

# **The Long Conversation: Customary Approaches to Peace Management in Southern Ethiopia and Northern Kenya**

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## Foreword

This working paper is a contribution to understandings of peace-building among pastoralists. From a pastoralist perspective, it throws light on the achievement of peace in a five-year effort led by leaders of the Borana and Gabra peoples of southern Ethiopia and northern Kenya. The instigators of the research, elders of Gabra and Borana, set the frame of the inquiry and its analysis, assisted by researchers from the Institute of Development Studies and Pastoralists Consultants International.

Their study reveals four aspects of peace management among pastoralists in the Kenya-Ethiopia borderlands: moral consensus, information exchange, law and surveillance. It shows how these principles are understood, debated and acted upon by particular segments of society and with varying degrees of success in rural and urban areas and in different districts. To explain to an external audience some of the background, we draw on the work of Marco Bassi on vernacular procedures of consensus, and his observations on how moral and political principles entwine within East African pastoralist societies.

The study, by focusing on local people's expressions to a group of local elders, necessarily plays down the roles of those that people understood less, saw less of, underestimated, or decided to remain silent about. Thus the story risks the impression that the indigenous citizens involved in this case manage peace, security, crime and violence with a minimum of outside help, which would not be entirely true. We hope the reader will tolerate this bias in order to understand the pivotal role of citizens in building peace.

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Map showing northern Kenya and southern Ethiopia<sup>1</sup>



Sources: Pastoralist Consultants International & Pat Kirby, 2009.

<sup>1</sup> All places, boundaries and other features on this map are approximate and unofficial.

## Introduction

News of violent conflict in the lowlands of northern Kenya and southern Ethiopia is commonplace, to the extent that it appears normal to outsiders. Violent expressions of national struggles for political supremacy, large-scale livestock thieving and illegal trade protected by powerful interests, and disconnection between traditional and state institutions of administration and justice together add up to repeated flare-ups of apparently ancient hostilities. Yet in governmental and non-governmental circles concerned with peace and security there is a tendency to see the problems in these borderlands as being amenable to relatively simple modernising solutions. At least this is what is suggested by the proliferation of NGO and government-sponsored peace meetings to which community spokespeople are asked to bring their grievances and make them subject to externally-mediated negotiation (Goetschel and Hagmann 2009: 90). In southern Ethiopia and northern Kenya these meetings seldom, if ever, achieve peace (Eaton 2008). Goetschel and Hagmann call these externally-brokered approaches

‘bureaucratic,’ and argue that they fail to produce the desired results because they take no account of the politics and power inherent in the conflict they purport to solve.

Many commentators from pastoralist society have complained that the proliferating bureaucratic meetings have, in effect, increased insecurity by diverting attention from the real effort required for peace (Wilson and Scott-Villiers 2009). Pastoralist leaders do not deny that properly constituted meetings play a significant part in their own peace-making, but they emphasise that meetings contribute only one part of a comprehensive approach in which the other elements of harmonious co-existence – political, legal, spiritual, gendered, social and psychological (to name but a few) – are taken care of. External players aim to introduce their own version of rational governance, and, in breaking up what they regard as old patterns of primitive competition, to bring peace. However, when they are studied without the assumptions of primitivism that are the starting points of outsider reports, these patterns of coercive competition turn out

to be as modern as any other form of violence. The state, a participant, turns out not have the institutions to act alone on peace in the pastoralist areas of East Africa, even with the help of NGOs. In effect what we are seeing is a struggle for the right to define how peace should be made and maintained.

Some of the most difficult challenges faced by local peace-makers are not the irrationality of the disorder, but strong incentives generated by political struggles within what many pastoralists see as a culture of impunity. These incentives are enhanced by strong disincentives to resolution that arise from a confusion of responsibilities between customary and state institutions of justice and a fusion rather than separation of powers between politics and the executive. Politicians in these regions are commonly spoken of as inciters who work to harden identities and foment divisions. Some achieve political success by suggesting that each ethnic group has distinct rights and should have its own exclusive administrative area, arguing that since rival ethnic groups are annexing land, water, public funds and economic opportunities, theirs must do so too. In amplifying perceptions of inequality and distinction, they justify war. A number of writers trace this hardening of divisions to the imposition of colonial and modern administrative boundaries and national borders (see, for example: Spear 2003; Turton 2003). These boundaries have restricted the kinds of movement and interdependence on which pastoralists have depended for spiritual, economic and social wellbeing. Elizabeth Watson notes, for example, how *“the ritual migrations wove the Borana and Gabra around each other in entangled trajectories through the landscape which countered the identification of ethnicity with particular territories”* (Watson 2010). She goes on to observe how constraints on the pathways that entwined the two pastoralist groups in pilgrimages across one large territory, hardened the lines between them.

Pastoralist peace-makers say that the potential for violence is always present. It emerges in just such attempts to harden lines and dominate access to material and symbolic goods. They see violence as neither irrational nor ungoverned, but having its own rules and practices which must be counteracted if harmony and productivity are to be in the ascendant. According to them, it merits the consistent attention of everyone in society. War breaks through when the fine textured cloth of peace-maintaining institutions (politics, justice and social welfare) and practices (communication, surveillance and prayer) is torn by unmanaged dispute and unchallenged criminality. When it is working, they point out, peace management is hardly noticeable. When it is not, outsiders assume its irreversible decline and suggest ways it should be replaced with new, more modern, approaches. Yet peace work is diffused throughout pastoralist society in Ethiopia and Kenya and its traditional aspects, the elders would argue, are in continuous negotiation with modernity.

This study was led by pastoralist leaders who took part in the peace effort. They believe that outsiders have neither understood the nature of peace and war in their societies, nor how they are sustained in modern times. Here they enumerate in an anthropological mode the norms, institutions and practices on which

their peace-builders currently rely, going beyond the technical-bureaucratic to take into account the moral, indigenous and political elements of peace. The pastoralist and academic researchers speaking together here have framed this instance of peace work as a site of innovation; a “grafting of technique, knowledge or hitherto unused mode of organization . . . onto previously existing techniques, knowledge and modes of organization (Olivier de Sardan 2005). Their interest is recognition and dialogue, to extend what they believe to be a useful normative understanding of what happens and how.

## The Research

The method involved a series of interviews over five weeks in September and October 2010. It was conducted by a team consisting of Molu Kullu and Tumul Orto, elders of the Kenya Gabra, and Adan Sora, Diba Kiyana and Hussein Boru Ungiti, elders of the Kenya Borana. Molu Kullu is a Dabella, or spiritual leader, of the Gabra *Yaa Odolla* (council of ritual leaders), and Tumul Orto is a Makkala, or assistant to the *Yaa*. Adan Sora, Diba Kiyana and Hussein Boru Ungiti are all *Jalaab*, or lineage leaders of different Borana clans within Kenya. Tumul Orto and Hussein Boru Ungiti are PCI consultants. Eugenie Reidy, also from PCI, travelled with the team and assisted them to consolidate analysis, explain norms and concepts and keep careful record.

