharia* and customary laws, should be good peacemakers, well respected, impartial, honest, good decision makers and communicators<sup>103</sup>. Before the collapse of the state, Bryden<sup>104</sup> argues that power in the rural communities was mediated through traditional chieftains and elders, supported by government security institutions. Traditionally clan elders were seen as responsible for ensuring peaceful co-existence of the community as a whole and for working to resolve local conflicts and even remained powerful during the civil war. Moller<sup>105</sup> noted that clan structure in Somalia is very important since the traditional leaders use these clans to constrain their clan members through a system of mutual deterrence however, the circumstances of the civil war led some elders to mobilize their own clan militia for inter and intra clan fighting and to side with their kin, even when they were the aggressors escalating the conflict.

Besteman argues that traditional elders have the experience and authority to mobilize human and other resources for communal security.<sup>106</sup> As a result of the respect accorded to clan

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<sup>101</sup> Sigrid Gruener et al, February 2014, Inclusivity in Peacebuilding, Development Dialogue Paper, Dag Hammarskjöld Foundation, No. 6, pp 1

<sup>102</sup> Interview conducted by the Center for Research and Dialogue, 2012, Somali peace processes, Building peace in South Central Somalia, the role of elders, a conversation with Malaq Isaak Ibraahim, A Senior Elder in Somalia, Accord 21, pp 50-51

<sup>103</sup> Ahmed Ismail I, 2001, Somaliland, Puntland and Southern Somalia, Conflict Prevention, Management and Resolution: Capacity Assessment Study for the IGAD Sub-region, Leeds, University of Leeds, pp 7

<sup>104</sup> A Bryden, & H Hänggi (eds) 2005, *Security Governance and Post-conflict Peacebuilding*, Lit Verlag, Berlin, pp 12-17

<sup>105</sup> LM Makhubela, 2010, Conflict Resolution in Somalia: Learning from Failed Mediation Processes, University of Pretoria, Department of Political Science, pp 8

<sup>106</sup> Opp Cit, Bryden, pp 81

elders, the Puntland administration for instance consults them and secures their support before taking any action on security issues that would affect their people, such as banditry, militia roadblocks, kidnapping of foreigners, the rebellion of a clan against the government, and disarmament.

Besteman and Cassanelli argue that in Puntland and Somaliland, despite the presence of a public administration and security forces, elders continue to have a law and order role, drawing upon customary laws and *shari'a* and sometimes acting in cooperation with religious leaders. Traditional mechanisms of conflict management also form the basis of *Shari'a* courts<sup>107</sup> which are controlled by the traditional leaders. Often government law enforcement institutions have to resort to indigenous mechanisms to tackle intractable security issues. In Puntland, for example, many traditional and religious leaders are engaged in persuading young sea pirates to abandon their criminal activities and they have so far made steady progress in their endeavor as many youngsters have abandoned pirate activities and have resorted to economic activities such as fishing and small businesses to earn them a decent living.<sup>108</sup>

Ahmed observes that the role of elders is not confined to the 'traditional' sphere<sup>109</sup> which is true in Puntland and Somaliland where the traditional elders are often engaged in modern government institutions to advice and give guidance as and when they are required. Moreover, in Somaliland their role as guardians of peace and security has been institutionalized in the Upper House of Elders also called the *Guurti*. *Guurti* members cooperate with the local clan elders in containing; settling, preventing and resolving inter group conflicts<sup>110</sup>.

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<sup>107</sup> Ibid, L. M Makhubela, pp 9

<sup>108</sup>Besteman, C. L. &Cassanelli, L.V. 2000, *The Struggle for Land in Southern Somalia: the War behind the War*, Colorado/London: Westview Press/HAAN Publishing, pp 42.

<sup>109</sup> Ahmed, Ali J. 1995, *The Invention of Somalia*, Lawrenceville: Red Sea Press, pp 4.

<sup>110</sup>Tobias Hagmann, 2007, *Bringing the Sultan Back In: Elders as Peacemakers in Ethiopia's Somali Region*, Zurich Open Repository and Archive, University of Zurich, pp 5

Steadman argues that the single biggest mistake by external mediators since 1991 has been to conflate the revival of a central government with successful reconciliation, while disregarding traditional elders and concentrating with brokering power sharing deals. Power sharing accords in the absence of traditional elders will produce stillborn transitional governments.<sup>111</sup>The UN was criticized for involving Aideed and Ali Mahdi, both warlords in the signing of the Nairobi Declaration on National Reconciliation yet the traditional leaders were not present in resolving the conflict. Furthermore, the UN was accused of not working according to the Somalia processes of negotiations, their assemblies and process of consultations which meant having peace conferences in Somalia like the Kismayo and Gaalkacyo.<sup>112</sup>These peace conferences were thought to be successful because there was massive participation of traditional leaders and the community members which improved boosted confidence and reconciliation efforts both locally and nationally.

In a rejoinder, Menkhaus argues that many of the problems encountered in Somali National Reconciliation Processes have been a reflection of obstacles to peace over which external mediators have had little control.<sup>113</sup> This fact is often forgotten in the rush to criticize the failure of peace process where in most cases the external mediators tend to push the blame to the elders whom they claim hide behind their clans to fuel tensions and sometimes violence in Somalia. It is necessary therefore to understand the link between the militia clans and traditional elders in mediation.

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<sup>111</sup> Stephen John Stedman, Fall 1997, "The Spoiler Problem in Peace Processes," *International Security*, Vol. 22, No. 2, pp 25

<sup>112</sup> Tom Wood House and Oliver Ramsbotham, 2013, *Peacekeeping and Conflict Resolution*, US, Routledge, pp 163

<sup>113</sup> Menkhaus, Ken, 2005, *Somalia and Somaliland: Terrorism, Political Islam, and State Collapse*. In R. Rotberg (ed.): *Battling Terrorism in the Horn of Africa*. Washington: Brookings Institution Press, pp 85

Conflict in Somalia is characterized by complex and competing personal and clan interests. Davidson argues that the clan system defines Somali social relationships and politics.<sup>114</sup> Reconciliation conferences in Somalia have failed to address real grievances and have instead been vehicles for furthering these interests since the process is not inclusive and participatory. A distinction is however made between South Central Somalia and Puntland because despite the abundance of local peace processes in South Central Somalia, they have not led to the establishment of more durable government structures of the type that have emerged in Puntland and Somaliland. Touval<sup>115</sup> adds that, traditional elders have played a critically important role in mediating and regulating the interactions within and between local communities in these two regions. Somalia was considered one of the safest places to live in Africa prior to 1980's because of the social cohesion that existed whereby their disputes were solved through mediation or arbitration by the clan elders which should serve as an example to the international aid agencies who are trying to capacity build the judiciary and the police and forgetting the Somalia traditional conflict management institutions which have been the backbone of settlement of disputes and not through the newly established courts of law.<sup>116</sup>

On this note, Besteman argues that clan politics was strengthened with the arrival of the British colonial powers. When the nationalist Somali politicians took over power from the colonial masters, clan politics were given full authority to lead in the administration of clan affairs.<sup>117</sup> Somalia's early post independence administration was marked not only by a period of competitive democracy but also by pervasive corruption and nepotism based on clans.

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<sup>114</sup> Jim Davidson, 2001, "Somalia And Anarchy." *Formulations*, Free Nation Foundation; Issue 30, pp 22-24.

<sup>115</sup>Touval, Saadia. 1963. *Somali Nationalism*. Cambridge: Harcard University Press, pp 3-5.

<sup>116</sup> Ken Menkhaus, 2003, *State Collapse in Somalia: Second Thoughts in Review of African Political Economy*, Taylor& Francis Ltd, Vol 30, No 97, pp 412

<sup>117</sup>Besteman, Catherine, 1996, "Violent Politics and the Politics of Violence: The Dissolution of the Somali Nation-State." *American Ethnologist*, Vol. 23, No. 3, pp 581.

Albeit transformed, these traditional institutions had survived British colonial rule and Somali statehood functionally intact, whereas they had been broken up more actively in the Italian settlement colony and Barre's regime in the south. Some scholars are of opinion that traditional leaders have no role to play in Somalia peace attempts. Traditional leaders had no clear role, in part because of concerns that allowing the elders too much authority in the process could provide a back door for the engagement of religious elements in the process, as had happened at Arta, Djibouti.

Since the departure of colonial settlers, Clarke and Herbst argue that the discourse of clan politics has continued to play a positive role in the politics of Somalia and can be seen to date through oral tradition practices and clan rivalry albeit in a negative shade.<sup>118</sup> Michael observes that peace processes that tap into traditional Somali reconciliation practices, especially the essential practices of having negotiators extensively vet positions with traditional leaders.<sup>119</sup>

Osman<sup>120</sup> et al argue that before the collapse of Somalia, power in the rural communities was mediated through traditional chieftains and elders supported by government security institutions. Most of Somalia's informal governance relied on traditional sources of governance for instance customary law (*xeer*), blood payment groups (*diya*), and lineage or clan affiliation. Keen<sup>121</sup> adds that though customary law was effective, traditional leaders were politically manipulated or overwhelmed by the scale of violence in the larger Somalia, making it hard for national reconciliation.

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<sup>118</sup> Walter Clarke, and Jeffrey Herbst, 1997, *Learning from Somalia: The Lessons of Armed Humanitarian Intervention*. Oxford: Westview Press/ HAAN Publishing, pp 17

<sup>119</sup> Van Notten, Michael, 2005, *The Law of the Somalis*. Ed. Spencer Heath MacCallum. Trenton, NJ: Red Sea Press, pp 24.

<sup>120</sup> Osman, Abdulahi A. and Issaka K. Souare, , 2007, eds. *Somalia at the Crossroads: Challenges and Perspectives in Reconstituting a Failed State*. London: Adonis & Abbey Publishers, pp 35.

<sup>121</sup> Keen David. 2000, Incentives and disincentives for violence. In *Greed and grievance: Economic agendas in civil wars*, eds. Mats Berdal and David Malone. Boulder, CO: Lynne Rienner Publications. pp 19-41.

### 3.2 Challenges and Weaknesses of Traditional Leaders in Conflict Management

In contrast, traditional elders have not always been successful in mediating conflicts; Gundel argues that renditions accounting for failure of traditional elders in conflict management can be traced to the period of colonial occupation<sup>122</sup>. Menkhaus observes that during the colonial era, South Somalia was colonized by Italy.<sup>123</sup> Italians destroyed the traditional conflict management systems and in the process rendered the elders ineffective thereby, the role of traditional elders in conflict management and peace building disappeared in comparison to Somaliland, which was colonized by Britain where they kept traditional conflict management mechanisms in place, values and norms were not disrupted. Perhaps it is because of this reason that Puntland has managed to maintain substantial stability as compared to Somaliland.

Brons<sup>124</sup> argues that traditional elders as actors have emerged and earned a permanent place on the Somali political game board. Zartman<sup>125</sup> adds that traditional elders are generally groups which can exert considerable power and influence in Somalia but which are poorly organized and divided, hence not actors in the politically strict sense. This inhibits the role of traditional actors in the process of mediation, negotiation or reconciliation. Owusu<sup>126</sup> argues, *Traditional leaders are important part of the local political fabric in Africa that we cannot talk about democracy from below, from the grassroots, without talking about the chieftaincy,*”

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<sup>122</sup>Opp, Cit, Gundel, 2006, pp 23.

<sup>123</sup> Opp Cit, Ken Menkhaus, “The Somali Crisis: Tragedy in Five Acts”, pp 48

<sup>124</sup>Brons, Maria H, 2001, *Society, Security, Sovereignty and the State in Somalia: From Statelessness to Statelessness?* Utrecht, Netherlands: International Books, p.98

<sup>125</sup>Zartman, I. William. 2005, *Cowardly lions: Missed Opportunities to Prevent Deadly Conflicts and State Collapse*. Boulder, CO: Lynne Rienner Publications, pp 75.

<sup>126</sup> Owusu Maxwell, 1996, *Tradition and Transformation: Democracy and the Politics of Popular Power in Ghana*, Ghana, *Journal of Modern African Studies* 34(2), pp 329

On the other hand, the role of traditional leaders is seen as a preserve of men, this is regarded by Sorens<sup>127</sup> who argues that it is an intentional attempt to malign women who also are part of the clan ruling system. Davidson<sup>128</sup> also observes that in Somali society it is men, specifically the elders, who traditionally have the means to make peace through dialogue and mediation. But although women are typically excluded from decision making forums where peace accords are negotiated, their position within the clan system gives them the ability to bridge clan divisions and to act as a first channel for dialogue between parties in conflict. Women influence elders to intervene in conflict and mobilize resources to finance peace meetings and support demobilization. While men typically focus on achieving political settlement, with the assumption that peace will ensue, women's vision of peace exceeds this and includes sustainable livelihoods, education, truth and reconciliation.<sup>129</sup> In addition women have been instrumental and responsible for the innovative committee dealing with Kenyan-Somali border disputes while at the same time they participated in the 2003 Ngok of Abyei Peoples Conference in Sudan so they should also be considered in indigenous conflict management<sup>130</sup>.

In addition, the traditional leadership has also been strongly rejected in Africa<sup>131</sup> such as Bostwana where there is high level of corruption, poor economy and low standards of living yet the King and his council continue to live in lavish lifestyles. It is the men who are always chosen to be traditional leaders silencing the women and the youth in a community<sup>132</sup>. This often creates division in society since the women and the youth also feel they should be involved in traditional

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<sup>127</sup> Jason P. Sorens and Leonard Wantchekon, 2011, "Social Order without the State: The Case of Somalia," *African Studies Working Paper*, pp 25-26

<sup>128</sup> Ibid, Davidson Jim, 2001, pp 63.

<sup>129</sup> Ibid, Ken Menkhaus, 2007, *The Crisis in Somalia: Tragedy in Five Acts*, pp 357.

