

## 1. African Potentials, Customary Knowledge and Institutions, and Persistent Face-to-face Interactions

Itaru Ohta (Kyoto University)

Ohta's project is entitled "Comprehensive Area Studies on Coexistence and Conflict Resolution Realizing African Potentials." The term "African Potentials" encompasses knowledge and social institutions generated and utilized by African peoples to initiate conflict resolution and achieve coexistence. Ohta argues that we must reject romanticizing, mystifying, or essentializing the African "tradition". Africa has repeatedly interacted, opposed, and adopted aspects of Western and Arabic / Islamic cultures and, in the process, has transformed and recreated itself.

Researching relationships between Turkana pastoralists of northern Kenya and international refugees, Ohta observed that these groups developed various spontaneous relationships at the individual level. He coined the term "African Potentials" to denote their ability to sustain face-to-face interactions, create consensus and agreement, compromise in negotiations, avoid impatient conclusions, and avert social ruptures.

Unlike modern court systems, which rely on retributive (punitive) justice, customary institutions of conflict resolution rely on restorative justice, aiming to repair the disrupted social order. Ohta argues that restorative justice becomes effective through active participation (face-to-face interactions) on the part of both offenders and victims. It is, therefore, very important to provide a space (place) where people can actively participate in the deliberation process.

2. Limitations and Possibilities of “African Potentials” in Conflict Resolution and Co-existence:  
Towards an Endogenous Approach to Peace-building  
Eisei Kurimoto (Osaka University)

In Southern Sudan during the civil war, many grassroots peace programs actively utilized “African potentials”. Essential features of “potentials” were utilized by these programs, i.e., traditional / indigenous conflict resolution mechanisms, peacemakers, a sacrifice and feast, thorough discussion with a consensual aspect, and an orientation for restorative justice.

Kurimoto argues that conflict resolution efforts should not only be indigenous but also endogenous. Initiatives should come from the people, based on their desire for peaceful co-existence, not from outside or above. Conflict is a great disadvantage for the everyday existence of people and for their livelihoods. Thus, elements of coexistence and crosscutting ties between communities survive war and continue to operate after such disruption. “African potentials” may be rediscovered, rehabilitated, updated and utilized for the betterment of people, peace, stability and prosperity. External actors should be there to assist and facilitate the process, not to impose external concepts on the people.

### 3. African Peace Potentials: Insights from Ethiopia

Gebre Yntiso Deko (Addis Ababa University)

Gebre argues that customary dispute resolution mechanisms (CDRMs) aim at resolving conflicts, mending severed community relations, and restoring community peace. CDRMs are strongly linked to the pursuit of truth; they rely on the fact that uncovering evidence is easier for community members than for outside investigators. Conflicts are resolved through elders, who have a keen sense of justice, impartiality, familiarity with community values and norms, and abundant experience. The involvement of community members as observers, witnesses, and judges enhances the credibility and transparency of CDRMs. When an offender is found at fault and is required to compensate a victim, the offender's entire family and social group takes collective responsibility. CDRMs enable efficient deliberation, saving time and resources. The flexibility and simplicity of CDRMs enhance speedy dispute resolution. In Ethiopia, CDRMs are widely employed, particularly in rural areas and, to some extent, in urban areas as well. Gebre notes incidences where government authorities, after failing to resolve conflicts through the formal system, have co-opted CDRMs. The preference in some regions for CDRMs over the formal justice system is also discussed.

Unless a local reconciliation process to attain social healing accompanies an international legal process, such as the International Criminal Court (ICC), justice will be served at the expense of community peace. However, Gebre argues that it is equally important to acknowledge the weaknesses of CDRMs. In multiethnic societies uniform law is difficult, if not impossible, because CDRMs exhibit variability in key areas including structure, procedure, and scope. In male-dominated societies and where elders are greatly feared and respected, the social space for women, youth, and children is either limited or non-existent.