The team travelled to Dillo, Dire and Moyale Districts of Ethiopia and Marsabit central, north and south and Isiolo and Samburu Districts of Kenya, covering an area of some 10,000 km<sup>2</sup> to interview 66 male elders, 39 older and younger women, 86 young men or male non-elders and 22 officials (including NGO representatives) in 21 sites. At the last stage of the fieldwork the team joined up with a larger group of pastoralist elders to fill in the gaps in the history and make a collective analysis. This group consisted of representatives of the Ethiopian Oromia Pastoralists Association (OPA), whose role within Ethiopia was central to the whole peace process. These were Nura Dida, elder of the Ethiopia Borana and Chairman of OPA, Godano Diba, a female Borana elder, OPA board members Diba Adan, a Gabra elder, Kifle Tenna, a Gujji elder, Wako Galgalo, a Borana *Jalaab*, and Fekadu Abate OPA Executive Director. The team also met with Patta Scott-Villiers of the Institute of Development Studies and Alastair Scott-Villiers and Sarah Wilson of PCI, who have been involved in supporting the peace process since 2004.

The findings were then presented to some 60 men and women thinkers from pastoralist society gathered at Kinna, near Isiolo in November 2010 for a session of the ‘University of the Bush,’ during which a range of different research about pastoralism in Kenya and Ethiopia were submitted to scrutiny. The assembly added to the detail and interpretation of the research. The findings are recorded and presented here by Eugenie Reidy and Patta Scott-Villiers.

The study has two audiences. It is an attempt to assist interested outsiders to understand the perspectives of elders on the core elements of peace management in pastoralist societies in East Africa. We hope to encourage a dialogue with external intervenors towards supporting what works and rejecting what does not. It also speaks

to members of pastoralist society itself. We find salient differences between the perspectives of elders, women and young people and also between the perspectives of people in towns, rural settlements and the ritual centres. The researchers hope that this study will make a contribution to debates about governance that are going on between all these groups, thereby further strengthening the capabilities of the society to make and manage its peace and security.

The elders leading this study believe that *acting* on peace and *understanding* it are bound together. Their work to build it over the years, and their work for this study drew on essentially the same repertoire of communication and inquiry. It involved sharing information with elders, women, young people, government officials, members of peace committees, politicians, NGOs and donors; asking about the state of peace; and asking what is being done or could be done to strengthen it. In asking these questions and recording the responses, the researchers mapped the peace, identifying places where it is strong and where it is weak and understanding who is doing what and where, with whom and for what reason. Their questions are now part of the weave of discourse that holds the peace where it is strong and creates an interest where it is weak or absent. They yield clarity: what peace means for people, what they do for it and expect others to do, when do they do it and for what reason, and on what norms and beliefs their actions are based. They distinguish a set of core principles that they believe belong to the phenomenon of peace management. The method draws on local concepts of investigation and scouting – finding out what is happening and collecting evidence with care.

The method is participatory, an emancipatory, critical and collective approach in which people define questions and analyse something of which they are a part (Guba and Lincoln 2005). Such people have unique kinds of access to those with whom they speak, in many cases having trust and common language at their disposal, while also having the regular prejudices of their ideology, language, culture, gender and status. These prejudices are presented, affirmed and challenged in discussion with different sectors of society and with non-Borana and non-Gabra outsiders.

Each researcher is also an elder, defined as someone 'who is capable of making decisions' (Bassi 2005:187). It is usually a man and he is usually older, but it is not an exclusive category. Not only did their conversations and questions strengthen and push for peace, but as elders and customary leaders are linked in many Gabra and Borana minds to history, authority and morality, their presence was an assertion of peace. Being elders, the researchers had training and experience as thinkers, analysts, diplomats, lawmakers and judges within their societies. These skills brought a level of rigour in questioning, recording and analysis.

There is obvious bias in the fact that the study was undertaken by male elders, who, when speaking with women and younger people, got a particular kind of response. In one session between the two female English researchers and a group of women elders and peace-makers *in camera*, we entered into a previously unspoken dimension of the peace process. The women spoke of

forms of communication and surveillance different from those that are initiated by young people in the rangelands, or elders in the assemblies. We brought this perspective back to the men in the research team, who incorporated it into the overall analysis, but on their terms. The research is an exploration framed by the elders' questions to elders, officials, women, younger people and so on, and it is informed by the perspectives of younger people and women as far as we could achieve it. The study offers its conclusions as a stimulus to continued debate in pastoralist society between the different groups that make up the whole.

Local understandings of social processes structure the analysis. We attempt to do justice to the meanings and ways of understanding peace and governance offered by the people that we met. In this written version there are leaps between the various local languages (different dialects of *afaan Oromo*) and English made by our tireless translator-researchers, Hussein Boru Ungiti and Tumul Orto, as well as between the narrative of the oral presentation and the written text, but we attempt to cross these cultural boundaries with care.

## Four Norms of Pastoralist Peace

The elders' analysis of how peace is made and maintained is structured around four principles that emerged from the interviews with remarkable consistency across different categories of people and location: moral consensus, its communication, protection through the law, and maintenance through surveillance and response. In this section we provide a brief introduction to each.

**1. Moral Consensus.** The Oromo tradition of peace (*nagaa*) suggests a human condition that contributes to a harmonious and generous universe. Every greeting, every prayer, every ritual and every political and judicial protocol invokes this peace (Oba 1996). Greetings are inquiries about peace and assertions of peace. Bolstered by notions of equality, reconciliation and redistribution, peace is a foundational social idea that informs the structure and ethics of Oromo institutions, serving both political and spiritual ends (Bassi 2005:246). While respect for warfare against others is also reflected in sayings, ceremonies and institutions, random violence is abhorred (Legesse 2000). The ideal Oromo approach to coming to agreement is generally neither argumentative nor competitive, but based on consensus achieved in a system of highly organised assemblies and exchanges (Bassi *op. cit.*). Today, new social and geographic divisions have complicated this structure of assemblies and a number of pastoralist community leaders, including Molu Kullu and Nura Dida, have started organisations whose purpose is to reinvigorate the process of moral agreement within the society and with the state. They argue that such agreement can be arrived at with non-Oromo pastoralist groups and with non-pastoralists.

To understand the anchor to peace that is supplied by moral consensus, it is worth considering E.P. Thompson's notion of the "moral economy" as a system that legitimates traditional rights or customs, called upon by people in distress and "supported by the wider

consensus of the community" (Thompson 1971:78). It forms the basis for negotiations between ordinary people and authorities, including between citizens and the state, over what is legitimate. Since peace is both an earthly concept and a divine one in Borana and Gabra societies, it may be that rather than a moral economy, which brings to mind a sense of rights to certain resources, it would be more precise to call the idea, which people are exchanging in their greetings, prayers and inquiries, a moral consensus about authority and political process in the spirit of the eighteenth century English philosopher John Locke (Forster 2005). Locke proposes that only the authority of God can properly underpin the political institutions that regulate fairness and justice, and overcome all objections. The Oromo pastoralists propose much the same idea (Bassi 2005).