<sup>130</sup> Linda James Myers and David H. Shinn, *Appreciating Traditional Forms of Healing Conflict in Africa and the World*, *Black Diaspora Review* 2 (1), Fall 2010, pp 3

<sup>131</sup> Carolyn Logan, 2008, *Traditional leaders in Modern Africa: Can Democracy and the Chief Co-exist?* University of Michigan, *Afrobarometer, Working Paper No. 93*, pp 20

<sup>132</sup> Opp Cit, Carolyne Logan, pp 3

conflict management since the conflict mostly affects the vulnerable in society who are children, women and the youth who become child soldiers or get involved in criminal activities because of idleness.

Brons<sup>133</sup> noted that Somalia conflict resolution mechanisms are deeply embedded in the clan structure whereby the traditional leaders places the clan ahead of individualism which hinders development of a just, prosperous, democratic and progressive society according to modernists<sup>134</sup> while Van Kessel and Oomen<sup>135</sup> observed that chiefs tend to align themselves with powers which offer the best chances of safeguarding their positions in society hence making some of the Somali clan leaders to join forces with Al-Shabaab for economic reasons. In addition when solving disputes the leaders are unaccountable and base their decisions on coercive consensus which is not free and fair<sup>136</sup>. Clan identities can be manipulated through their leaders for economic and political whims for example during Siad Barre's regime the Darood clan was favoured<sup>137</sup> compared to the other clans. Instead of acting as uniting forces during conflict management, these traditional leaders can serve as forces of division by shaping identities that divide especially if these leaders become warlords as conflict seen after the disposal of Siad Barre's regime when Ali Mahdi declared himself president<sup>138</sup>. Furthermore, the role of traditional leaders in mediation is sometimes considered old fashion ideology<sup>139</sup> due to the methodology used to solve the conflicts in the past which was at times pressurized mediation.

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<sup>133</sup> Opp Cit, Kingsley, pp 4

<sup>134</sup> Opp Cit Carolyne, pp 4

<sup>135</sup> Van Kessel, Ineke and Barbara Oomen, 1997, One Chief, One Vote: The Revival of Traditional Authorities in Post- Apartheid South Africa, African Affairs 96, pp 562

<sup>136</sup> Mattes Robert, 1997, Building a Democratic Culture in Traditional Society Paper presented to the International Conference on Traditional Leadership in Southern Africa, University of Transkei, Umtata, South Africa, pp 5

<sup>137</sup> Opp Cit, Kizito Sabala, Regional and Extra- Regional Inputs in Promoting In (Security) in Somalia, pp 97

<sup>138</sup> Ibid, Ochieng, The Somali Peace Process, pp 108

<sup>139</sup> Jannie Malan, 2010, Indigenous Dispute Resolution and Reconciliation: Past, Present and Future, in Indigenous Methods of Conflict Resolution in Africa, University of Bostwana, Gaborone, Center for Culture and Peace Studies, pp 27



### 3.3 Somalia Peace Processes and Reconciliation Conferences

This study focused on six main Somali peace reconciliation attempts. According to Davidson, the first two international reconciliation meetings aimed at re-establishing a Somali government took place in Djibouti in June and July of 1991.<sup>140</sup> The six organizations that participated in these meetings were representing clans or sub clan constituencies however this first peace initiative led to increased conflicts in Mogadishu rather than de-escalating the conflict.

Mekhaus<sup>141</sup> notes that the second major national reconciliation meeting was the one organized by the UN in Addis Ababa in March 1993, unlike the first time there were 15 parties who were present for the conference. Some of the parties were new clan organizations, including some minorities, factions and splinter groups that were not present in Djibouti, those present signed agreements for national reconciliation and disarmament. In 1997, another reconciliation was convened, the National Salvation Council in Ethiopia to establish a federal state under a transitional government but was undermined by a parallel conference held in Cairo by Somalia factions opposed to Ethiopia who proposed fixed clan representation of 4.5 formula in Somalia governance based on the majority verses minor clans in the country. This rival factions supported by Ethiopia and Egypt formed political division in Somalia for the next years thus escalating the conflict at the national level with no stable government in place.

In 2000, another Somalia National Peace Conference was convened in Djibouti dubbed the Arta Peace Conference led by Abdikassim Salaad<sup>142</sup> involving the civic leaders yet excluded the armed factions. These leaders included the intellectuals, clan and traditional leaders, religious leaders, business community among others. Though the Arta conference formed the Transitional

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<sup>140</sup> Opp, Cit, Davidson, pp 63

<sup>141</sup> Ken Menkhaus, 2010, Diplomacy in a failed State, International Mediation in Somalia, Accord, Issue 21, pp 17

<sup>142</sup> Opp Cit, Ochieng Kamudhayi, pp 109

National Government which gave clan leaders the opportunity to represent their clans, it was strongly opposed by the Somalia Reconciliation and Restoration Council who were supported by the Ethiopian government and the numerous domestic opponents so TNG was never operational. Furthermore, the Arta process concentrated more on forming a government according to the expectations of US, EU, UN, Egypt, Libya and Italy than looking for the root causes of the Somali conflict or how to resolve it<sup>143</sup>.

The Somalia National Reconciliation Conference held in Kenya from Eldoret to Mbagathi from 15<sup>th</sup> October 2002<sup>144</sup> facilitated by the Inter-Governmental Authority on Development, was hoped to bring the long awaited peace and stability in Somalia after the central government ceased to exist after numerous reconciliation attempts in the past failed to achieve the desired result. Interestingly, the peace process was convened after the September 11 events where the US was hit by twin bombings by terrorists hence the international situation was greatly imbalanced however, the Mbagathi process was recognized by the international community, regionally and globally and internationally sponsored<sup>145</sup>, externally supported, had a number of armed groups agenda represented and greatly focused on finding resolutions to key issues rather than the immediate power sharing deal<sup>146</sup>. However this process failed to encompass one of the key actors for the process to succeed the traditional and clan leaders who are part and parcel of the Somalia culture. Due to their exclusion, this reconciliation process was doomed to fail since it was considered not to be participatory by the Somalis at the local level who valued their clan leaders. It should be noted that some of the war lords, businessmen and politicians were disguised as clan leaders which

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<sup>143</sup>Opp Cit, LM Makhubela,, pp 76

<sup>144</sup> Opp Cit, Sabala, Regional and Extra-Regional Inputs in Promoting In(Security) in Somalia, pp 100

<sup>145</sup> Ibid, Kingsley, pp 4

<sup>146</sup> Opp Cit, Ken Menkhaus, State Collapse in Somalia, : Second Thoughts, Review of African Political Economy, pp 1

further derailed the process because much as IGAD hoped that this process would not be marred by selfish interests, it was the exact opposite as most actors involved in the Mbagathi peace conference had ulterior motives even the external actors like Ethiopia and the international community who facilitated the process.

The peace processes were affected by the structure of the government to be formed whether federal or unitary and the clan politics. Kingsley<sup>147</sup> also noted that all the fourteen peace processes aimed at forming the government and not to resolve the imminent conflict hence resulting to no conflict transformation in Somalia.

SNRP was made as an attempt to restore law and order in Somalia. SNRP was structured in four levels of decision making. The first level was that of heads of IGAD states and governments, second was the IGAD ministerial council composed of foreign affairs ministers, then the facilitation committee comprising special envoys of Kenya, Djibouti, Eritrea and Uganda.<sup>148</sup> On the other hand the conference had three levels of decision making, the leader's committee composed of Somali leaders, officials and invited delegates who belonged to different factions and the plenary comprising of delegates, committee leaders, IGAD facilitation committee and observers.

The pre-negotiation phase of this conference involved the identification of the actors in the conflict, identifying the venue, rules of procedure and the agenda for the conference. It also identified the people referred to as leaders who according to Ochieng were those who signed the declaration that were the authentic leaders of the Somali people.<sup>149</sup>

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<sup>147</sup> Opp Cit, Kingsley, pp 3

<sup>148</sup> Opp, cit, Ken Menkhaus, "The Somali Crisis: Tragedy in Five Acts", *African Affairs*, pp.8-14

<sup>149</sup> Ibid, Ochieng Kamudhayi, *The Somali Peace Process*, pp 110

The mandate of the IGAD was revised in 1996 to include the promotion of peace and security, in addition to fostering regional cooperation and economic development. In 2002, IGAD took up the challenge of reconciling the TNG and the SRRC, each supported by an IGAD member state. The influence of traditional elders was apparent during the two year reconciliation conference facilitated by Kenya. The Transitional Federal Government, succeeded the TNG in November 2004, saw Somalia's leadership shift from the Mogadishu, Hawiye and Islamist dominated coalition to the federalist, Darood and Ethiopian backed coalition, with Abdullahi Yusuf chosen as the transitional president.<sup>150</sup>

The failure of the TNG is attributed to the failure to consider the might and influence of warlords in southern regions back in 2000 and the powerful clan based faction leaders or warlords who emerged from the conflict in disguise as traditional leaders. During the prolonged period of chaos and lawlessness, such leaders, along with politicians and business people, recruited armed militia to further their own interests and they also promoted their own choice of elders, who lacked local legitimacy and undermined the existing system of leadership.

The Mbagathi Conference had all the characteristics that marred 1991, 1993 and 1998 reconciliation conferences whose participants were selected for belonging to clans with armed militias<sup>151</sup> and aiming to form a government, TFG instead of making peace to a conflict ridden state as Lewis <sup>152</sup>noted. The TFG was deeply divided at the outset, with many Somalis raising objections about the legitimacy of representation at the talks.<sup>153</sup> But like its predecessor the TFG

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<sup>150</sup> Opp Cit, Ken Menkhaus, "State Collapse in Somalia: Second Thoughts." *Review of African Political Economy*, pp 405-407.

<sup>151</sup> De Waal, Alex, 2004, *Islamism and its Enemies in the Horn of Africa*. Addis Abeba: Shama Books, pp 23.

<sup>152</sup> Ibid, Kingsley, pp 4

<sup>153</sup> Shonali. Sardesai, 2005, *Conflict in Somalia. Drivers and Dynamics*. Washington, The World Bank, pp 2-5

fell short of being a government of national unity since power was concentrated in a narrow clan coalition which was led by warlords in the disguise of traditional leaders.

According to Lewis consensus decision making is a key principle of Somali peacemaking. As the parties in conflict have the power to reject any settlement that they are not happy with, only decisions reached by consensus carry real authority.<sup>154</sup> In comparison during the reconciliation process traditional, religious and business leaders were sidelined, aggravating the weak public outreach during the two year process. As a consequence, the mediated outcome could not be implemented since there was no consensus among the participants and that the process was not all inclusive.

Bradbury observes that the role of traditional leaders in peace process in Somalia peace attempts is saddled with external diplomats that have weak credentials and capacity, resulting in embarrassing mistakes and missed opportunities.<sup>155</sup> Ideally, reconciliation processes should not be reduced to power sharing deals by political elites and war lords but should look into the deep rooted causes of the conflict and find lasting solutions through instilling positive peace in Somalia. Leeson observes that in order to identify true traditional leaders, there should be differentiation between intrinsic spoilers or warlords who have no interest in allowing a revived central government, situational spoilers, whose objections to a peace process have to do with power sharing arrangements and traditional leaders whose role is specific in reconciliation.<sup>156</sup>

Gundel argues that the high stakes and the large number of players involved can pose significant challenges to mediation and such efforts fail.<sup>157</sup> For instance, in 1994 when

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<sup>154</sup> Lewis, Ioan M, 1998, *Saints & Somalis. Popular Islam in a Clan-based Society*. London, Haan Ass. Publishing, pp 125

<sup>155</sup> Bradbury, Mark, 2008, *Becoming Somaliland*, James Currey&Progressio in association with Indiana Press, African Issues series, pp 35.

<sup>156</sup> Peter Leeson, 2006, "Better Off Stateless: Somalia Before and After Government Collapse." *Working Paper*. West Virginia University, pp 84-85.

<sup>157</sup>Opp Cit, Gundel, Joachim, pp 17-21.

representatives of clans from Middle Jubba region met with veteran politicians with the aim of resolving differences and forming a regional administration, there was no agreement reached. Also Besteman notes that in 1996 Garbaharrey<sup>158</sup> conference aimed at establishing unity and forming a local administration among the Sade sub-clans of the Marehan clan in Gedo region, clan elders and leaders of the armed faction, the Somali National Front, failed to reach agreement. The following year a peace conference near Bulo Hawa working towards a power sharing arrangement between the SNF and the armed group, Al-Itihaad Al-Islaamiya, also ended in failure.

### **Conclusion**

Hard-won lessons from across Africa show that peace processes must include traditional elders on credible security mechanisms if they are to be effective. This is essential to manage and mitigate conflict, and to create a stable environment for post-conflict recovery. Somalia should embrace the traditional indigenous approaches to conflict resolution so as to provide legitimacy and local ownership of the peace process<sup>159</sup>.

It can be argued that Somalia peace reconciliation process and peace negotiation efforts have not accommodated the role of traditional leaders or their role has not accorded the respect that it deserves. There is need to make a distinction between the true traditional leaders and traditional leaders in disguise. This is important because the role of traditional leaders and spiritual leaders has been successful in mediation of clan based conflicts; therefore, if the same is also duplicated on a national level of peace negotiations, Somalia can arguably make progress towards peace. Hence, it is this gap that this research study aims to study.

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<sup>158</sup> Catherine Besteman, *Unraveling Somalia, Race, Class, and the Legacy of Slavery*, op, cit, pp 82

<sup>159</sup> Ibid, LM Makhubela, pp 8

**CHAPTER FOUR**  
**OPPORTUNITIES AND CHALLENGES OF THE USE OF TRADITIONAL LEADERS**  
**IN CONFLICT MANAGEMENT**

**4. Introduction**

This chapter gives the analysis of data collected from the field. The research was conducted among the Somali refugees living in Kenya and those delegates who participated in the Mbagathi peace process<sup>160</sup>. The study was carried out from 13<sup>th</sup> to 23<sup>rd</sup> April 2015 to look at the role of

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<sup>160</sup> Kizito Sabala, 2011, *Regional and extra-regional inputs in promoting (in)security in Somalia*, in Sharamo Roba and Mesfin Berouk, *Regional Security in the post-Cold War Horn of Africa*, Pretoria, Institute for Security Studies, pp 100

traditional leaders in peace process; the case study of Somalia conflict. Data was reconciled before data analysis was undertaken.