#### 4. “African Potentials” for Conflict Mitigation in and around Kenya

Kennedy Mkutu and Jennifer Bond (United States International University)

(Abstract by the author)

“African potentials” are seen in peoples’ abilities to maintain positive individual relationships and networks that can be used to foment peace. These potentials may come from within, but may also include those from outside that have been accepted and have been successful in creating peace. Customary governance institutions (CGIs) still have considerable influence in some parts of Africa where modern public administration and legal institutions are weak or ineffective, or in areas where the state has no presence. CGI structures are rooted in the culture and history of African people and are, in one way or another, exceptional to each community. The customary governance system is still strong amongst the pastoralists and agro-pastoralists, where it plays an important role in collective decision making about land resource management, mobility, conflict, security and domestic issues. Vast underdeveloped expanses of the North Rift have few police posts or courts and states have little capacity to exercise authority, hence communities rely on informal institutions to protect and adjudicate, and for conflict management and justice (Menkhause, 2005). This work considers the strengths and limitations of CGIs in Kenya, and their role as “African potentials”.

5. Assessing “African Potentials” among the Pastoral Somali and Oromo in Southern Ethiopia  
Fekadu Adugna Tufa (Addis Ababa University)

Fekadu demonstrates that use of customary conflict resolution mechanisms (CCRMs) is prevalent across Ethiopia, especially in the peripheral and pastoralist areas of the country. Among both the Oromo and Somali, CCRM is not only widely functional but also the dominant conflict resolution mechanism. The Borana Oromo *aadaa-seera Boorana* (the customary law of the Borana) is similar to the *xeer Somaali* (customary law of the Somali). The Oromo title *jaarssa biyyaa* and Somali title *nabadoon* literally mean elders of peace, or messengers of peace. The principal role of the *jaarssa biyyaa / nabadoon* is settlement of disputes through mediation and reconciliation rather than punitive justice. The institution focuses on restoration of peace and harmony between concerned parties, both at individual and group levels.

Fekadu observes that, for these groups, formal court is alien. For example, in this system, simply arresting a murderer does not make much sense because the consequence of a homicide goes beyond the individual, affecting the criminal’s immediate relatives or clan members. The formal court also lacks a system for victim compensation and for groups to restore peace. In the 1990s, in order to resolve intra-ethnic conflicts, Somali and Oromo elders initiated “New Common Customary Laws” based on Oromo and Somali CCRMs with the support of state officials.

6. A Research Note on the Work of Clerics-Led Peace Committees in Kenya's Coast  
Mikewa Ogada (Center for Human Rights and Policy Studies)

(Abstract by the author)

This abstract presents findings of a preliminary study on the work of the Coast Interfaith Council of Clerics (CICC) community-level peace committees in Kenya. Over the past five years, these semi-autonomous, geographically dispersed networks of clerics have effectively addressed inter-faith and inter-ethnic conflict in both urban and rural contexts. The study argues that, despite the fact that peace committees generally understand the notion of peace from Christian and Islam perspectives, they are, all the same, indigenous African structures. Of course, this argument is plausible only if one takes seriously Claude Ake's argument that 'the indigenous' refers to 'whatever the people consider important in their lives, whatever they regard as authentic expressions of themselves (Ake 1990).' In fact, CICC peace committees are rooted in the spiritual lives of Coastal residents; they tend to inspire more legitimacy and trust than their official counterparts. They also make conceptual and practical linkages between the issues of peace and development, which many ordinary Africans observe in their daily lives.

The study finds that CICC peace committees have a co-operative relationship with the state's Provincial Administration, which is based on joint planning and coordination of peace work. By partnering with peace committees, the state recognizes the moral autonomy of religious communities to address issues of peace. Partly based on their broad reach and appeal to the region's dominant religions, peace committees have also displayed the potential to be effective and sustainable mechanisms for broadening peace work at the community level. This particular development falls within the broader, global pattern of polycentric peace and security governance in many societies. Nevertheless, as their composition and initiatives tend to be dominated by clerics, it appears that some level of "elite capture" affects CICC peace committees.

## 7. The Strength of African Conflict Resolution Potentials

Haji Abdu Katende (Makerere University)

Katende argues that conflict resolution methods from outside the continent have replaced traditional conflict resolution mechanisms (TCRMs) in many African societies. These outside methods have, in many cases, failed to resolve conflicts because they are not suited to the African environment. TCRMs are widely used in rural and poor urban areas, where there is often minimal access to formal state justice. The advantages of TCRMs include: practical solutions suited to local situations and environments, lower administration costs, less complexity, quicker settlement, suitability for multi-party disputes, increased flexibility and participation, and preservation of relationships and reputation. The main aims of TCRMs are to restore order and relationships, to restore justice, and to build consensus.