**2. Information.** If peace begins in the moral mind, it is spread in the communication between people. The second principle takes the form of message-taking and information exchange, called *daimtu* in the Oromo language. *Daimtu* is a deliberate social mechanism used by everyone to share news and to keep, assert and monitor the moral consensus. Each encounter contributes to the unceasing flow of information around the community. Keeping each other informed is the means by which "individuals and households produce and reproduce supportive connections and opportunities for securing a living. [Voice] is an expression of pastoralist social identity" (Brocklesby, Hoblely et al. 2010). Conversations between people who meet one another after being apart usually begin with an exchange of information. Only once information about people and places, things and happenings has been exchanged, do the interlocutors get down to other business. Children are taught from an early age to give accurate information about whom they are related to, where they are and have been, who they have met and other basic truths. Parents and other adults test them to develop in them the skills of accurate *daimtu*. Among adults and children, men and women, it creates a web of information and understanding that flows around the pastoralist rangelands across distances, between people and across time. Inaccurate, lazy or malicious *daimtu* is known to create panics and stimulate conflicts. The performance of message, inquiry, information and decision is a fluid structure on which rests the maintenance of peace.

Regular and occasional assemblies (*gadis*), which structure the institutional space in Oromo society, make use of *daimtu*. Here leaders exercise political authority according to rules of procedure, starting with information exchange between those who are present. They elaborate norms and deliver justice (Bassi 2005:281). Special assemblies to give voice to decisions for peace play a part in the achievement of social harmony, as we show in more detail in the story of the Borana-Gabra peace below. These events are often very large and the sayings, stories and decisions are remembered for years after.

Women have their own specific forms of *daimtu*, exchanging information between themselves, as do children and young people. Women meet at certain women-only places and at water points, markets, weddings and funerals, and the information they share

on actual or rumoured conflict reaches the ears and minds of men, women and children across wide areas linked by social and marital ties. They sing songs and give blessings or encouragement that have a profound influence on men. They have the collective ability to build momentum, or waves, that can incite or extinguish the wars carried out by men.

**3. Customary Law.** The judicial process provides the sanction that restores harmony after it has been threatened or broken. Spiritual notions of blessing and reconciliation guide the elders in making judgments, sentences, punishments and pardons. They claim that traditional law is not static, since it is brought into question at regular assemblies that encompass appreciation of contemporary circumstances as well as tradition. As such they argue that their legal system is able to provide a reliable base for social order. It has the virtue of being well understood and respected across the different pastoralist societies of East Africa, even among town dwellers who are exposed to other forms of law. Pimentel, in a survey of legal plurality in Africa notes "*oral traditions tend to be far more fully understood and embraced by the community. Because the law is recorded only in memory, it must be fully internalized by those who will apply it, and it is therefore likely to be more fully internalized by the community as a whole. Public acceptance of and public confidence in legal rules and institutions are vital to the establishment of the rule of law. Citizens will abide by such laws and heed such institutions when they know, understand, and collectively embrace them*" (Pimentel 2010).

**4. Surveillance.** Social order is maintained through a coercive element that involves noticing when crime is being contemplated or raids discussed, investigating accusations and incidents and following up on judgments such as the payment of compensation and fines. Everyone in the society is expected to give accurate information and follow up transgressions. Being a respected elder means playing a central role in the law, presiding over investigations, meetings and discussions. Young men are encouraged to and often compete to take particular responsibility for long-distance information since they tend to travel the furthest across the rangelands, while women see themselves as responsible for picking up on and countering subtle indicators of disharmony. Spiritual leaders are held responsible for the blessings and rituals that hold the world and society together.

Those involved in the Borana Gabra peace dialogues were clear that peace must not be taken for granted. In a process termed *aburu*, translated here as 'surveillance', people describe how peace needs to be constantly followed and checked, asserted, re-asserted, and repaired. While everyone has the responsibility to maintain peace through their words and actions and through adherence to laws and religion-based principles of forgiveness, an elder has a key role to play in the surveillance of peace. Many times during the research the perception that peace was strong in a certain area was attributed to the work of 'good elders'; those with experience and authority who engage with their own community as well as beyond.

The four norms elaborated above, and detailed in the words of the people interviewed in the following sections of this paper, provide a structure within which peace-builders go about their work. Associated with practices of ritual, conversation, judgment and monitoring, the principles seem to support each other in the daily round of life and encounter.

## History of the Peace Process, 2004 - 2009

Molu Kullu, Nura Dida, Adan Sora and Diba Kiyana relate the following story. In April 2004 Borana elders were meeting at Afora, near Arero, the Borana *Gada*<sup>2</sup> council's village in southern Ethiopia. The meeting was made up of *aba boku*, (fathers of the council), *hayyu* (councillors) and *jalaab* (lineage leaders) and the discussion centred on custom and law. As the meeting drew to a close, one elder, Boru Guyo, proposed a separate event to debate education and other pressing issues. Others suggested that the proposed meeting also tackle the vexed problem of Oromo conflict and Borbor Bulle, historian to the Borana people, championed the proposal. The assembly agreed to invite three different Oromo groups, Borana, Guji and Gabra, to come together within a month.

Borbor and Boru took the message across Dire, Liban and Arero districts of Oromia, Ethiopia, seeking out delegates, mostly male elders, for the cross-clan event. It was held at Yabello in June 2004 and supported by PCI. Three generations of Borana council representatives and spiritual leaders (the retired council, the current council and the council that would inherit the role in 2008) came to Yabello to give advice on procedure. They appointed Nura Dida to preside. Nura's task was to keep the speakers to the subject, distributing opportunities to speak across the different ethnicities, genders and age sets, and bringing the meeting to consensus. They began by dividing into the three *gosa*, (clans) so that issues for public and private debate could be sorted out. On the second day, they rejoined one another and began a formal discussion of peace. On the third day they agreed that they would work for peace in their respective societies. Then they moved to other matters – education, land and alcohol. On the fourth they presented their conclusions to government officials and NGO representatives. The *gosa* leaders took a message of peace back to their various communities. It was to be more than five years before a full peace was achieved right across Borana, Gabra and Guji territories.

To bring about peace in the modern age of negotiation with government, politicians and outside agencies, elders from the three groups also agreed to form a new organisation that would represent Oromo pastoralists in Oromia Regional National State. To government the pastoralists argued that theirs was a form of 'mass organisation' aimed at boosting social cohesion and development, similar to those formed by women and youth in different parts of Ethiopia. Over the next two years a board of elders emerged, with representation of ten or

more Oromo pastoralist groups in the region. Their work consisted of moving constantly between towns, settlements and encampments, holding discussions and promoting debate.

Two years later, massacres, reprisals and large-scale displacements of people, villages and animals were still going on when leaders of the three originating groups co-hosted a large pastoralist gathering at Qarsa Dambi in Ethiopia in 2006. Again, supported with contributions from PCI, four hundred people came, including representatives of almost all Ethiopian pastoralist groups, and others from Kenya, Somaliland, Uganda, Cameroon, Nigeria, Palestine and India. Guided by a committee made up of ritual leaders and senior elders, the gathering went on for six days. While the public spaces hosted international deliberations about trade, grazing, milk, cheese, veterinary services, land and governance, the peace-makers convened quiet meetings away from the gaze of the public. Borana and Gabra men and women agreed once again that there should be peace between them. Peace began to seem possible, they said, if the message of peace could be spread.