Data was entered into the SPSS 18.0 for windows and were also presented sequentially according to the research questions of the study. The data analysis was complemented by using Microsoft Excel and Microsoft Word. The raw data was coded, evaluated and tabulated to portray clearly the results and these results were presented in tables to emphasize on the major findings.

#### 4.1 Response Rate

A total of forty seven (47) questionnaires were produced and administered to the sampled categories of respondents. At the end of the study thirty four (34) questionnaires were returned, coded and analyzed. The overall response rate was therefore 72.3% with majority of the respondents from politicians which attracted a response rate of 78.6% while the minority was traditional leaders' category that attracted a response rate of 60% as recorded in the table 4.1 below. The response rate was impressive among all the categories of the respondents for the study since over half of the respondents responded. This showed their approval and the success of the research. In addition, this gave the study the response rate of 90% which according to Mugenda,<sup>161</sup> a response rate of more than 80% is sufficient for a study.

**Table 4.1: Response rate**

<b>Category of the population</b>	<b>Those sampled</b>	<b>Those who responded</b>	<b>Response rate</b>
Traditional Leader	5	3	60%
NGO Representative	11	8	72.7%
Politicians	14	11	78.6%

<sup>161</sup>Mugenda O.M., Mugenda A.G., 199, *Research Methods: Quantitative and Qualitative Approaches*, Nairobi, Acts Press, pp 70



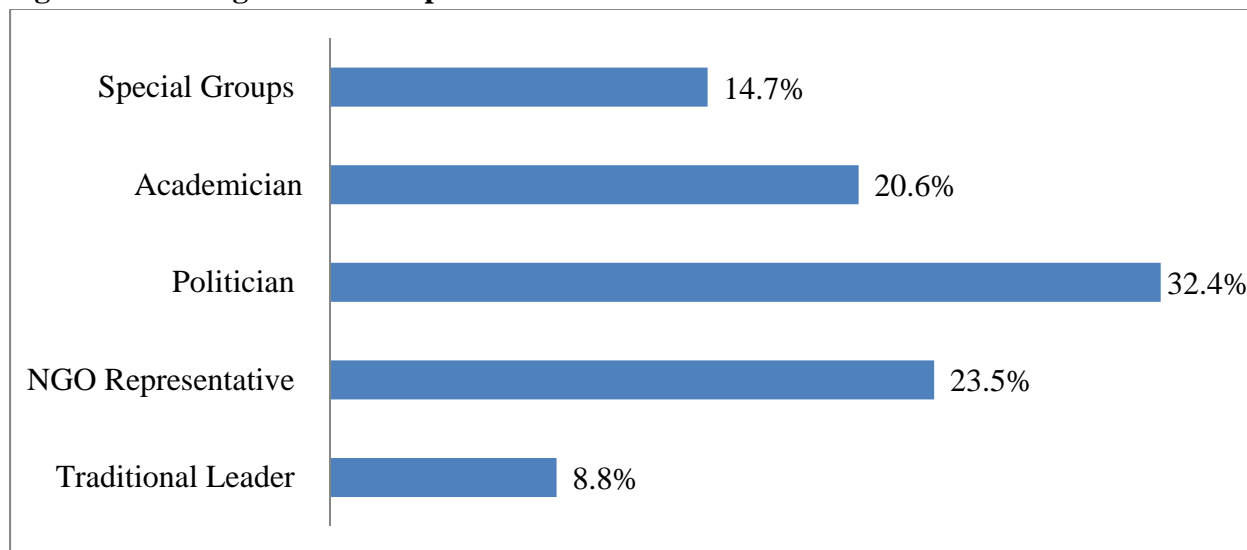
Academics	9	7	77.8%
Special Groups	8	5	62.5%
<b>Total</b>	<b>47</b>	<b>34</b>	<b>72.3%</b>

Source: Field data, 2015.

#### 4.2 Background of Respondents

The respondents had different backgrounds; they were Somalia NGO representatives, local Somali politicians, academicians (people who have vast knowledge in the Somalia conflict), traditional leaders and special groups in Somalia. Those who responded gave their designations for easy analysis of data according to their backgrounds. They provided the responses as indicated in figure 4.1 below:

**Figure 4.1: Background of Respondents**



Source: Field data, 2015

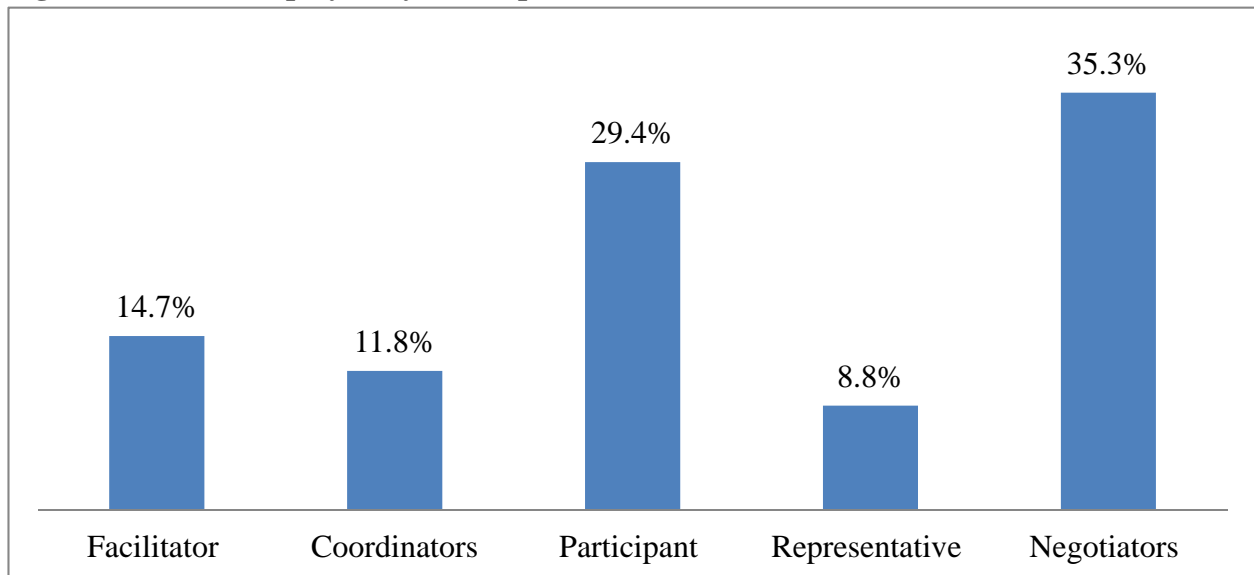
From figure 4.1 above, majority (32.4%) of the respondents were politicians followed by the NGO representatives which attracted a response rate of 23.5% of the respondents. Traditional leaders' category only attracted 8.8% of the respondents. While 20.6% of the respondents were academicians and scholars, less than 15% were from the special groups.

This finding denotes that the Somali peace conference in Kenya was dominated by the Somalia politicians, warlords and the external actors to the detriment of the traditional leaders.<sup>162</sup>

### 4.3 Role played by the Respondents

Respondents were asked to state the role they played in the Somali peace process conference. They provided the responses as indicated in figure 4.2 below:

**Figure 4.2: The role played by the respondents in the Somali Peace Process Conference**



<sup>162</sup> Maureen Ogwari, April 2015, Interview with Jackline Opiyo

Source: Field data, 2015

From results as seen in figure 4.2 above, majority (35.3%) of the respondents were negotiators. While 29.4% were participants, 14.7% were facilitators and 11.8% were coordinators. This finding shows that the respondents had active and prominent roles in the Somali peace process at Mbagathi.

#### 4.4 The Main Players in the Somali Peace Process

Respondents were asked to state who the main players in the Somali peace process were. Hence, respondents were asked to state who they believed to be the main players in the Mbagathi peace conference in Kenya. They provided the responses as recorded in table 4.2 below:

**Table 4.2: The main players in the Somali Peace Process**

<b>Variable</b>	<b>Frequency</b>	<b>Percent</b>
Traditional leaders	5	14.7%
Businessmen/Women	7	20.6%
War Lords	9	26.5%
External /International Actors	6	17.6%
Political Leaders	7	20.6%
<b>Total</b>	<b>34</b>	<b>100%</b>

Source: Field data, 2015

The results as indicated in table 4.2 above, over 26% of the respondents believed that the Mbagathi peace conference was dominated by the war lords while 20.6% of the respondents were

of the view that the main players were businessmen/women with another 20.6% stating that the main players in the peace processes were political leaders. 17.6% of the respondents believed that the main players in the peace processes were international peace actors nevertheless, 14.7% of the respondents were of the view that the main players in the peace processes traditional leaders.

This finding denotes that the main players in the Somali peace processes were war lords not the traditional leaders as Abdullahi<sup>163</sup>, one of the traditional elders who participated lamented. In addition Makhubela<sup>164</sup> also argued that the process was dominated by the external actors like Ethiopia.

#### 4.5 How the Traditional clan leaders were involved in the Somali Peace Process

Respondents were asked to state how they believed the traditional leaders were involved in the Somali peace process. They provided the responses as recorded in table 4.3 below:

**Table 4.3: How the Traditional leaders were involved in the Somali Peace Process**

Variable	Frequency	Percent
Passive, non prominent roles, facilitative and support groups	19	55.9%
Active prominent roles e.g arbitrator, conciliators and mediators	9	26.5%
Both active and passive roles as representatives	6	17.6%
<b>Total</b>	<b>34</b>	<b>100%</b>

Source: Field data, 2015

As indicated above in table 4.3, over 55% of the respondents believed that traditional leaders assumed passive, non-prominent roles, acting as facilitators and supporters of various groups. Slightly more than 26% of the respondents alleged that traditional leaders assumed active

<sup>163</sup> Maureen Ogwari, April 2015, Interview with Abdullahi Warsame,

<sup>164</sup> LM Makhubela, May 2010, Conflict Resolution in Somalia: Learning from Failed Mediation Processes, University of Pretoria, Department of Political Science, pp 84

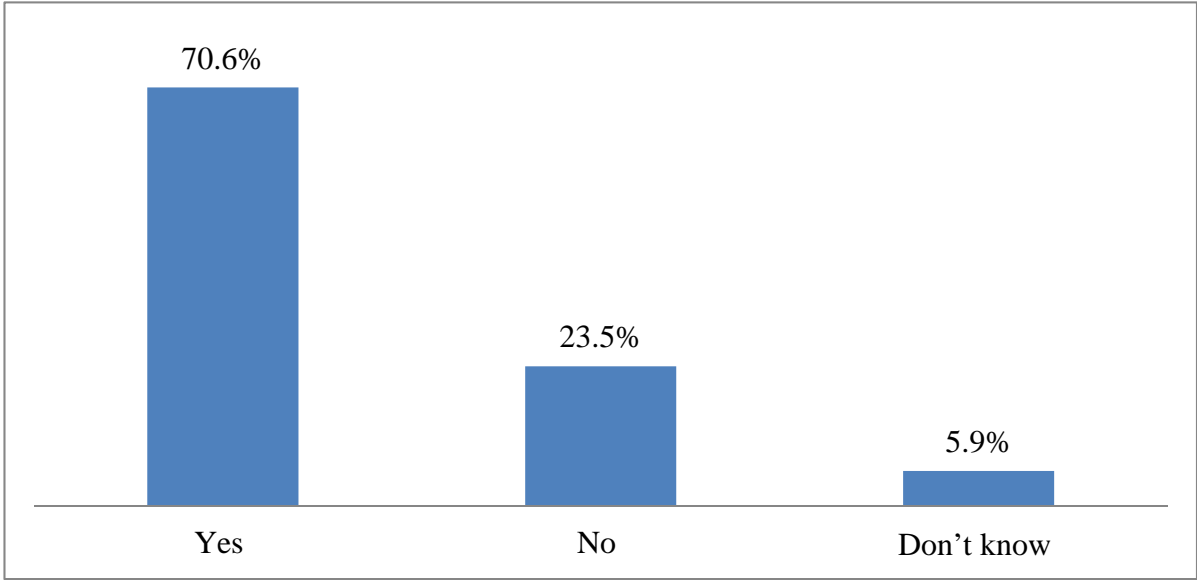
prominent roles acting as arbitrators, conciliators and mediators with sufficient authority to effect changes and make decisions. For example Mohammed<sup>165</sup> noted that they were the ones who appointed Somali Transitional Parliamentarians from their respective clans and sub-clans.

This finding signifies that traditional leaders assumed passive, non-prominent roles, acting merely as facilitators and supporters of various groups during the Somali peace process at Mbagathi.