International frameworks such as the ICC need to study and internalize the potentials of African TCRMs. They should try to see how they may work with them or, where possible, integrate them into their systems. Also, TCRMs did not consider the involvement of women in the process. As we think of integrating indigenous approaches with modern approaches to conflict resolution, the role of women as both perpetrators and peacemakers should be critically assessed.

## 8. “African Potentials” from South Sudan

Samson S. Wassara (University of Juba)

The armed conflict waged by the SPLM/A (Sudan People’s Liberation Movement/Army) against political regimes in the Sudan culminated in the signing of the Comprehensive Peace Agreement (CPA). The civil war, Wassara argues, affected the economies and social fabric of neighbouring countries. Members of the Inter-Governmental Authority for Development (IGAD) took the initiative to seek solutions to the conflict, which was a lengthy and acrimonious exercise. The outcome was a peace without political and social healing. Wassara explores and indicates researchable issues relating to “African Potentials” with examples from South Sudan and relevant sub-regions. The role of the international community is also the target of this exploration exercise.



## 9. Fifty Peaceful Years for Tanzania

Toshimichi Nemoto (Japan Tanzania Tours Ltd.)

On 9 December 2011, Tanzania marked the 50th anniversary of independence, and Tanzania has enjoyed a half century of relative peace. Nemoto argues that when talking about the peace and unity of Tanzania, we should consider the policies of Tanzania's first president Mwalim Julius Nyerere who was known as *Baba wa Taifa* (Father of the Nation). His policies before and after independence were based on, 1) equality of race, ethnicity and religion, 2) Kiswahili as the national language, and 3) agriculture as the fundamental engine for the nation's development. Socialization started from the Arusha Declaration in 1967, and was adopted under the famous Ujamaa policy. During the 24 years Nyerere was in power following independence, there was no criticism of his illicit personal enrichment.

Overcoming regionalism and ethnocentrism came, to some extent, from the adoption of Kiswahili as the national language. It was also achieved by vigorous promotion of primary education and adult education with regard to literacy, and was intended to train the general public as a national foundation. We have since seen the establishment of Tanzanian identity.

10. Tanzania's Conflict Management within the Great Lakes Region and the Horn of Africa  
Simwana Said (Tanzania Center for Foreign Relations)

(Abstract by the author)

Although many people argue that Tanzania is a peaceful country, this outlook is not based on fact. In reality, the country faces actual and potential conflicts. This study reviews conflict management and resolution in Tanzania compared with its neighbours. Actual conflicts are linked to multiparty politics in Zanzibar, pastoralist versus agricultural conflicts over grazing land, natural resources conflicts and local community versus investors' conflicts. Potentially, it faces simmering tensions such as the increasing gap between the haves and the have nots, a high unemployment rate, hunger, poverty, injustice, a shortage of politics based know-how, and limited access to resources. Notably, the same simmering tensions that led to conflict in other neighbouring countries, such as Kenya, Uganda, and South Sudan, also exist in Tanzania. Compared to neighboring countries, the country is relatively peaceful because it has been able to manage and resolve actual and simmering tensions at early stages. Management and resolution emanates from a unique combination of historical and cultural factors. These factors include the role of leadership immediately after independence, which introduced socialism *Ujamaa* ideology; social organization, particularly communal life based on equality relationships; Kiswahili as a unifying factor in Tanzanian identity; ethnicity as a sense of belonging and not as hegemony; and a joking relationship (*utani*) based on social relationships that support cohesion between and among different ethnic groups. Unfortunately these factors no longer exist in Tanzania except for *kiswahili*. The implication of this absence, in terms of potential conflict, is increased risk of conflict for the country. This suggests that peace in Tanzania will last. Studies should be conducted on the underlying root causes of conflicts, and simmering tensions should be addressed seriously, to prevent the country relapsing into violent bloodshed in the near future."