*"The Yaa Gabra in Ethiopia, the Borana Gada and pastoralists from Ethiopia and Kenya were invited to sit together and slaughter an animal. It was during the evening, around a fire at an offshoot meeting. We made a consensus that Gabra and Borana should have a future of peace. We agreed that Gabra and Borana are brothers and cousins; they are intermarried. We agreed that we don't need to fight. We had a dream of 1,000 people coming together at Marsabit to agree peace."* Nura Dida

Shortly after Qarsa Dambi, a small group of senior ritual leaders of the three groups met at Halona, near the Borana *Gada* centre, to discuss how the law could be used to manage peace. *"If somebody kills, or if somebody injures, we have laws. Let us put these traditional laws in place to stop the loss of life, the loss of animals and the crime and insecurity of conflict."* This was to be an attempt to make Oromo law work across the different groups rather than merely within them.

Then the *Borana aba Gada*, Liban Jaldesa, called Borana elders from both sides of the border to a meeting at Moyale. The meeting nominated three people to carry forward the organisation of a large multi-clan assembly at Marsabit. One of them was Adan Sora, a Kenyan Borana who later became a member of the research team and of a new organisation set up by Kenyan pastoralist elders, the Pastoralist Shade Initiative. Adan said: *'We attended the aba Gada meeting in Moyale, and he shared with us the declaration made with the Gabra elders in Qarsa Dambi, and he asked us, 'why do you fight?' We said that politics was one factor and he asked, 'what do you benefit?' and we replied, 'we are at a loss.'*

Meanwhile, the government administrators of Oromia's Borana Zone began to give open backing to the peace process. It was apparent that a political decision had been made to back the efforts of the customary

<sup>2</sup> *Gada* is the Oromo system of spiritual, judicial and political governance (see Legesse, Bassi, op.cit. and Baxter, P., J. Hultin, et al., Eds. (1996). *Being and Becoming Oromo: Historical and Anthropological Enquiries*. Lawrenceville, NJ, Red Sea Press.).

leaders. With encouragement from the pastoralist leaders, three Ethiopian government officials went to Embu in Kenya to meet the Upper Eastern Provincial Commissioner. Nura noted that the elders who promoted the trip were hoping that both governments would *"accept the flow of people across the border and those people wouldn't be doubted and suspected; so the two communities can have peace delegates to cross the border and meet each other without suspicion. They took with them the recommendations of the aba Gada, who is the customary leader of Boran. After they got back to Ethiopia, they conveyed messages to customary institution leaders who in turn sent messages to the community."*

Liban Jaldesa also met MPs from the northern border areas of Kenya in Moyale. He said he wanted a clean handover after his term of office and he warned that he did not want to hear any more about war between Borana and Gabra. He sent messages to Borana and to the Gabra in Kenya. Adan Sora said, *"When we Boran get instruction from aba Gada, it's like an order. This is how we cleared our path for negotiating the road that ended in meetings and peace."* When Guyo Goba took over from Liban Jaldesa as *aba Gada* in 2008, he continued to vigorously support the peace process. Although he was unable to attend the later meetings and gatherings in Kenya, due to traditional restrictions on his movement, he sent *Gada* representatives Nura Dida and Boru Godana to continue work on the peace and the peace process was concluded during his tenure as *aba Gada*.

Meanwhile, the *Gabra Yaa* council in Ethiopia sent messages to the five *Yaa* of the Gabra in Kenya (the Gabra Malbe). But the messengers, well-meaning townspeople, did not use the right protocol and they were sent back to Ethiopia. They returned and were instructed in the right protocol by *Yaa* Odola, and eventually their requests for engagement were heard. Molu Kullu, *Dabella* of the Gabra *Yaa* Odola went with Tumul Orto (assistant to the *Yaa*) to take the message to *Yaa* Galbo. Once the *Yaa* Galbo had heard and agreed to peace, the group went to the *Yaa* of Gara, Sharbana and Argana. At each place they were joined by more messengers, so that by the time they got to Argana they were a large group. *"By then"* said Molu, *"it was like a flood, the message was really flowing!"*

At the same time there were other messages in circulation that argued against peace. The rumours hinted that the Gabra leaders had been led into a trap by the Borana. The Gabra in Ethiopia had split into two, with one group remaining in Oromia Region and the other moving to Ethiopia's Somali Region. Those in Somali Region, whose political allies feared the new solidarity among Oromo pastoralists, sent messages to their Gabra brothers in Kenya saying, *'those people that are coming to you, don't accept what they have to say.'*

By this time it was June 2008. The fighting was still continuing. But at last the Gabra were getting what they later described as 'real information'. A turning point in the process came when Nura travelled to Marsabit from Ethiopia and called Gabra and Boran elders together in a meeting in the town. *"They had only been apart, they had not been friends since the conflict began."* Nura spoke about all the peace meetings in Ethiopia and the *daimtu* about peace between all the different communities. *"That*

*was how the five Gabra Yaa learnt about the peace process and decided that they should begin lobbying their people."*

Gabra began to accept that the process could truly achieve peace. By then Borana were making ready for large peace gathering at Marsabit. They had collected 37 big bulls as a contribution. This momentum had gained the crucial support of urban business people, including Ethiopians, living in Kenya. But the Gabra leaders pointed out that most of the pastoralists in the bush on the Kenya side and the people in the customary institutions had not yet heard the messages of peace. *"So the elders decided they should first take information back to people, so that people get peace into their minds, then only after that could we have a public acceptance meeting."*

After the Moyale meeting, the Gabra elders from Ethiopia did not go back to Ethiopia immediately, but travelled to villages on the Kenya side and they talked peace. Then began a series of small meetings with all the Gabra clans in Kenya. Elders took messages from village to village. By the time of the Dukana peace gathering in 2009, when peace was finally declared, the message had begun to have an effect. *"People had psychologically removed war and tension from their minds. Those were our paths to peace."*

The village meetings 'counselled and healed' people who had been hurt, or who had lost animals or relatives. People who had been hurt or suffered losses themselves volunteered to heal other people. Katelo Huka, Chief Tuye Katelo, and *Yaa* Gara elders Ola Tanda and Abdi Huka came on foot to Molu Kullu. *"They said to me, 'carry out the peace mission for us'; they told how they'd had their ritual routes and performances disturbed. They'd felt how peace was directly linked to their lives. Certain rituals must be performed to guarantee finn, for both Borana and Gabra, so having those disrupted by war is a very serious problem and they had to seek peace."*

While this talk was going on in the Gabra system, there was another pastoralist gathering in Ethiopia at Dambelawachu. Some 40 Kenyans and 400 Ethiopians attended, including a number of officials from the Kenya and Ethiopia governments. Its aim was to strengthen and broaden the peace talks. *"People are now coming near to each other. Still there is gap, but they are coming near to each other"* said Nura.

The customary institutional leaders held talks among their *Yaa*, and with men, women and young people. *"In our institution we have structures. We have qallu, who are spiritual leaders, hayyu, high-ranking people in the community, then we have the jalaab, the legal officers. They give the information and it spreads into the people. At this stage these talks were going on in the entire Gabra pastoralist areas in Kenya and on the Ethiopian side in the Borana community"* said Molu.