**4.6 Whether the outcome of the process would have been different if the traditional leaders were given prominent roles**

Respondents were asked to state whether the outcome of the Somali process would have been different if the traditional leaders were included in prominent roles instead of the passive roles in the peace conference. They provided the responses as indicated in figure 4.3 below:

**Figure 4.3: Whether the outcome of the process would have been different if the traditional leaders were given prominent roles**



Source: Field data, 2015

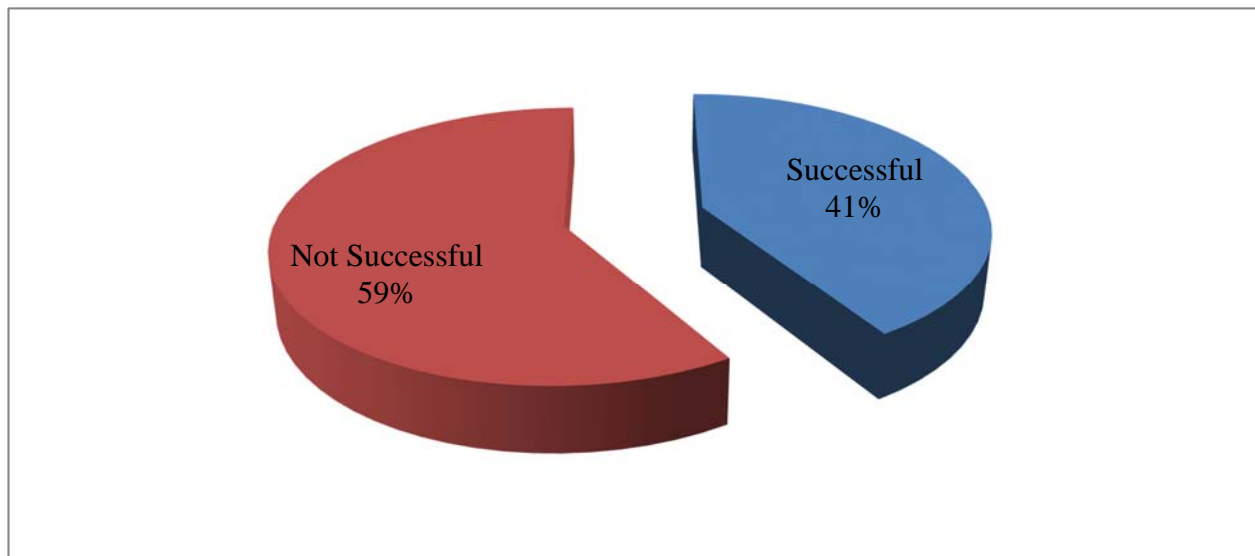
<sup>165</sup> Maureen Ogwari, April 2015, Interview with Mohammed Abdul

Results from figure 4.3 above, over 70% of the respondents agreed that the outcome of the process would have been different in the inclusion of traditional leaders in prominent roles. Only 23.5% supposed that the outcome of the process would not have been different in the inclusion of traditional leaders in prominent roles. Nonetheless, 5.9% remained indifferent about the addition of traditional leaders in prominent roles in the Mbagathi peace process. Most of the respondents agreed that the outcome would have been different because while Ali<sup>166</sup> noted that these clan elders are on the ground and understand the dynamics of war, Fatuma<sup>167</sup> insisted that their involvement could have led to conflict transformation and sustainable peace in Somalia.

#### 4.7 Whether the Somali Peace Conference was successful

Respondents were asked whether they believed the Somali peace conference held in Mbagathi Kenya was successful. They provided the responses as indicated in figure 4.4 below:

**Figure 4.4: Whether the Somali Peace Conference was successful**



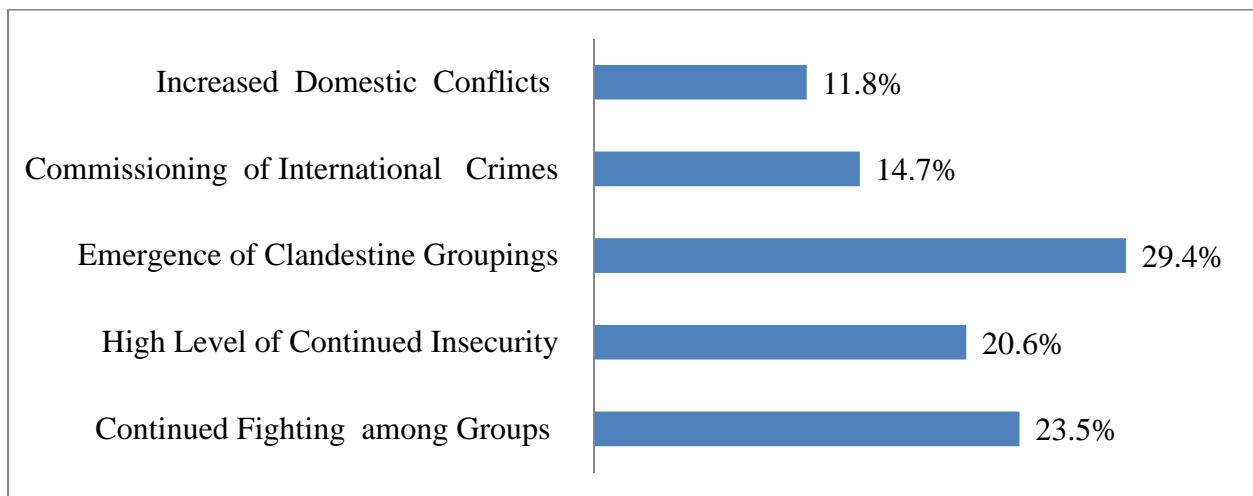
Source: Field data, 2015

<sup>166</sup> Maureen Ogwari, April 2015, Interview with Mohamed Ali

<sup>167</sup> Maureen Ogwari, April 2015, Interview with Fatuma Ismail

From figure 4.4 above, majority 59% of the respondents were of the view that the conference was not successful. Only 41% of the respondents were of the view that the conference was successful. In addition, respondents were asked to state the signs that the showed that the Somali peace conference was not successful. They provided varied responses as indicate in figure 4.5 below:

**Figure 4.5: Signs that show Somali Conference was not successful**



Source: Field data, 2015

From figure 4.5 above, various occurrences were stated by the respondents as depicting failures of the Somali peace conference held in Mbagathi. These included emergence of clandestine groups who were opposed to the peace process and the new social order such as Alshabaab (29.4%), continued tensions and conflicts (23.5%), continued insecurity (20.6%) and continued commissioning of international crimes 14.7% such as mass murder, forcibly transfer of population, persecution, terrorism activities, piracy and bad spillover effects to the neighbors and the region<sup>168</sup> contributing to the Horn of Africa conflict system<sup>169</sup>.

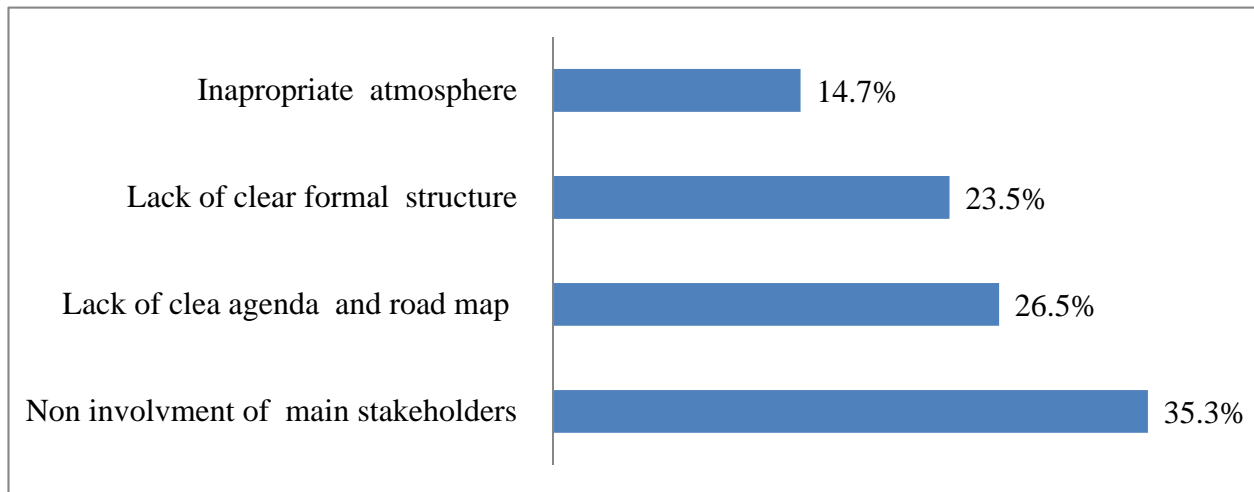
<sup>168</sup> Ibid, Maureen, Interview with Fatuma

<sup>169</sup> Makumi Mwangi, 2006, Conflict in Africa, 'Theory, Processes and Institutions of Management', Nairobi, Center for Conflict and Research, pp 79

#### 4.8 Weaknesses of the Somali Peace Process Conference

Respondents were asked to state the weaknesses or shortcomings of Somali peace conferences. They provided the responses as indicated in figure 4.6 below:

**Figure 4.6: Weaknesses of the Somali Peace Process Conference**



Source: Field data, 2015

From figure 4.6 above various weaknesses of the Somali peace conference in Mbagathi were cited. These included non-inclusion and involvements of critical stakeholders and players including the traditional leaders and the special groups in active capacity (35.3%), inappropriate conference and negotiation atmosphere (14.7%), lack of clear formal structure for the negotiators including the real facts for negotiation (23.5%) and non clarity in conference agenda and expected outcomes (26.5%) of the peace process which would be beneficial to the Somali nation as a whole.

#### 4.9 Strengths of Somali Peace Process

Respondents were asked to state what they considered to be the main strengths of the Somalia peace conference held in Mbagathi. They provided responses as indicated in table 4.4 below:



**Table 4.4: Strengths of Somali Peace Process**

<b>Variable</b>	<b>Frequency</b>	<b>Percent</b>
First recognized step towards peace	14	41.2%
Formation of Transitional Federal government	11	32.4%
Consideration of key issues and problems in Somali Conflict	9	26.5%
<b>Total</b>	<b>34</b>	<b>100%</b>

Source: Field data, 2015

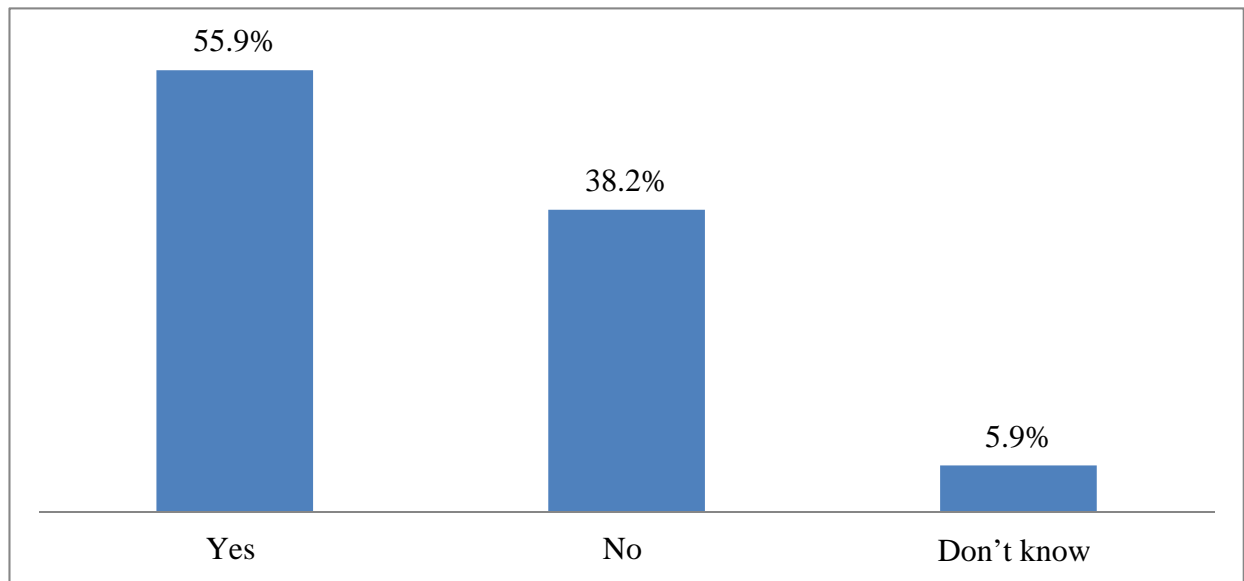
From table 4.4 above, various strengths were mentioned by the respondents as having emanated from the Somali peace conference. These included the fact that the conference was the first recognized step towards peace in Somalia as perceived by 41.2%, the conference led to the formation of Transitional Federal government according to 32.4%, while 26.5% argued that the conference considered key issues and problems for example all Somali clans were involved in the peace process<sup>170</sup>.

#### **4.10 Whether the use of Traditional Leaders in Management of Somali Conflict has weakened**

This study sought to determine whether the role of traditional leaders in the management of the Somali conflict has weakened or failed. Therefore, respondents were asked to state whether they believed the role of traditional leaders in the management of the Somali conflict has weakened or failed. They provide varied responses as indicated in figure 4.7 below:

<sup>170</sup>Maureen, April 2015, Interview with Salim Hussein

**Figure 4.7: Whether the use of Traditional Leaders in Management of Somali Conflict has weakened**



Source: Field data, 2015

From figure 4.7 above over 55% of the respondents thought that the role of traditional leaders in Somali conflict management has weakened for example, some respondents said that despite their involvement in the peace process, minimal strides have been made in nation and peace building while radicalization of the youth and foreign influence has led to the diminishing role of traditional leaders in conflict management<sup>171</sup>.

Only 38.2% were adamant that the role of traditional leaders in the Somalia conflict management has not weakened for example Ali<sup>172</sup> argues that traditional leaders are still used by the government to solve disputes while according to World Bank<sup>173</sup>, *Shari'a* courts in Somalia are still controlled by the traditional leaders to provide security and justice in South Central Somalia,

<sup>171</sup> Ibid, Maureen Interview with Hussein, Fatuma, Abdullahi

<sup>172</sup> Ibid, Maureen Interview with Ali

<sup>173</sup> World Bank Report, January 2005, Conflict in Somalia: Drivers and Dynamics, World Bank Publications, pp 15-17

Somaliland has also adopted a clan based governing system where the traditional leaders in the upper house maintain peace, mediate disputes among different clans while the lower house has the traditional leaders who act as the legislative body.

5.9% were indifferent whether the role of traditional leaders in Somalia conflict management has weakened or not.

This finding denotes that the role of traditional leaders in the management of the Somali conflict has weakened due to some reasons cited such as lack of domestic and international recognition, non-inclusion of traditional leaders in state building, emergence of international conflict management practitioners like Makumi Mwangiru, emergence of formal conflict management institutions like courts and increase of civil societies like NGOs specialized in conflict management.