## 11. Coping with State and Non-state Actors: Lessons from Local Peace Building Practices in Kenya

Naoki Naito (University of Tokushima)

Social anthropologists in the 1960s focused on traditional political systems such as 'gerontocracy' (Spencer, 1965) or 'pastoral democracy' (Lewis, 1961). These systems may be treated as a form of "African potentials". However, when we consider the collapse of Somalia's government, traditional political systems, such as the clan system, do not consistently work as a "potential" for peace. Therefore, Naito argues, the effort to find promising traditions and articulate them with public political powers sometimes creates another form of oppression, i.e., decentralized despotism in the colonial era.

Naito focuses on the daily practices of local people who have been coping with these kinds of power. He describes how pastoral peoples, the Ariaal and Somali, living in marginalized areas in Kenya, cope with state and non-state actors and how they have developed their own methods for co-existence with cultural others. He highlights the importance of examining the processes by which people create autonomous space in contexts of state or international intervention.

## 12. Relational Networks and Peace-Making in East African Pastoral Societies (South Omo) Toru Sagawa (Kyoto University)

Sagawa conducted research on inter-group relations among agro-pastoral peoples in the border region of Ethiopia, Kenya and Sudan. Since pre-colonial times, this area has been the location of frequent low-intensity conflicts resulting from raiding livestock and killing members of the “enemy” groups. Since the 1980s, there has been an increase in the level of violence due to the proliferation of automatic rifles. Governments have made few appropriate interventions to mitigate the escalation of hostilities. Rather, policies have often had negative impacts on inter-group relations in this region. However, inter-group relations have not completely deteriorated. Pastoral peoples have voluntarily sought to restore amicable relations. Sagawa highlights that “African Potentials” for restoring peace and reconciliation in this region are threefold: 1) individual networking that crosses group boundaries, 2) respect for the relationality cherished by the local individuals, and 3) relational resilience.

When external intervention is used in attempts to restore peace in this region, Sagawa argues, it is based on an argument that conflicts should be resolved utilizing “African Potentials,” such as “elders as customary authorities” and the “cultural practice of rituals”. However, non-elder community members become frustrated because they feel excluded from the peace-making process. They also become suspicious of elders colluding with external actors. As for peace rituals, what is crucial for the people is that they gather and participate in the ritual, spend several days together, and discuss a possible solution, even if it may not come about easily. However, external interventions conduct peace rituals in a somewhat abbreviated form, because they regard the enactment of the ritual itself as the goal of interventions.

#### 14. Local Communities as Agency in International Conflict Conciliation Frameworks:

##### Re-visiting “African Potentials”

Edward K. Kirumira (Makerere University)

According to Kirumira, it is important to recognize that without necessarily re-inventing tradition, African folklore and rituals reflect community as a form of agency. Community members are actors, both individually and collectively, in solving conflicts. It is therefore important to investigate how local knowledge can be utilized, not as an alternative discourse, but as an engaging discourse in international conflict conciliation. By taking stock of the abundant research focused on the African continent, it may be possible to identify which “African Potentials”-related interventions have been tried and how they have helped to enrich or re-direct (rather than replace) existing international conflict conciliation frameworks.

15. Beyond Romanticization of Customary Mechanisms of Conflict Resolution: Notes for Further Discussion

Motoji Matsuda (Kyoto University)

Matsuda argues that “African Potentials” (for conflict resolution) is a symbolic term, with no fixed substantial entity that can be observed as “potentials”. We must, therefore, be critically aware of romanticizing African traditions by advocating “African Potentials” as mechanisms for conflict resolution. Matsuda argues that there are a variety of customary mechanisms / institutions of conflict resolution in each local or ethnic community, which still survive and work effectively to some extent. However, in the world of modern justice, there is little space for these mechanisms / institutions, and they are thus marginalized. This is why we must carefully explore the concept of “African Potentials” to appreciate the potential competence of these mechanisms / institutions.

At the community level, several different mechanisms within the field of conflict resolution closely overlap. They are: plural indigenous mechanisms such as village courts and traditional reconciliation rituals, national machinery of law, and international investigation. Villagers make selective use of these resolution resources according to convenience. People may thus make a bricolage of available mechanisms as a matter of convenience, altering the content of different mechanisms to conform to local ways and convenience. This viewpoint places the highest priority on maintaining local/community social systems. This “life-pragmatic approach” is useful when considering “African Potentials”.