Then one day in October 2008, a young Borana herder and a young Gabra herder met in the grazing lands between Dillo Ethiopia and Dukana Kenya. These grazing lands had been empty for years as a result of the fighting. *"Slowly, slowly they came towards each other and greeted each other. They were doya or kuta, patrollers and scouts who watch for enemies coming to attack."* They agreed that they should try to stop the war. At first they met daily, then monthly, bringing in more and more people

to quiet meetings. The people started returning stray animals and communication reopened. *"It was very secretive at first, and it happened in a very dry period. They were sharing water from their wells and being very secret about their messages and new peace."* Eventually the community approached Molu and his team and asked for a gathering that would strengthen and extend the peace they had achieved. The gathering took place at Dukana in June 2009. Molu and Nura chaired and their organisations, the Pastoralist Shade Initiative and the Oromia Pastoralists Association, organised the delegations from each side of the border. The delegates declared peace and the re-establishment of laws against killing, violence and theft. They agreed that in order to extend the agreement further, they should have another gathering that included Moyale and Sololo communities along with MPs and the administrators. *"By moving along the border to Moyale the peace would be sealed."*

The two leaders again sought support from PCI and organised a gathering within the month, in July 2009, at Maikona in Chalbi District. MPs for Sako and North Horr, the Minister for the Development of Northern Kenya and Other Arid Lands, and the Assistant Minister, district commissioners and police commissioners, councillors, customary leaders, and people from many communities attended the gathering. Using a customary procedure of forgiveness and blessing, *ebb*, the delegates agreed peace and the establishment of law between them. The elders asked the minister, MPs and administrators what role government would play. *"We shall fully stand behind you,"* said the officials. In later months they stood by this promise, allowing traditional law to take precedence in a number of cases.

The Maikona gathering had widened the peace, yet there were still communities left out. The Gabra of Turbi and the Borana of Sololo, Walda and Rawan were sharing neither water nor pasture, even though the drought was very severe. They had been apart for almost ten years. There had been a terrible massacre at Turbi in 2005. One side had grazing and the other had water and neither group would share with the other. Within a week of the Maikona gathering, the elders organised another gathering, entirely self-financed, at Walda, bringing more people from each side.

*"Finally the meeting of Walda took place, which was the final touch, a blessing, giving each other water and pasture, going back to the old way of life. We invited the District Commissioner from Moyale and the police, and we put to them that our customary law has been there since time immemorial. We explained that we are not amending it but bringing it back to prominence. We are now using the law to protect life. And we asked if they were going to support us, rather than contradict us. We signed the written declaration, which lists the customary laws that deal with killing, injury and theft and the blessing took place. That is how we are protecting ourselves up to today."* Molu Kullu

The declaration had an instant effect on the communities of Walda, Turbi and Rawan, who resumed sharing water and pasture and continue to do so. Elders pointed out that this happened after all the systems of

government – District Security Committees, Provincial Security Committees, politicians, the paramilitary General Service Unit – had tried and failed to do the same. They explained that elders may have lacked the money, land cruisers and guns of all those agencies, but they have a governance system that people value and respect.

The legal contents of the declaration echoed the outcomes of every meeting since Halona in 2007. This time, however the elders had asked for a copy to be made in English. Elders from both sides signed it and the District Commissioner endorsed it.

*"What was the outcome? It was simply peace. The loss of human life was stopped. The loss of livestock was stopped. These people are relatives, friends and in-laws. They now come together and share their common problems. They share water and pasture. The livestock marketing started to improve. Business started. We all went back to our original way of life. Livestock from Kenya went across to Ethiopia, and from Ethiopia crossed into Kenya. We started with elders, we kept on bringing in the youth and women, and occasionally we brought in government people on the border. Ultimately we brought everybody in."*  
Molu Kullu

## The Long Conversation

Filling the space between the high profile meetings and declarations of this history is the long conversation referred to in the title of this paper. The elders' story of the peace not only gives leaders and moments pivotal roles in the history, but also draws attention to the large number of ordinary people who weave the fabric of peace and war across time and space. The next section of this paper, drawing on interviews, will allow us to get a glimpse of how so many different people who spoke, assessed, decided and passed messages created the conditions in which lasting peace agreements became possible or failed. They indicate the primacy, but not exclusivity, of the indigenous institutions in the negotiation, with their command of legal, moral and social support from the mass of Borana and Gabra. They emphasise the role of gatherings as places of public deliberation and decision, but also the role of public and private conversation as spaces in which the moral consensus and decision to act are forged and sustained. Discussions extended across the territory and across time and the long conversation emerges as a productive entanglement that resists Watson's hardening of lines (Watson 2010).

## Moral Consensus

*"By the time we came to the Dukana-Dillo and Maikona gatherings, the discussions and lobbying had already been done, the messages were already in people's stomachs, hearts, blood streams. The gatherings were just fine-tuning. The message had already reached warriors in the bush. Psychologically people were already dropping war. Elders took a lot of time to sensitise people and lobby like that. And we built the message of peace on the foundation of our laws, individuals were held to account by that declaration"*  
Molu Kullu.

That the word 'peace' is repeated so many times a day, and with such reverence, and it is so easily assented to, suggests that it has long been a guiding idea of both the Borana and Gabra. The peacemakers appeal to a tradition and a moral consensus over which they have a measure of authority and which they themselves manifest in their position as elders and customary leaders. The foundation of the peace, they say, is in people's minds. Talented people, women or men, young or old, can bring peace into people's minds. Adan Sora tells stories, each one selected to encapsulate what a conversation had been playing with. Molu Kullu reminds people of the tenets of philosophy and morality. Godana Dida plays on emotions, she reminds people how good it is for their sons to grow old enough to have children and see prosperity.

According to our interviews, peace is a state of plenty, divinity, happiness and sharing. It allows for trust and freedom of movement. The young in particular talk of peace being the feeling of openness and freedom. A young man at Maikona said, "it was an opening up, like we had been in prison and then we were released." He and his peers pointed out the improvement in their economic and family prospects that came from being able to share water and grazing across borders. Women talked of sharing too, and of visiting and socialising with in-laws across ethnic divides. These visits across boundaries are of particular interest to the many women who cement and use marital ties to create lines of mutual support over wide geographical areas and between communities. Senior elders remind each other of peace as a blessing, generating 'finn' or a divine state of fertility and prosperity, and making rituals possible that in turn hold the world together in blessing.

Collectively, the motivation for peace that rises in people's minds is a moral consensus, suffusing the talk of all of those who are now at peace. Peace is affirmed in greetings and prayers, in the traditional religion as well in Islam and Christianity. It is these beliefs to which the elders appeal when they remind people of the necessity and possibility of peace, calling forth its sweetness and rightness. The elders speak of healing a community that was fractured, creating strength and promoting prosperity. They reaffirm the connectivity that they deem essential to social and economic success. All the reminding and affirming is part of an approach to social harmony that imposes an authority of tradition, embodied in the words that people repeat to one another over and over again. It is fundamental to the Oromo philosophy whereby social harmony is arrived at through consensus built through persuasion rather than force. This persuasion has an element of coercion – of moral pressure (Bassi 2005). Peers reiterate what is right and good and suggest that anyone who is against it is selfish or foolish.