#### **4.11 Why Somali conflict has continued despite the various peace efforts**

This study sought to establish why the Somali conflict has continued despite the varied peace efforts. In this respect respondents were asked to state why they believed the Somali conflict has continued despite the peace efforts. They provided responses as indicated in table 4.5 below:

**Table 4.5: Why the Somali conflict has continued despite the peace efforts**

<b>Variable</b>	<b>Frequency</b>	<b>Percent</b>
Lack of support and concern from the international community	5	14.7%
Poor implementation of the previous peace programs	7	20.6%
External influences and interference with different agendas	4	11.8%
Increased terror activities by Al- Shabaab	3	8.8%
Clanism	11	32.4%
Poor distribution of resources	4	11.8%

<b>Total</b>	<b>34</b>	<b>100%</b>
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Source: Field data, 2015

As shown in the table 4.5 above, varied reasons were advanced by respondents as to the continuance of the Somali conflict. Among the prominent reasons included clanism (32.4%), Somalia has different clan identities which has fuelled widespread corruption, favoritism, and nepotism<sup>174</sup>. Poor implementation of the previous peace programs (20.6%), lack of support and concern from the international community (14.7%). Other reasons mentioned were external influence and interference (11.8%), poor distribution of resources 11.8% and increased terror activities by Al-Shaabab in Somalia.

#### 4.12 Strategies to end the Somali conflict

This study sought to establish the strategies that should be undertaken to end the Somali conflict. In this regard respondents were asked to state the efforts that if adopted would ring to an end the long lasting Somali conflict. They provided varied responses as recorded in table 4.6 below:

**Table 4.6: Strategies to end the Somali conflict**

<b>Variable</b>	<b>Frequency</b>	<b>Percent</b>
Clan representation should play key role in conflict resolution	9	26.5%
Comprehensive political and peace education	8	23.5%
International support and facilitation for the peace process	7	20.6%
Local ownership of the peace process	3	8.8%
Adequate distribution of resources	5	14.7%
Inclusion of clan leaders in governance	2	5.9%

<sup>174</sup> Opp Cit, Kizito Sabala, 2011, '*Regional and extra-regional inputs in promoting (in)security in Somalia*', pp 97

<b>Total</b>	<b>34</b>	<b>100%</b>
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Source: Field data, 2015

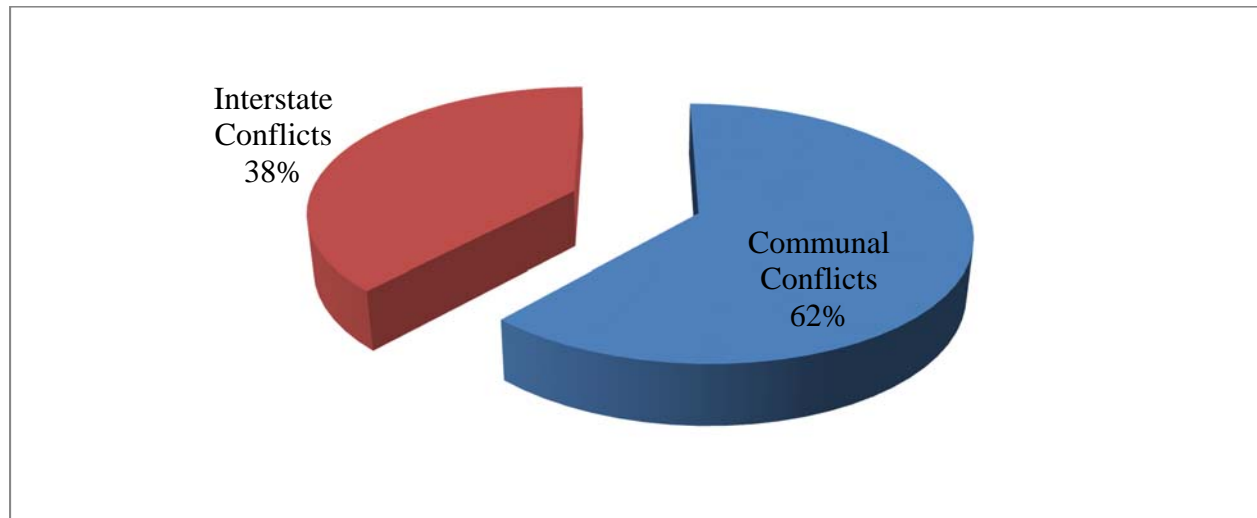
From table 4.6 above, different approaches were stated by the respondents as possible solutions to help end the Somali conflict. Clan representation should play key role in conflict resolution (26.5%), development and implementation of comprehensive political and peace education (23.5%), international support and facilitation for the peace process (20.6%). Other possible strategies comprised of design of programs towards equal distribution of resources (14.7%) local ownership of the peace process (8.8%) Inclusion of clan leaders in governance (5.9%) such as including the traditional leaders in political leadership in South Central Somalia as had been done in Somaliland and Puntland because as compared to political leaders these leaders are authentic in the community<sup>175</sup>.

#### **4.13 Nature of conflicts commonly solved by Traditional Leaders**

This study sought to examine the nature of conflicts commonly solved by traditional leaders. As a result, respondents were asked to state the nature of conflicts they believed were frequently being addressed by traditional leaders. They provided varied responses as indicated in figure 4.8 below:

<sup>175</sup> Ochieng Kamudhayi, 2004, '*Somali Peace Process*', in Makumi Mwangi, African Regional Security in the Age of Globalization, Nairobi, Heinrich Boll Foundation, pp 122,

**Figure 4.8: Nature of conflicts commonly solved by Traditional Leaders**



Source: Field data, 2015

From figure 4.8 above, majority (62%) of the respondents were of the view that the traditional leaders are frequently involved in the solving of communal conflicts for example Ochieng<sup>176</sup> noted “*Traditional elders should be included in the conflict management of the communal conflicts in Africa and not politicians because they understand the conflict dynamics better.....*” Only 38% of the respondents were of the opinion that the traditional leaders are frequently involved in the solving of interstate conflicts. Nonetheless, traditional leaders represent their clans for example, Malaq Isaak Ibrahim<sup>177</sup> also noted that the traditional leaders are used in local, national and regional peace processes through informal mediation process to bring the warring parties to the negotiating table and create conducive environment for the process.

These findings signify that the communal leaders are mostly involved in addressing communal conflicts.

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<sup>176</sup> Maureen Ogwari, April 2015, Interview with Dr Ochieng Kamudhayi on the Role of Traditional Leaders in Conflict Management

<sup>177</sup> Interview conducted by the Center for Research and Dialogue, 2012, Somali peace processes, Building peace in South Central Somalia, the role of elders, a conversation with Malaq Isaak Ibraahim, A Senior Elder in Somalia, Accord 21, pp 50

#### 4.14 Benefits of the use of Traditional Leaders in International Conflict Management

This study sought to examine the benefits of traditional leaders in international conflict management. Therefore, respondents were asked to state the benefits they believed emanates from the use of traditional leaders in international conflict management. They provided the responses as shown in table 4.7 below:

**Table 4.7: Benefits of the use of traditional leaders in international conflict management**

<b>Variable</b>	<b>Frequency</b>	<b>Percent</b>
Sustained lasting peace	4	11.8%
Local ownership of the conflict management	12	35.3%
Low Logistics Required	10	29.4%
High Respect for the Decisions	5	14.7%
Less Time Involved	3	8.8%
<b>Total</b>	<b>34</b>	<b>100%</b>

Source: Field data, 2015

As pointed out in table 4.7 above, a range of factors were provided by the respondents signifying benefits of the use of traditional leaders in international conflict management. These included minimal logistics requirements (29.4%), local ownership of the peace processes as illustrated with the *Gacaca*<sup>178</sup> courts in Rwanda (35.3%), and high respect for the decisions reached by the elders (14.7%) and possible sustained lasting peace (11.8%)

Moreover, the traditional rulers and leaders are the frequent point of contacts in Lesotho, Malawi and Kenya than the local government councilors while most communities also turn to the

<sup>178</sup> Linda James Myers and David H. Shinn, *Appreciating Traditional Forms of Healing Conflict in Africa and the World*, Ohio State University, *Black Diaspora Review* 2(1) Fall 2010, pp 5-6

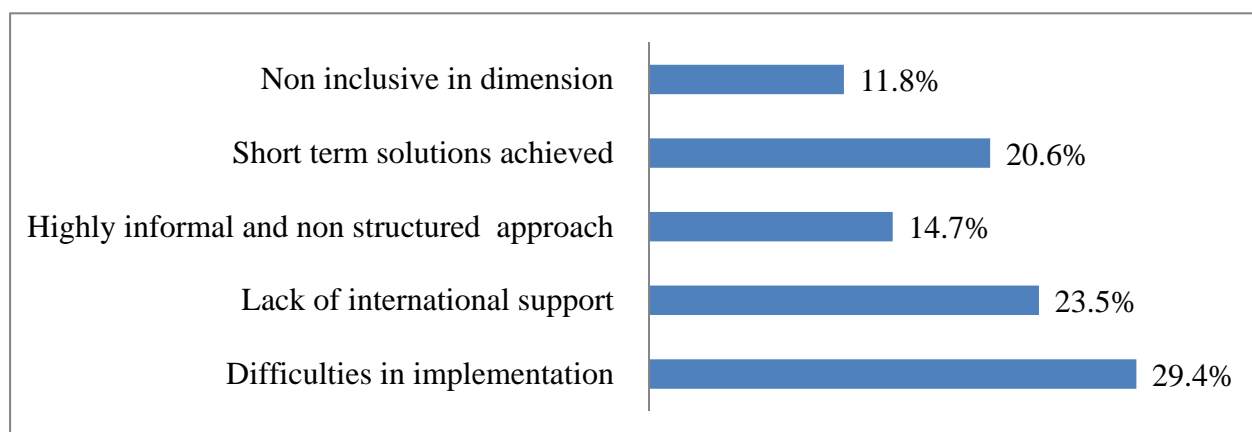
traditional leaders to resolve violent conflict such as Bostwana, Ghana, Zambia and Senegal<sup>179</sup>. Oomen<sup>180</sup> argued “.....if the ability to debate ones destiny can be regarded essential to democracy then traditional administration may be more democratic than the elected local governments with which they supposedly compete.” Therefore these leaders should be included in the local administration by virtue of their position in society and the respect accorded to them by their communities to curb disputes at the local level.

This finding meant that the use of traditional leaders’ international conflict management provides sound benefits to the society and the communities involved.

#### 4.15 Weakness of Traditional Leaders in Conflict Management

This study sought to assess the weaknesses of traditional leaders in conflict management. Towards this end respondents were asked to state the weaknesses they believed arise from the use of traditional leaders in conflict management. They provided varied responses as indicated in figure 4.9 below:

**Figure 4.9: Weakness of Traditional Leaders in International Conflict Management**



Source: Field data, 2015

<sup>179</sup> Carolyn Logan, 2008, Traditional leaders in Modern Africa: Can Democracy and the Chief Co-exist? University of Michigan, Afrobarometer, Working Paper No. 93, pp 10-11

<sup>180</sup> Oomen Barbara, 2000, Tradition on the move: Chiefs, Democracy and Change in Rural South Africa, Amsterdam, Netherlands Institute for South Africa, pp 64



As seen in figure 4.9 above, various scenarios were provided by the respondents showing the weakness of traditional leaders in international conflict management. These included the perennial and lack of international support (23.5%), the difficulties involved in the implementation of their decision (29.4%), short term decision achieved through the use and benign generally non inclusive in approach character and dimensions. Additionally peace processes conducted through traditional leaders mostly assume an informal and non structured thereby lacking recognition among other sectors of the community (14.7%).

This finding symbolizes that despite the benefits of the use of traditional leaders in international conflict management; the use of traditional leaders in conflict management has continued to experience challenges for example, they can serve as forces of division and clan drivers such as the struggle for dominance of the Bossasso port in Somalia between the sub clans of Marehan clan inhabiting it<sup>181</sup>.

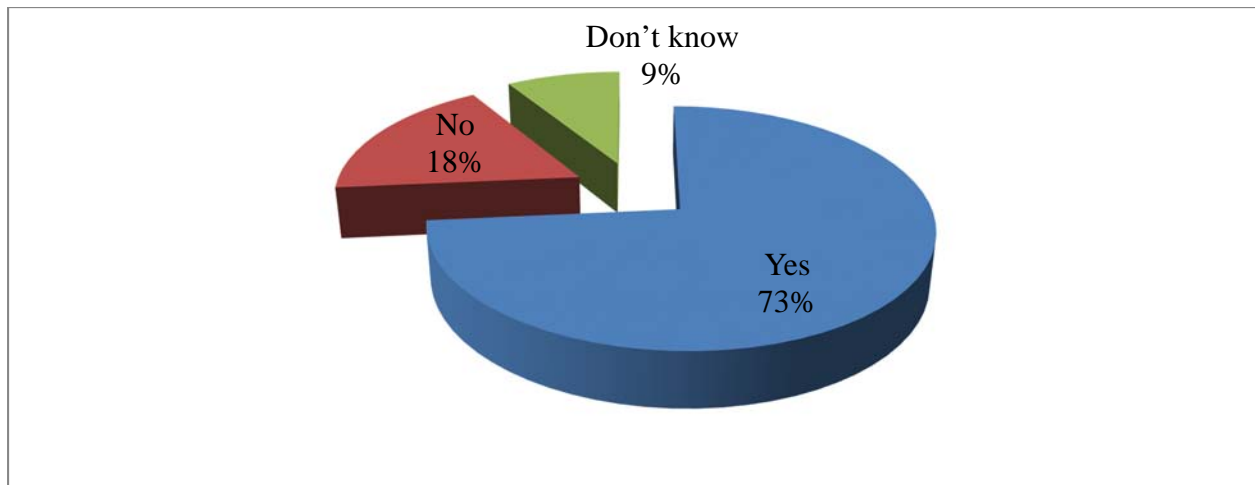
#### **4.16 Whether Traditional Leaders Role is important in International Conflict Management in Africa**

This study sought to assess whether traditional leaders role is important in conflict management in Africa. In this respect respondents were asked whether they believed the traditional leaders' role is important in conflict management in Africa. They provided the responses as indicated in figure 4.10 below:

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<sup>181</sup> Ibid, World Bank Report, Conflict in Somalia, pp 16

**Figure 4.10: Whether Traditional Leaders role is important in International Conflict Management**



Source: Field data, 2015

From figure 4.10 above majority (73%) of the respondents agreed that traditional leader's role is important in conflict management in Africa. Only 18% of the respondents were of the cited that traditional leader's role is not important in conflict management in Africa. The rest 9% of the respondents remained indifferent by stating not to have known if traditional leaders role was important in international conflict management in Africa or not.

