

5. Assessing “African Potentials” among the Pastoral Somali and Oromo in Southern Ethiopia  
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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.