When asked how the moral consensus for peace is renewed, elders describe a formal process, guided by members of customary spiritual institutions, but they also explain how it is held in the minds of the people. They explain that peace has its time, or 'season,' and sometimes it is not possible to stop violence. Members of the elders' ritual councils had for a long time accepted the war between Borana and Gabra as inevitable, waiting

until the time came to act upon it and change it. An old man at Maikona told a story that was widely appreciated, illustrating the notion of 'season'. A young man was instructed by a terrifying king to predict the weather in the coming season. He asked a puff adder for help. The puff adder told him what to say and requested that if he was correct, the young man should share with him the king's reward. The young man promised to do so, but having given the prediction to the king, and the prediction had proved correct, he forgot to share the reward. He met the puff adder one day and attacked him with a spear, but the puff adder escaped. The next season the king instructed the young man to inform him of the weather once again. He ran to find the snake, apologised for having hurt him and failing to reward him, and begged for an accurate prediction, promising that this time he would share the reward if he was successful. The snake was generous, but once again the young man failed to return with a share of the reward for the successful prediction. Later the young man met the snake. He grabbed a burning stick and attacked with fire. Once again the king ordered a prediction and the snake gave advice and this time the young man shared the king's reward with the snake. According to the storyteller, seasons of the spear, the fire, and the peace follow one another in unerring succession. Sometimes people have to wait for conditions to be right in people's minds (Wilson and Scott-Villiers 2009).

The inevitable meets the evitable in the work done by elders to remind people of the possibility and desirability of peace. They act therapeutically, aware of the effect on the mind:

*"Psychologically we are now satisfied. It was a process of mental healing. Spiritually, calbi [healthy soul] is back. We were sick because we were taking evil but we have now recovered from that spiritual illness caused by bad thoughts and bad feelings." Abdi Huka, Dabella (spiritual leader), Bada Huri*

*"The peace process is culul [something very sweet]. Now they're happy, the animals are happy, they're sleeping." Ali Idema, Garwale*

*"Now they can really sleep and rest, they are psychologically healed. Trust has come back and people can sleep at their own will." Adi Umoru, Maikona*

The research team asked a question about the benefits of peace everywhere they went, but responses are lacking among those people living in areas at war (Isiolo, Samburu and parts of Marsabit mountain). In answer to the question about peace, the reply is almost always about war. People describe the perfidies of politicians and their fears of raids and ambushes by those not bound by the Borana-Gabra agreements. At this point in the conversation, it is as if the notion of peace is impossible to call to mind. Mapping the sites of these responses delineates the geographical and social limits of the current peace and the need for further work. The forgetfulness of what peace is about gives credence to the elders' claim that the first requirement of a peace process is to re-introduce a *belief* that peace can work. They argue for a reminder of the moral consensus that binds the community. To

believe it, the person and her group have to believe there are institutions that will hold it. When the threat comes from another community or another set of institutions that do not seem to live by the same moral philosophy or law, then peace can seem impossible:

*"Those other groups, whether Rendille, Samburu, Turkana or Pokot, they have no rules or laws to bind their issues. I attended a meeting for peace and those groups were asked about conflict and they responded that their forefathers in the past had been the ones who distributed all the cattle in the world to all other cattle-keeping groups, not just in Kenya but throughout the world. So now, they said, they are claiming them back. So these people are lawless. They have elders like we do but not governing elders who maintain law."* Isacko Orto, politician, Marsabit

Incitement to war is as much a psychological process as incitement to peace. We felt the ominous power of one such argument. A political leader in Marsabit spoke of threats to one clan's access to economic resources. In response, an elder said:

*"There are people like us who don't want revenge, and God said not to kill, but if people are put to the wall... if you trap a cat in a room and don't let it out, it will react and jump and fight you. We might behave like a cat that is trapped in a room. That's all. May God give us peace."*

In its repetition the notion of peace is brought from its ancient roots to a contemporary proposition. Calling for peace is an appeal to solidarity against immediate external pressures. The practical gains of peace for the broad society, in opening up markets, bringing down food prices, enhancing business, improving animal sales, expanding grazing and water options available to herders, are universally echoed by older and younger men and women in the areas at peace.

*"And there's business now between Kenyan and Ethiopian communities, and it's not just business, benefits are trickling down to the communities. Like the price of food fell because it's cheaper sourced from Ethiopia. And Ethiopian Borana came here to buy livestock and trade within their own world – they buy sheep and bull camels. We didn't have a market for camels before but now we do. Now our camels can easily sell for 30,000 [Kenya] shillings and above. Before the peace initiative we were only slaughtering our camels for meat, not selling them to any market. Now there is a market opened with the Ethiopian community. You can sell a camel and address the school fee problems in the whole community."* Elema Adano, North Horr

*"With peace we plan to store and share water in Ethiopia and share pasture in Kenya, using the good grass on this side during the wet season and then in the dry season moving all the animals to Ethiopia where there is water. So we agreed people should not graze around the water points in Ethiopia in the wet season, they should come to Kenya, then both groups should go to Ethiopia and its water points in the dry*

*season."* Sharamo Dibo, Dabella (spiritual leader), Bada Huri

Peace is also a politically pragmatic alliance between people who need solidarity against a hostile world. Centuries of territorial jostling between pastoralist groups in the region continues to this day, and may have played a part in the formation of Oromo alliances (Hassen 1996). Since 2005, the Oromia Pastoralist Association has been leading peace meetings between Oromo and Somali groups on the Oromia-Somali region border in southern Ethiopia. While Tache and Obu suggest that *"lack of prudence (or sometimes a conscious decision) by the state may renew inter-ethnic conflicts by shifting resource ownership rights under the guise of ethnic administration,"* the Oromo are currently counteracting these processes to make peace across ethnic lines and re-establish the porosity of the administrative boundaries with which the state has dissected their world (Tache and Oba 2009). These larger alliances may also be useful in creating negotiation platforms with large neighbours as well as with the state, and they have the capacity to harden lines with other non-Oromo neighbours.

Moral consensus is a living social agreement, which changes as it is reaffirmed and influenced by new forces and old. The consensus that was built around peace in Borana-Gabra areas has different strengths in different locations and among different groups. It is stronger in the rural areas than in the towns, rooted in the long tradition of Oromo peace and more distant from other ways of thinking. It is stronger among older people, who were educated as pastoralists, than among younger people, whose education comes in part from state schooling, which often leaves students with the impression that pastoralism and its traditions are backward. The elders in the research team learned where the moral consensus was weak and understood more of the mechanisms at play in the process of incitement, psychological trouble and the hardening of lines. It gave them a sense of direction for their work.

## **Communication and Information Exchange - *Daimtu***

A system of information exchange that links every social encounter, *daimtu*, is central to the peace-building. If *daimtu* is used to inquire about and map peace, it is also used to assert and build it with greetings and questions underpinned by a moral consensus on the need for it. It is the means by which the long conversation moved the idea of peace from ritual centres in the *nabo* (the centre of the *Yaa* village) and its early engagements between pastoralist leaders and government, to almost every Gabra and Borana adult in the area.