This finding denotes that traditional leader's role is important in international conflict management of Africa's conflicts.

#### **4.17 Reasons behind the increased support of Traditional Leaders in the solution of Conflicts in Africa**

This study sought to determine the reasons behind the elevation of traditional leaders in the solution of conflicts in Africa. In this regard respondents were asked to state the reasons why traditional leaders have become important in solving conflicts in Africa. They provided the responses as provided in table 4.8 below:

**Table 4.8: Reasons behind the increased support of Traditional Leaders in the solution of Conflicts in Africa**

<b>Variable</b>	<b>Frequency</b>	<b>Percent</b>
Type and nature of conflicts	3	8.8%
Inadequate resources	4	11.8%
Lack of structural frameworks	6	17.6%
Prevention of conflict escalation	8	23.5%
Respect for their decisions	7	20.6%
Lack of strong impartial judicial systems	4	11.8%
General incapacity and incompetence among governments	2	5.9%
<b>Total</b>	<b>34</b>	<b>100%</b>

Source: Field data, 2015

As indicated in table 4.8 above, various reasons emerged as elevating the role of traditional leaders in solving conflicts in Africa. Among the prominent reasons cited by the respondents as making the role of traditional leaders important included the type and nature of conflicts which are mostly inter-communal and domestics in approach (8.8%), lack of resources among the African governments and societies to organize more comprehensive peace conferences (11.8%), the undue respect accorded to them and their decisions (20.6%) and in order to prevent conflict escalation (23.5%). Additionally, respondents believed there is general lack of strong impartial judicial system to conduct arbitration (11.8%), non stance of the structural framework to guide the peace process (17.6%) and general incapacity and incompetence among African governments to conduct the peace process (5.9%). Traditional approaches of conflict management are usually applicable in situations where there is a failed state, for instance in Bougainville, New Papua Guinea has remained a peaceful community due to the presence of traditional chiefs and leaders who strived

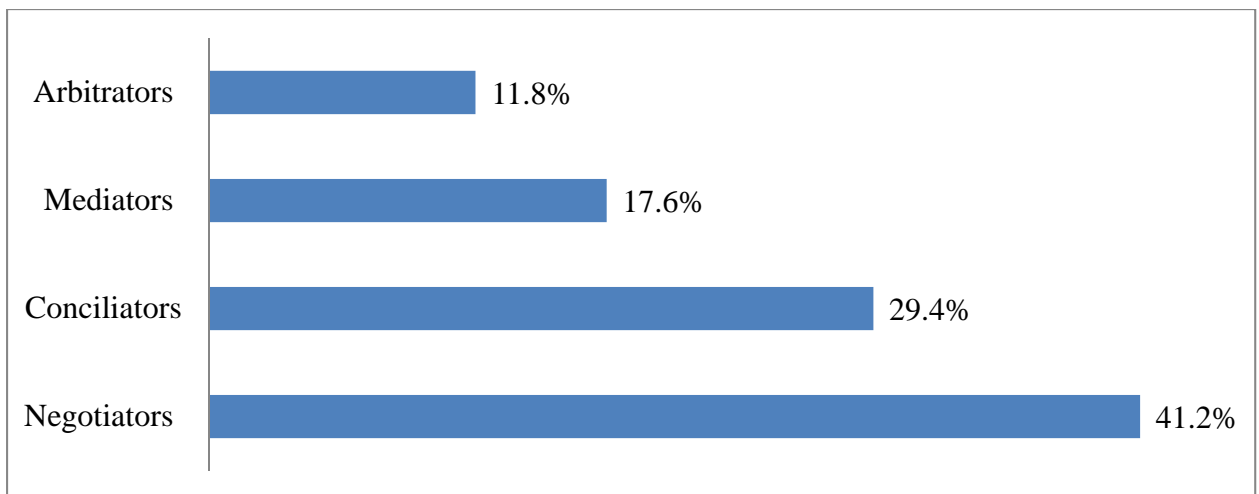
to maintain a community based justice system during and after the conflict through the restorative justice<sup>182</sup>.

Owusu<sup>183</sup> asserted that, “*They are an integral part of the local political fabric in Africa that one cannot talk about democracy from below, from the grassroots, without talking about the chieftaincy.*”

#### 4.18 Role played by Traditional Leaders in the Management of International Conflicts

This study sought to determine the role played by traditional leaders in the management of international conflicts. Respondents were asked to state the role being played by the traditional elders in the management of international conflicts. They provided the responses as indicated in figure 4.11 below:

**Figure 4.11: Role played by Traditional Leaders in the Management of International Conflicts**



Source: Field data, 2015

<sup>182</sup>Volker Boege, *Potential and Limits of Traditional Approaches in Peacebuilding*, Berlin, Berghof Foundation, 2006, pp 445-446

<sup>183</sup>Owusu Maxwell, 1996, “*Tradition and Transformation: Democracy and the politics of Popular Power in Ghana,*” *Journal of Modern African Studies*34 (2), pp 329

From figure 4.11 above, over 41% of the respondents stated that traditional elders mostly play the role of negotiators in international conflict management processes. Whereas 29.4% of the respondents were of the view that the traditional elders mostly play the role of conciliators in international conflict, 17.6% believed that traditional leaders play the role of mediators in international conflict management while 11.8% of the respondents stated that traditional leaders play the role of arbitrators in international conflict management.

This finding denotes that traditional leaders have been relegated to the non passive, non prominent roles such as negotiators and conciliators in the management of international conflicts like the Somalia peace conference held in Mbagathi.

## **Conclusion**

From the findings of this study, Somalia peace process held in Mbagathi, Kenya proved to be the best case study to showcase the importance of traditional leaders in international conflict management. In the modern world today, traditional leaders input in conflict management mechanisms have been largely ignored due to the increase in people with specialized knowledge and skills in peace processes and conflict management rendering them irrelevant yet Senait Bahta<sup>184</sup> argues that “*the best solutions come from those who know, the traditional elders, since they have the knowledge and experience about the root causes of conflicts...*”as a result many peace agreements especially in Africa have failed to sustain peace in a given society especially where conflicts are mostly internal. These leaders ought to be included in prominent roles during conflict management since most African societies, like Somali still hold them in high esteem so that the outcomes of the peace agreements could be sustainable. The role of the traditional leaders

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<sup>184</sup> Senait Bahta, “*Equitable Resource Management and Regional Security in the Horn of Africa,*” in Human Security Setting the Agenda for the Horn of Africa, edited by Makumi Mwangi, Nairobi, Africa Peace Forum, 2008, pp 178

in international conflict management practices should also be encouraged and recognized internationally as important, they should be equipped with modern conflict management skills and their role as arbitrators should not be overlooked by African governments instead they should be incorporated in local institutions for conflict management and nation building to manage internal conflicts mainly rising due to unequal distribution of resources in Africa to have sustainable peace.

## **CHAPTER FIVE**

### **SUMMARY, CONCLUSIONS AND RECOMMENDATIONS**

#### **5. Introduction**

This chapter consists of the summary of findings, conclusions and recommendations arising from the study based on the analysis of the study. The findings are summarized according to the objectives of the study. This study sought to establish the outlook of the importance of traditional leaders in mediation in international conflict management especially in the case study, Somalia conflict which although it was solved, the conflict has persisted on years later.

The hypotheses of the study affirmed that the inability to incorporate the traditional leaders in the Somali peace process explains the continued Somali conflict and the conflict management

practices in the modern Africa has failed to recognize the importance of these leaders in solving the continent's conflicts especially the internal conflicts.

## **5.1 Chapter Summaries**

This section comprises of individual chapters summaries and conclusions.

### **5.1.1 Chapter One: Introduction and Background to the Study**

Here the study identified the problem which it set out to research that is: the role of traditional leaders in international conflict management in the Somalia National Reconciliation Process especially the Mbagathi peace process where the traditional leaders' inputs were not prominent. The study started by giving a background by elaborating how traditionally conflicts were mitigated and often solved by respected members of a community who were referred to as clan or traditional leaders. This background also gave various examples of some conflicts in Africa and how the traditional leaders solved these conflicts amicably showing the importance of involving traditional leaders in conflict management especially in Asia and African societies like Somalia who still values their traditional leaders. The background of the conflict informed the statement of the problem whereby the role of traditional leaders was found to be diminishing in international conflict management yet they form the backbone of the Africa culture.

Research objectives and questions guided the research study while the hypotheses enabled the researcher to focus on the traditional leaders' role in mediation of the Somali Conflict. Conceptual framework was used to be able to identify the benefits of using of mediation compared to other conflict management techniques. The relevance of the study was illustrated in both academic and policy justification which showed how the research could be used by scholars, NGOs and researchers in future to be able to recognize the importance of traditional leaders in international conflict management while the academic justification showed the gap in knowledge

which the research aims to fill. Scope and limitation of the study was discussed while the ethical considerations were also observed in the course of the study.

### **5.1.2 Chapter Two: Role of Traditional Leaders in International Mediation**

Chapter two examined the role of traditional leaders in international mediation especially in Africa and Asian states since the United States and Europe uses them sparingly. Traditional leaders are still used in Africa to solve communal conflicts and are still held in high regard by their kinsmen. Indigenous traditional institutions have been used to solve conflicts yet their input has not been documented internationally due to the presence of educated, knowledgeable and skillful conflict managers like, Makumi Mwangi, Ochieng Kamudhayi, Zartman William and Jacob Bercovitch which is not fair to the African culture which needs to preserve its traditional conflict mechanisms for future references.

The chapter documents the UN Charter<sup>185</sup> which appreciates any form of conflict management, be it mediation or arbitration used by the traditional leaders so long as international peace and security is maintained. The roles of traditional leaders in normative and institutional frameworks are also discussed to show their involvement in conflict management of their societies. This chapter illustrated the ways in which the UN has involved the indigenous leaders in conflict management and peacebuilding in conflict prone states in Africa while also showing how the African regional and sub regional organizations have included involved the traditional leaders in their conflict management ventures. Varied examples were also given in this chapter to show how different societies in Africa and Asia have included the traditional leaders in conflict management, their roles and benefits in mediation and peacebuilding processes.

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<sup>185</sup> UN Charter, 1945, New York



### 5.1.3 Chapter Three: Role of Traditional Leaders in the Somalia Peace Process

Chapter three gave a detailed history in the Somali conflict including the causes, consequences and various interventions to end the conflict. The role of the traditional leaders in Somalia is discussed at length in this chapter by giving a background of their importance in conflict management before and after the eruption of the conflict, how they have helped in peacebuilding in Somaliland<sup>186</sup> and Puntland<sup>187</sup> and how South Central Somalia can borrow a leaf from them by including the traditional leaders in governance and establishing local indigenous institutions for conflict management since they are an integral part of the Somali culture. There is also a discussion on the weaknesses of using the traditional leaders in the Somali conflict management because *every coin has two sides*.

The chapter also gives a synopsis of the six major Somalia peace processes, citing whether the traditional leaders were included or not especially in the Arta<sup>188</sup> and Mbagathi<sup>189</sup> peace processes which are vital in the solution of Somali conflict. In the same breath, the successes and failures of these peace processes is also noted in this chapter ending with a discussion on the challenges facing these leaders in Somali conflict management, among them lack of international support and emergence of formal and modern conflict management mechanisms such as the introduction of courts.

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<sup>186</sup>Tobias Hagmann, 2007, Bringing the Sultan Back In: Elders as Peacemakers in Ethiopia's Somali Region, Zurich Open Repository and Archive, University of Zurich, pp 5

<sup>187</sup> Ahmed, Ali J. 1995, *The Invention of Somalia*, Lawrenceville: Red Sea Press, pp 4.

<sup>188</sup> Ochieng Kamudhayi, 2004, '*Somali Peace Process*', in Makumi Mwagiru, *African Regional Security in the Age of Globalization*, Nairobi, Heinrich Boll Foundation, pp 109

<sup>189</sup> Kizito Sabala, 2011, '*Regional and extra-regional inputs in promoting (in)security in Somalia*', in Sharamo Roba and Mesfin Berouk, *Regional Security in the post-Cold War Horn of Africa*, Pretoria, Institute for Security Studies, pp 100

#### **5.1.4 Chapter Four: Opportunities and Challenges of the use of Traditional Leaders in Conflict Management**

Chapter five presented study findings and analysis on the role of traditional leaders in the Mbagathi peace process. The study findings were informed by the main objective of the research study to clarify the role of traditional leaders in conflict management which it noted is steadily diminishing due to modernization and lack of international recognition. The study noted that the traditional leaders were not among the main players of the Mbagathi Peace Process, the peace process was not successful and also went ahead to give suggestions of strategies that can be used to end the protracted conflict in Somalia among them inclusion of traditional leaders in peace processes and not the external actors to foster local ownership of the process hence leading to sustainable peace.

There was also a discussion on the type of conflicts often managed by the traditional leaders and the benefits of using traditional leaders in conflict management. Though there was increased support for inclusion of indigenous conflict management mechanisms especially in the rural areas of Somalia, the study also noted some of the weaknesses and challenges of using these leaders because due to greed and economic power some of them have tainted their good image and are not respected anymore in their clans, for example some have turned to warlords and politicians hence becoming conflict drivers and not conflict managers as in the past.

#### **5.2 Conclusions**

This study came to an end by revisiting the last objective which was to look at ways in which the role of traditional leaders can be strengthened in international mediation of conflicts which can be used to inform hypotheses one and two since non inclusion of the traditional leaders in Somali conflict management has in part led to continued conflicts and tensions in the region

while also asserting that traditional leaders in Somalia will always remain an important part of the Somali culture forever since they are bonafide<sup>190</sup> leaders. This study was successful in that it was conducted within the prescribed time period of three months and approved budgetary constraints. The study objectives were adequately and comprehensively addressed despite the limitations. This study concludes that most conflicts in Africa including the Somali conflict have continued despite varied efforts to end them.

