

3. African Peace Potentials: Insights from Ethiopia

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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.