Women spoke to the study team of their task of *emaltu*, visiting relatives and in-laws to share information and keep families together across long distances. Young herders explained how they share information at the wells, and set a premium upon its accuracy. Scouting for the state of grazing in distant pastures, they must return with correct information or herds will suffer and they will lose the confidence of their peers and elders. Women

noted how important it is always to hear from visiting elders who help people to 'learn and remember'. Talking of others, people explained how *daimtu* can be done or with malign or indolent intent.

With good *daimtu* peace is made credible and people will affirm it to others. Elders assess its progress, identify problems and clarify what needs to be done in conversations with people everywhere they go. *Daimtu* is a political skill, involving comparison, analysis and presentation. People with the skills of speaking are more likely to be believed. Their reminders about the law and moral rectitude are respected, particularly when they make use of a good story, as Adan Sora does. His stories draw on moral norms, common archetypes and artful poetry.

Conversing is referred to as healing, integrating, mobilising or opening. The reverse is that those who lose connection with others in the community lose vitality and strength (Brockelsby et al, 2010). The research team visited people who had had to run from their homes during fighting, some as long ago as 2003, who had been living in villages on Marsabit mountain or on the edge of Dillo and Magado towns and had not been part of the peace dialogues. They had not heard the peace from trustworthy sources and did not believe it, and so they did not take a part in it. Their trauma, they said, was not healed, because they had not spoken to anyone.

*"We are for peace, we don't want war or revenge, but we have never had a convenor to help resolve the trauma between us and those who aggrieved us."*  
Wato Shalu, woman elder, Ala Bor, Magado

*"The interaction and dialogue on peace in Dukana was laid on honesty. Here there is no honesty and no dialogue."* Doti Wako, Ala Bor

*"No leaders come to talk to us. No one cares to come and help heal us mentally and spiritually."* Adi Huqa, village head, Ala Bor

*"Yes we've heard of the gatherings, but we haven't heard of the outcomes and no news reached us."*  
Malich Dub, Dilib, Marsabit

*"The issue is interaction. If people talk and meet with each other the trauma will go away."* Harkale Dida, Dilib

Communication is dependent on the character and intention of the communicator and the stance of the listener. Men and women describe how politicians speak seductive words from the platform, and then, in the privacy of small rooms, incite groups of young men to attack others. They explain how rumours spread through frightened communities and justify action. People in villages and towns gave numerous examples of the powers of rumour and incitement. A child came running into the village with a tale of raiders on the horizon, the word flew round a nervous community like wildfire, and people prepared for violence. Then word came that the imagined raiders were a group of pilgrims passing through.

*"One day a Gabra could be killed and then the same evening a Borana killed, not necessarily by a Gabra but a Gabra will be blamed; today in Marsabit that's*

*happening, people put you off about who is responsible; and even if they get someone that person can bribe the police and be released, and then it continues, it never finishes."*

These days unreliable *daimtu* can move with great speed due to the ubiquitous presence of the mobile phone and network coverage. Elders suggest that it is best to confirm telephone *daimtu* in face-to-face verification, before taking action. Meanwhile telephone *daimtu* offers some new powers to some, while excluding others. In one story, raiders had stolen animals, and a woman raised the alarm to her husband, who called the district commissioner, who called the officer in charge of police, who finally ordered out his force. "Why didn't you just go straight to the police?" we asked her. They would not have responded to me, she said, illustrating not only gendered powers but also the attenuated paths of influence.

The researchers used *daimtu* throughout the study to exchange news as they moved from place to place and person to person. As well as hearing local news they gave information on good relations and resource sharing among neighbours in places they had been, and told of individuals and families who had forgiven, returned home, paid or received compensation for wrongs committed, or in other ways been involved in the peace process.

*Daimtu* is least impeded, people say, when it is accurate, clear and trustworthy. Elders, who are reminders and reinforcers of social and moral unity, claim their *daimtu* has superior credibility. One man explained how the *daimtu* relating to peace has more impact if it comes from rural elders: "When we say we didn't hear about it [peace], it is because it comes from people in the towns. If the elders bring it we believe it." *Daimtu* that emanates from the *Yaa* has strong influence and extended reach, because the messages are at once authoritative and anchored in the divine. The authority rests less on deference than respect. Most people who commented on the matter seem to believe that elders elected to the *Yaa* are there because they have the character and skills to behave as they ought, and they also have faith in the training that elders get when they are part of the *Yaa* system. Many in this study traced the ever-growing strength of the peace talks back to their origins with the *Gada* and *Yaa* of the Borana and the Gabra. Their forceful messages have the power to isolate those who go against them, making those who contradict the messages appear to be wrong. The coercive character of consensus that defines the way Oromo run their assemblies is operating here in the day-to-day discourse.

Women have particular forms of *daimtu* that exist apart from and intersect with those of men and others in society. Women have points of congregation and patterns of movement that differ from those of men: they gather at water points and communal kitchens, collect firewood or livestock fodder or travel to markets, relatives or social gatherings in women-only groups. These are opportunities for women to exchange and analyse information that comes from their husbands and male relatives and their communal analysis is then returned to men, a feedback mechanism where information which is private or little known can become public

and well known, and can fan out across social and physical distances through women's marital and familial ties.

Some men explained the effects of women's *daimtu* at an individual level, how news on actual or rumoured conflict might reach them in the evening from their wives who had learned it through interactions and *daimtu* that day, but far more common was men depicting the collective powers of women to incite or extinguish conflict:

*"Women are carried by waves. When war is new they are taken by that wave, then they can be taken by a wave of peace."* Molu Kullu

*"Women are the key to the whole thing. They can fuel and cool conflict. These elders make decisions but they can't make decisions without the input of women. You won't find them under a tree but they push from the background. All morans [the young unmarried male warrior age set] have women, wives, or young girls who influence, incite or make them desist from conflict."* Adan Bika, Isiolo

Women might provide motivation in either direction with songs, blessings, praise or mockery.

*"If [young men] don't bring cattle home and kill they will be teased by young women, their girlfriends, they will be called cockroaches, like those cockroaches who lick the spilt milk on the gourds. They'll be told to go and sit with women and lick the gourds. So that provokes men into action, their life is on the firing line."* Dida Golicha, Isiolo

*"For example if Adan's cattle are raided the mother of the house and his wife may say, 'If you don't bring those cattle back and kill the raiders I'll go and marry those stronger Samburu or Rendille men', so Adan will have to go. The war that is backed by women is severe, men cannot withstand the pressure from women."* Diba Kiyana

*"Peace has songs like war has songs. Those songs can turn your heart easily, take you from a war mood back to a peaceful mood. They can sing how bad and destructive war is, how good and prosperous peace is, then people just drop their weapons. It's just like when you pour water on a fire."* Diba Kiyana

Children also have their own forms of *daimtu*. Children move between many social spheres, absorbing the *daimtu* of adults and exchanging information. Children are held to have powers of prophecy and their play and conversations can predict future events:

*"Borana and Gabra feel children are foretellers. It's known in history that foretellers associate themselves with children; from their behaviour they'll predict the future, from their plays and games. Once an old man we knew saw children joking by themselves about his death, saying 'The old man's dead, come to the burial'. So he went to the elders and said his death had been foretold and they should prepare things for his burial. The next day he was found dead."* Diba Kiyana

Such a phenomenon, whatever its causes, may be fed into the *daimtu* mechanisms of adults and influence people's thinking and behaviour:

*"Children are predictors. Sometimes they play war games and that's an indicator. When community elders see children playing war games they tell people to be ready."* Molu Kullu

*"Children also predict peace. When they play in a war period a game about peace, people say that peace has been predicted and move towards peace. They might make cows, sheep and goats from mud, and people might say that, through that, the children are foretelling peace."* Adan Sora

*Daimtu* is the long conversation, the unceasing flow of information that conveys not only what has been decided and what has happened, but the moral consensus that frames the talk itself. The Borana and Gabra whom we met are aware of the purpose and potential of *daimtu*. For them it is a practice. Different players make use of its properties in different ways – some insist on information accuracy and accessibility, others thrive on inaccurate rumour, others tell stories and others get emotional.