The study also concludes that the efforts presented by various bodies as mechanisms to end the conflicts fall short of being considered legitimate means to conflict management thus the continuance of conflicts and war among the Africa countries. The failures to end conflicts could be attributed to the non inclusion of the critical participants (traditional leaders) inclusion of the critical participants in passive and non prominent roles and capacities instead of activities and prominent roles and negotiating atmosphere.

Traditional leaders use their position of moral strength in society to find an acceptable solution to conflicts while the council of elders and chiefs use consensus to end disputes according to the findings, however, their status in being critical actors in mediation is slowly fading away for example traditional mediation mechanisms in Sudan, “*Agaweed*” has been undermined by fundamental social change due to the presence of western educated Africans who act as conflict management practitioners.<sup>191</sup>

From the findings of this study, Somalia peace process held in Mbagathi, Kenya proved to be the best case study to showcase the importance of traditional leaders in international conflict management. In the modern world today, traditional leaders input in conflict management

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<sup>190</sup> Opp Cit, Ochieng Kamudhayi, “*Somali Peace Process*”, pp 108

<sup>191</sup> Linda James Myers and David H. Shinn, *Appreciating Traditional Forms of Healing Conflict in Africa and the World*, Black Diaspora Review 2 (1), Fall 2010, pp 5

mechanisms have been largely ignored due to the increase in people with specialized knowledge and skills in peace processes and conflict management rendering them irrelevant as a result many peace agreements especially in Africa have failed to sustain peace in a given society especially where conflicts are mostly internal. These leaders ought to be included in prominent roles during mediation since most African societies, like Somali still hold them in high esteem so that the outcomes of the peace agreements could be sustainable. The role of the traditional leaders in international conflict management practices should also be encouraged and recognized internationally as important, they should be equipped with modern conflict management skills and their role as arbitrators and mediators should not be overlooked by African governments instead they should be incorporated as local institutions for conflict management to manage internal conflicts mainly rising due to an equal distribution of resources in Africa.

The study further concludes that the use of traditional leaders in mediation and international conflict management processes are more important in Africa and Asia than in America and Europe. However in Africa the role of traditional leaders has largely been associated with domestic/internal conflicts despite their very important roles in international and global peace scenarios. The traditional leaders play important roles as negotiators, arbiters and mediators in these conflicts to come up with short and long term and sustainable solutions.<sup>192</sup>

The study further established that the use of indigenous conflict resolution mechanisms is widely used in Africa and Asia compared to Europe and America due to the confidence their people have in them for example mediation, dialogue, negotiations, and public forums, use of elders and diviners. Majority of the respondents' preferred combined methods of traditional and modern methods in conflict management. The study also found out that the use of traditional leaders in

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<sup>192</sup> Maureen Achieng, Interview with Walter Nyamato

solving conflicts was most preferred in Somalia due to insufficient government structures in the region. The key reason why the role of traditional leaders in conflict management especially in Somalia was held in high regard because of it was considered cheap and quick resolution to conflicts. It emerged that traditional leaders role in mediation has more strengths in Somalia including, that the process is locally acceptable, widely used, home grown conflict solutions, gives positive outcomes and permanent reconciliations among the parties involved<sup>193</sup>.

It also emerged from the study that the role of traditional leaders in conflict management is facing various challenges due to the ever increasing presence of knowledgeable and skilled conflict managers have taken this role of managing conflicts globally, decreasing confidence from their own clans in solving disputes, insufficient finances to facilitate their activities and the presence of modern courts to arbitrate cases. In addition, the traditional leaders have minimum opportunity to end large scale conflicts due to the presence of weaponry<sup>194</sup>.

From the study it was found that the only meaningful peace conference on Somalia crisis recognized internationally held in Mbagathi was not successful due to varied short comings including non-inclusion and involvements of critical stakeholder and players including the clan elders and the special groups in active capacity, inappropriate conference and negotiation atmosphere, lack of clear formal structure for the negotiators including the real topics for negotiation, and non-clarity in conference agenda and expected outcomes. Despite these shortcomings the Somali peace conference had various benefits including, the notion that the conference was the first recognized step towards peace in Somalia, the conference brought forth the prominence of the Somalia problem and that the conference took a highly considerable view on issues and problems coming up with a government for the first time in many years. In the same

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<sup>193</sup> Maureen Ogwari, April 2015, Interview with Jackline Opiyo

<sup>194</sup> Opp Cit, Linda Myers and David H. Shinn, pp 5

breath Somaliland has one of the most successful traditional peace conferences which led to the declaration of its independence from Somalia in 1991 known as *Borama conference*<sup>195</sup>. The conference was preceded over by the clan leaders in the vicinity of the conflict, had both international and community support, had common goals and local ownership of the peace process.

The study found out that the failure of the traditional leaders in the Somali peace process, could be attributed to a variety of reasons including emergence of strong and formalized arbitration structures (courts), minimal government support and emergence of special groups (NGOs, youth and women groups) with the skills and abilities to manage conflicts, the current need for specialized knowledge and skills in mediation, lack of domestic and international recognition of the traditional leaders roles, internationalization or globalization of conflict management processes rendering the domestic roles irrelevant and the emergence of recognized governance systems with state powers such as the police and the executive.

It emerged that the continuance of the Somali conflict could be attributed to various reasons comprising of low involvement of the main stakeholders players, poor implementation of the previous peace programs, lack of support and concern from the international community, external influences and interference, poor distribution of resources, general cultural and political practices and designs.

The study found out that varied efforts were required as possible solutions to help end the Somalia conflict as stated by majority of the respondents including high involvements of formal and informal groups in government programs, development and implementation of comprehensive political education and awareness programs, seeking for international and domestic, facilitation and support for the processes, design of programs towards adequate distribution of resources,

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<sup>195</sup> Farah, A.Y and I.M Lewis, 1997, Peace-Making Endeavors of Contemporary Lineage Leaders in 'Somaliland' in Hussein M. Adam and Richard Ford (eds), *Mending Rips in the Sky*, Lawrenceville, NJ: Red Sea Press, pp 317-325

adoption of openness in communication, decisions and communal development programs, development of strong and well founded communal empowerment programs for all groups in Somalia. It was also found out from the study that traditional leaders are mostly involved in the solving of communal conflicts and least involved in the interstate conflicts.

This study concludes by noting that the Somali conflict that has persisted over decades would not be existing today had the most and best practices been adopted in handling it, myriads of peace conferences including the Mbagathi peace conference held in Kenya which failed to appreciate the prominence of the traditional leaders and their inputs. The study found that traditional leaders role was considered important in conflict management in Africa hence international conflict management experts should not overlook their role in mediation.

The study found out that though a lot of time was spent by the faction leaders bargaining during the Mbagathi peace process, IGAD's mediation did not yield any positive results while IGAD's disregard for people's strong feelings for the Somali peace process due to the external intervention from Ethiopia, Eritrea and the donor states harmed its credibility and neutrality in Somalia.<sup>196</sup>

### **5.3 Recommendations**

#### **5.3.1 Inclusion of Traditional Leaders in Mediation of Conflicts in Africa**

This study recommends that modern and best practice approaches be adopted in the mediation of conflicts in Africa with specific reference being the Somali conflict. It also recommends that the traditional leaders be fully included in the mediation processes both at domestic and international dimensions.

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<sup>196</sup> Sally Healy, *Peacemaking in the Midst of War : An assessment of IGAD's Contribution to Regional Security*, London, Royal Institute of International Affairs, Crisis States Working Papers Series No. 2, November 2009, pp 10-14

The study recommends that traditional leaders be given prominent and active roles in the mediation of conflicts among communities and nations to sustain peace, enhance harmony and reduction of future conflicts as currently witnessed in Somalia.

The study additionally recommends for the inclusion of the traditional communal elders in all state negotiated peace noting their contribution in respect of the decision and outcome as arrive at. The council of leaders should be used alongside the normal court decision to supplement the justice systems in any state around the globe.

### **5.3.2 Strengthening and Recognition of the role of Traditional Leaders in Conflict**

#### **Management**

The study recommends that all societies in Africa and the world over take steps to strengthen the activities of the traditional leaders most importantly in the management of peace and conflicts. They should be provided with resources, finances and training to enable them be more knowledgeable in the current peace and mediation efforts. Their ventures in peacemaking and mediation should also be given due recognition by the regional, sub-regional and conflict management institutions around the globe.

### **5.3.3 Conflict Education and Training**

There is need to constantly and regularly train and hold seminar sessions for the traditional leaders to capacity build them in conflict management processes especially in mediation and arbitration to increase their skills and expertise in early warning systems, prevention and solution of both internal and international conflicts.



### **5.3.4 Merging of Formal and Informal Conflict Resolution Mechanisms**

Most African states still hold their traditional leaders in high esteem and hold onto their customary laws therefore role of traditional leaders in mediation is still relevant<sup>197</sup>. As a result there is need to merge the formal and informal approaches in international conflict management, charters, and treaties especially in Africa since it has been found to have positive impact on conflict management and resolution.

### **5.4 Recommendation for further research**

This study recommends that further research be conducted on the impacts of traditional leaders in managing international conflicts.

## **REFERENCES**

- African Union Press Release, The Chairperson Of The AU Commission Looks Forward To Working Closely With the New AU Panel of the Wise, Addis Ababa, June 2014
- Ahmed, A. J., The Invention of Somalia, Lawrenceville: Red Sea Press, 1995
- Ahmed I. I., Somaliland, Puntland and Southern Somalia, Conflict Prevention, Management and Resolution: Capacity Assessment Study for the IGAD Sub -Region, Leeds, University of Leeds, 2001
- Akerlund A., Transforming Conflicts and Building Peace, Experience and Ideas of Swedish Civil Society Organizations, Sweden, Sida Studies, 2005
- Austin D., Prevention and Resolution of 3rd World Conflict in Resolving Third World Conflict, Challenges for a New Era, edited by Sheryl J. Brown and Kimber M. Schraub, Washington DC, Institute of Peace, 1992
- Ayittey George B. N, The Somali Crisis, Time for an African Solution, Policy Analysis,

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<sup>197</sup> Nimrod Tabu interview with Dr. Ocieng Kamudhayi, NTV Television, Nairobi, June, 2015

- 1994, No. 205 Unraveling Somalia, Race, Class and the Legacy of Slavery, Philadelphia, PA: University of Pennsylvania Press, 1999
- Bahta S., "Equitable Resource Management and Regional Security in the Horn of Africa," in Makumi Mwagiru, Human Security Setting the Agenda for the Horn of Africa, Nairobi, Africa Peace Forum, 2000
- Banchoff T., Role of Religion in Peace Building, Journal of Religion, Conflict and Peace, Georgetown University, Plowshares, 2013, Vol 5
- Bayart J., The State in Africa. The Politics of the Belly London, Longman, 1993
- Bercovitch J., Structure and Diversity of Mediation, in Jacob Bercovitch and Jeffrey Z. Rubin, In Mediation in International Relations, Multiple Approaches to Conflict Management, Great Britain Macmillan Press Ltd, 1992
- Besteman C., "Violent Politics and the Politics of Violence: The Dissolution of the Somali Nation-State." American Ethnologist, 1996, Vol. 23, No. 3
- Besteman C., Cassanelli, L.V., The Struggle for Land in Southern Somalia: the War behind the War, Colorado/London, Westvie Press/HAAN Publishing, 2000
- Blench R. et al., The Role of Traditional Rulers in Conflict Prevention and Mediation in Nigeria, Interim report, DFID Nigeria, April 2006
- Boege V., Potential and Limits of Traditional Approaches in Peacebuilding, Berlin, Berghof Foundation, 2006
- Bradbury M., Becoming Somaliland James Currey & Progressio in with Indiana Press, African Issues Series, 2008
- Brock-Utne B., Indigenous Conflict Resolution in Africa, University of Oslo, Institute for Educational Research, 23-24 February 2001
- Brons, M. H., Society, Security, Sovereignty and the State in Somalia: From Statelessness to Statelessness? Utrecht, Netherlands: International Books, 2001
- Bryden A., Hänggi H. (eds), Security Governance and Post-conflict Peacebuilding, Lit Verlag, Berlin, 2005.
- Bryman A., Social Research Methods 3<sup>rd</sup> Edition, Oxford, Oxford University Press, 2008
- Carment D., Albrecht S., Building Conflict Prevention Capacity, "Methods, Experiences, Needs", Tokyo, UNU Workshop Seminar Series Report, February 2001
- Chakrayanti K. R., Research Methodology Methods and Techniques, New York, New Age International Limited Publishers, 2009
- Chapman C., Alexander K., Resolving Conflicts using Traditional Mechanisms in the Karamoja and Teso Regions of Uganda, London, Minority Rights Group international, 2009

- Choudree R.B.G, Traditions of Conflict Resolutions in South Africa, African Journal on Conflict Resolution, South Africa, 1999
- Clarke W., Herbst Jeffrey, Learning from Somalia: The Lessons of Armed Humanitarian Intervention, Oxford, Westview Press/ HAAN Publishing, 1997.
- Davidson, J., "Somalia and Anarchy."Formulations, Free Nation Foundation, 2001, Issue 30
- Dawson C., Introduction to Research Methods: A Practical Guide For Anyone Undertaking A Research Project 4<sup>th</sup> Edition, Oxford, Howbooks, 2009
- Dube D., Makwerere D., Zimbabwe: Towards a Comprehensive Peace Infrastructure, International Journal of Humanities and Social Science, Centre for Promoting Ideas, USA, Centre for Promoting Ideas,, October 2012, Vol. 2 No. 18
- Economic Commission for Africa, Relevance of African Traditional Institutions of Governance, Addis Ababa, 2007
- Emma E., Third Parties, the State and Communal Conflict Resolution; A Comparative Study of Evidence from Kenya, Sweden, Uppsala University, Department of Peace and Conflict Research, April 2013
- Farah A.Y., Lewis I.M., Peace-Making Endeavors of Contemporary Lineage Leaders in 'Somaliland' in Hussein M. Adam and Richard Ford (eds), Mending Rips in the Sky, Lawrenceville, NJ: Red Sea Press, 1997
- Fry D., Bjorkqvist B., Introduction: Conflict Resolution Themes in Cultural Variation in Conflict Resolution, edited by Fry, D and Bjorkqvist, New Jersey, Lawrence Erlbaum Associates Inc Publishers, 1997
- Georg L., Wolf L., Traditional Structures in Local Governance for Local Development, University of Berne, Switzerland, Institute of Political Science, May 2004
- Gruener S. et al, Inclusivity in Peacebuilding, Development Dialogue Paper, Dag Hammarkjold Foundation, February 2014, No.6
- Gundel J., The Predicament of the 'Oday': The role of traditional structures in security, rights, law and development in Somalia, Danish Refugee Council/Oxfam- Novib, 2006
- Gustafsson J., The Role Of The United Nations in Preventing Violent Ethnic Conflicts Peace and Conflict Studies, Sweden, Malmö University, 2007
- Hagmann T., 2007, Bringing the Sultan Back In: Elders as Peacemakers in Ethiopia's Somali Region, University of Zurich, Zurich Open Repository and Archive, 2007

- Healy S., *Peacemaking in the Midst of War: An assessment of IGAD's Contribution to Regional Security*, London, Royal Institute of International Affairs, Crisis States Working Papers Series No. 2, November 2009
- Hélène D., Ana Elisa de Santana Afonso, *Report of the International Forum of Reflection, A culture of peace in West Africa: Essential for economic development and social cohesion*, Abidjan, Côte d'Ivoire, United Nations Educational Scientific and Cultural Organization, June 2012
- Hideaki S., *The Principle of Local Ownership as a Bridge between International and Domestic Actors in Peacebuilding*, in *Indigenous Methods of Conflict Resolution in Africa*, University of Botswana, Gaborone, Center for Culture and Peace Studies, 2010
- Ho-Won J., *Peace and Conflict Studies, An Introduction*, USA, Ashgate, 2000.
- Ibrahim F., *African Regional Security Arrangements: ECOWAS and Lessons for IGAD*, in Makumi Mwangi, *Human Security Setting the Agenda for the Horn of Africa* Nairobi, Africa Peace Forum, 2008, *Regional Institutions and the Quest for Security in the Horn of Africa*, in Makumi Mwangi, *Setting the Agenda for the Horn of Africa*, Nairobi, Africa Peace Forum, 2008
- Interview conducted by the Center for Research and Dialogue, *Somali peace processes, Buildingpeace in South Central Somalia, the role of elders, a conversation with Malaq Isaak Ibrahim, A Senior Elder in Somalia*, 2012, Accord 21
- Ioan L. M., *Saints & Somalis. Popular Islam in a Clan-based Society*, London, Haan Ass. Publishing, 1998.
- Jannie M., *Indigenous Dispute Resolution and Reconciliation: Past, Present and Future*, in *Indigenous Methods of Conflict Resolution in Africa*, University of Botswana, Gaborone, Center for Culture and Peace Studies, 2010
- Khadiagala Gilbert M., *Acholi Religious Leaders Peace Initiatives, Greater Horn of Africa Peace Building Project*, DGI Conflict Evaluation and Analysis Services, March 2001
- Keen D., *Incentives and disincentives for violence*, in Mats Berdal and David Malone, *Greed and grievance: Economic Agendas in civil wars*, eds.. Boulder, CO: Lynne Rienner Publications, 2000
- Lederach J. P., *Building Peace: Sustainable Reconciliation in Divided Societies*, Washington DC, USIP Press, 1997
- Leeson P., *"Better Off Stateless: Somalia Before and After Government Collapse," Working Paper*, West Virginia, University, 2006
- Logan C., *Traditional leaders in Modern Africa: Can Democracy and the Chief Co- exist?* University of Michigan, Afrobarometer, 2008, Working Paper No. 93

- Marx K., Engels F., *The German Ideology*, Ed by CJ Arthur, Chicago, New York International Publishers, 1972
- Makhubela K., *A paper on Reflections on the Somali Peace Process*, University of Pretoria, Consultative Workshop on Mediation, April 2012
- Makhubela L.M., *Conflict Resolution in Somalia: Learning from Failed Mediation Processes*, University of Pretoria, Department of Political Science, 2010
- Menkhaus K., *State Collapse in Somalia: Second Thoughts in Review of African Political Economy*, Taylor & Francis Ltd, 2003, Vol 30, No 97.
- The Somali Crisis: Tragedy in Five Acts*”, African Affairs, Summer 2007.
- The Crisis in Somalia: Tragedy in Five Acts*, 2007, African Affairs 101/204.
- Diplomacy in a failed State, International Mediation in Somalia, Accord*, 2010, Issue 21
- Somalia and Somaliland: Terrorism, Political Islam and State Collapse*, In Rotberg R. (ed.): *Battling Terrorism in the Horn of Africa*, Washington, Brookings Institution, Press, 2005
- Makumi M., *The Greater Horn of Africa Conflict System: Conflict Patterns, Strategies and Management Practices*, Nairobi, USAID Project, September 1997
- Conflict in Africa, ‘Theory, Processes and Institutions of Management’*, Nairobi, Center for Conflict and Research, 2006.
- African Regional Security in the Age of Globalization*, Nairobi, Heinrich Boll Foundation, 2004
- Meron Z., Chilot Y. S., (the court of the Sheikhs): *A Traditional institution of Conflict Resolution in Oromiyazone of Amhara regional state, Ethiopia*, African Journal on Conflict Resolution, 2010
- Michael V., *The Law of the Somalis*, ed. Spencer Heath MacCallum. Trenton, NJ: Red Sea Press, 2005
- Mutisi M., *Local conflict resolution in Rwanda: The case of Abunzi mediators in Integrating Traditional and Modern Conflict Resolution*, in Mutisi M., Sansculotte-Greenidge K., *Experiences from selected cases in Eastern and the Horn of Africa*, Durban, South Africa, ACCORD, 2012
- Mugenda M. O., Mugenda G. A., *Research Methods: Quantitative and Qualitative Approaches*, Nairobi, Acts Press, 1999
- Murithi T., Mwaura C., *The Panel of the Wise*, in Ulf Engel, João Gomes Porto *Africa’s New Peace and Security Architecture, Promoting Norms, Institutionalizing Solutions*, England, Ashgate, 2010

- Myers L. M., Shinn D.H., Appreciating Traditional Forms of Healing Conflict in Africa and the World, Ohio State University, Black Diaspora Review 2(1) Fall 2010
- Nathan L., Mediation and AU's Panel of the Wise in Peace in Africa, in Field S., Towards a Collaborative Security Regime, Johannesburg, Institute for Global Dialogue, 2004
- Ndumbell K., The Spiritual Dimensions of resolution mechanisms in African Countries, University of OSLO, Unit for Comparative and International Education, Institute for Educational Research, 2001
- Ochieng K., 'Somali Peace Process', in Makumi M., African Regional Security in the Age of Globalization, Nairobi, Heinrich Boll Foundation, 2004
- Odhiambo A., 'The Economics of War among marginalized people of Eastern Africa', in Deng F., Zartman W. I., Conflict Resolution in Africa, Washington D.C., The Brookings Institution, 1991
- Oloo A., Regional Institutions and the Quest for Security in the Horn of Africa, in Human Security Setting the Agenda for the Horn of Africa, edited by Makumi Mwangiru, Nairobi, Africa Peace Forum, 2008
- Oomen B., Tradition on the move: Chiefs, Democracy and Change in Rural South Africa, Amsterdam, Netherlands Institute for South Africa, 2000
- Osman, Abdulahi A., et al., Somalia at the Crossroads: Challenges and Perspectives in Reconstituting a Failed State, London, Adonis & Abbey Publishers, 2007
- Osei-Hwedie K., Rankopo M. J., Indigenous Conflict Resolution in Africa, The Case of Ghana and Bostwana, University of Bostwana, 2012
- Osei-Hwedie B. Z., Treasa G., The Socio-Cultural Bases of Conflict, Conflict Resolution and Peacebuilding in Africa, in Indigenous Methods of Conflict Resolution in Africa University of Bostwana, Gaborone, Center for Culture and Peace Studies, 2010
- Owusu M., Tradition and Transformation: Democracy and the Politics of Popular Power in Ghana, Ghana, Journal of Modern African Studies 34(2), 1996
- Rukuni T., et al, 2015, The Role of Traditional Leadership in Conflict Resolution and Peace Building in Zimbabwean Rural Communities: The Case of Bikita District, Public Policy and Administration Research, ISSN 2225-0972 (Online), Vol 5, No. 3
- Reconciliation Stakeholders Conference Report, 2004
- Sabala K., Towards a Regional Security Architecture for the Horn of Africa: A Framework Analysis, in Makumi Mwangiru, Human Security Setting the Agenda for the Horn of Africa, Nairobi, Africa Peace Forum, 2008 'Regional and extra-regional inputs in promoting

- (in)security in Somalia', in Sharamo R., Mesfin Berouk M., Regional Security in the post-Cold War Horn of Africa, Pretoria, Institute for Security Studies
- Sharamo R., Berouk M., Regional Security in the Post-Cold War Horn of Africa, Pretoria, Institute for Security Studies, 2011
- Shonali S., Conflict in Somalia. Drivers and Dynamics. Washington: The World Bank, 2005.
- Stedman S. J., "The Spoiler Problem in Peace Processes," International Security, Fall 1997, Vol 22, No. 2
- Sorens J. P., Wantchekon L., "Social Order without the State: The Case of Somalia," African Studies Working Paper
- Swanstrom N. L. P., Weissmann M. S., Conflict, Conflict Prevention, Conflict Management and Beyond: a Conceptual Exploration, Central Asia, Caucasus Institute Silk road, Concept Paper, 2005
- Tubiana J., et al., Traditional Authorities Peacemaking Role in Darfur, Washington DC, United States Institute of Peace, 2012
- Tovo M., Local governance and national crisis in Côte d'Ivoire "Opportunities and challenges for community-based development and peace-building", Washington DC, World Bank, April 2008
- Touval S., Somali Nationalism, Cambridge, Harvard University Press, 1963  
UN Charter, 1945, New York
- United Nations Development Programme in Ghana, "National Peace Council: A Peace Architecture for Ghana," available at [www.undpgha.org/mainpages.php?page=national%20peace%20council](http://www.undpgha.org/mainpages.php?page=national%20peace%20council)
- Waal D. A., Islamism and its Enemies in the Horn of Africa, Addis Abeba: Shama Books, 2004
- Wardaka A., Jirga - A Traditional Mechanism of Conflict Resolution in Afghanistan, United Kingdom, University of Glamorgan, September 2004
- Wood H. T., Ramsbotham O., Peacekeeping and Conflict Resolution, United States, Routledge, 2013
- World Bank Report, Conflict in Somalia: Drivers and Dynamics, World Bank Publications, January 2005
- Zartman I. W., Traditional Cures for Modern Conflicts, African Conflict Medicine, London, Lynne Rienner Publishers, Inc, 2000, Cowardly lions: Missed opportunities to prevent deadly conflicts and state collapse, Boulder, CO: Lynne Rienner Publications, 2005

Zartman I. W., et al, Getting In ‘Mediators Entry into the Settlement of African Conflicts’, Washington D.C, United States Institute of Peace Press, 2006

Zistel B. S., Conflict Transformation and Social Change in Uganda, Remembering After Violence, New York, Palgrave Macmillan, 2008

[www.un.org/en/documents/charter/preamble.shtml](http://www.un.org/en/documents/charter/preamble.shtml)

<http://www.un.org/en/peacekeeping/missions/past/unosom1backgr2.html>

[www.wfp.org](http://www.wfp.org)

## **Appendix I Research Questionnaire**

### **Introduction**

The purpose of this questionnaire is to help me collect data for my research study on the role of traditional leaders in Somali conflict management. The information collected will be used for academic purposes and will be treated with uttermost confidence.

### Background Information

#### Designation

Traditional leader       NGO Representative       Others (Specify).....

Politician       Academician

### **Section A: Traditional leaders in the Somalia Peace Process**



1. Who were the major actors in the Mbagathi peace conference? (Tick the parties who you thought who participated in the conference)

Clan leaders  Businessmen/women

War lords  External actors/ International actors

Others.....

.....

2. Were the traditional leaders input included in the Mbagathi Peace Process?

YES  NO

If Yes, How?

.....  
.....  
.....

3. Do you think the outcome of the process would have been different if the clan leaders

could have been prominent? Yes  No  Don't know

If Yes, Explain

.....  
.....  
.....

4. How do you perceive the Somalia Peace Processes?

A. Was Successful

B. Was not Successful

Explain your reason

.....  
.....  
.....  
.....

5. Did you participate in the Mbagathi Peace Process?

YES  NO

If yes, what role did you play?

.....

6. What were the 3 strengths/ weaknesses of the peace process

.....

.....

.....

**Section B: Traditional leaders in the Somalia conflict**

7. Why has the Somalia conflict continued despite the peace processes?

.....

.....

.....

8. Has the role of traditional leaders in the Somalia conflict weakened/failed?

YES

NO

If Yes, Explain

.....

.....

.....

9. What do you think should be done to end the Somalia conflict?

.....

.....

.....

**Section C: Traditional leaders in international conflict management**

10. Which type of conflicts do you think the traditional leaders should solve in Africa?

[CODE: 1 = Communal conflicts, 2 = Interstate conflicts]

.....

.....

11. What are the benefits/weaknesses of using traditional leaders in conflict management?

[You can give both the benefits and the weaknesses]

.....  
.....  
.....  
.....

12. Do you think the role of traditional leaders is important in the conflict management of

Africa? Yes [ ]                      No [ ]                      Don't know [ ]

13. Briefly explain your answer in 12 above

.....  
.....  
.....

14. In your opinion, how are traditional leaders engaged in solving international conflicts?

.....  
.....  
.....