## Law and Declarations

*"There is a declaration that binds this peace, it has rules and we had leaders and elders from both sides sign it. The rules are a reference point and both communities adhere to these, they are a rock bed on which the peace process rests. The declaration was witnessed and accepted by government. The rules were formulated on the basis of traditional governance systems of both communities, not just from nowhere. There is reference to the customary Gada institutions [both Borana and Gabra] and the Gadas [ritual leaders] accepted it, therefore it is in synch with traditional systems, and the government accepted it too, therefore it binds"* Dalacha Denge, Security Official, Dillo.

Criminal justice and peace are intimately linked in the opinions of Borana and Gabra elders. Apart from its oral repetition, the primary difference between customary and constitutional law is the customary emphasis on reconciliation (Pimentel 2010). In most cases once guilt has been admitted and fines and compensation confirmed the guilty party will be pardoned. It reflects a constant effort to pull people back into the kind of good and cooperative behaviour that leads to harmony and productivity, or *finn*. This institutional pardon is founded on a spiritual idea of blessing, *ebb*. Once a person has accepted responsibility for his or her crime, and the fines and compensation are finalised, a pardon is very often given and the complainant, in accepting that the guilty party has expressed contrition, receives in exchange the blessing of the elders and the spiritual leaders (Bassi 2005:208).

In this way, the giving of law is a peace process, and elders claim that to make and keep peace is a matter of reawakening the function of the law in those places where it has become weak. As a system of social

management and social healing, the law operates under a set of transparent procedures. Elders are responsible for 'reminding', 'stamping' and 'binding' the peace and the law, by putting peace into people's minds, arbitrating in disputes and making judgments about fines, compensation and pardon. Borana and Gabra law, *seera*, is intimately linked with custom, *aada*. The laws are expounded, agreed and applied in public assembly. Bassi explains *aada* and *seera* as follows: "*Among the Borana, as elsewhere, norms are expressed in a variety of ways, ranging from old and new social practices to ambiguous concepts symbolically expressed by rituals. Such a wide normative domain falls under the Borana category aada. When a dispute arises it is taken to the assembly where people are confronted with the established norms. In this context norms of any kind need to be verbally expressed and hence verbally re-elaborated. Conflict resolution may need non-ambiguous normative statements, which have binding value. Such statements in the oral laws, seera, which can be defined as that specific category of verbally expressed norms, are elaborated and applied in the assembly context.*" (Bassi 1996:155)

Customary law is that kind of law and legal system that is established by long usage. It is usually unwritten, but no less systematic for that. It has the virtue of being understood, regular, predictable, locally accessible, cheap, and having public confidence (Pimentel 2010:12-14). Among the Gabra and Borana whom we met it is appreciated for its focus on reconciliation over revenge, and the way that it can be implemented by anyone who has sufficient knowledge and respect. Its amendment is a matter for community deliberation and it stands in contrast to punitive systems implemented and amended by specialists. Our study points to wide agreement on the legitimacy and suitability of customary law to the matter of peace. Inquiries about the 'gaps' in the peace and recommendations for strengthening it elicited responses that stressed the essential role of law and active eldership in its delivery.

Customary law has old roots and yet is valued by many informants for its fluidity and adaptation to modern circumstance. When compared with state law it was praised for its responsiveness and accessibility. In theory the same could also be said for state law, but it was notably unsaid. People told us of bespoke applications of customary law by elders who knew the situations and circumstances of wrongdoers and could respond accordingly and if necessary with mercy. Depending on the severity of the case people knew who to visit to reach the law, and even where to go to appeal to change the law. The respect which was demonstrated for customary law, and which gives it adhesive quality, was explained by acceptance of both its link to the divine, and its highest intention of restoring social harmony rather than exacting punishment.

Elders are spoken of as a bridge between people and law and it is they who not only make laws but also oversee their implementation – 'exercise the laws' or 'act as custodians' as elders put it during the research. Referring to the law, they make sure the wrongdoers are punished, the wronged compensated, and 'bad blood' avoided. In

their role they must also keep in place the religious principle of *ebb*, blessing, that offers forgiveness.

According to the majority of people we met, state law in the areas covered by this study is largely ineffective. Due to the weakness of its institutional presence and the foreignness of its precepts, people view its operations as biased, lacking conscience, often illegitimate, inconsistent and tricky. Some spoke of lawyers being able to make the innocent guilty and the guilty innocent. Many others pointed out the failings of penal law with regard to reconciliation – even if a person is found guilty, they may be jailed then paroled and the victims have received no compensation or apology. It causes bad blood, they said, and the desire for revenge escalates conflict. There is a common view that impunity is rife in the pastoralist towns. Some went so far as to suggest that state law, linked to state mechanisms of security, is an unreasonable exercise of power over local people to achieve illegitimate ends. People accuse state law-givers of partiality. Legislation in the national parliament is distant and apparently can be bought, and local police, courts and administration are largely inaccessible to ordinary people who do not have links to high officials.

Customary law elicits quite a different response. Even young people educated in state schools and living in towns insisted that customary law is legitimate when it comes to crime and insecurity. Others say it is consistent and impartial. A wide variety of people seem to agree with the moral basis of customary law and understand its roots in history, custom and religious practice. Many people expressed satisfaction with its judgments.

The Borana-Gabra peace process pivoted on an insistence by elders and members of the *Yaa* that there be consistent and uncompromising application of customary laws relating to murder, theft and injury. Customary laws had not been forgotten or usurped – they had preceded the laws of state systems and then remained in place beside and in collaboration with them – but renewal and reinvigoration of them was needed in light of the social disharmony caused by conflict. The vigorous implementation of these laws by the Gabra, Guji and Borana communities in Ethiopia was agreed by *Gada* leaders in 2007 at Halona and taken up by Gabra and Borana in Kenya in 2009. These same laws were later presented to government officials and it was agreed, at least with local administrations, backed by tacit acceptance from national security bodies, that these laws should be given precedence.

The specific criminal laws on which the current peace rests came out of the '*nabo*', the centre of each *Yaa*, and spread outwards until they were widely spoken of, emerging at meetings, most famously Maikona and Walda, as declarations written in English that were pasted to the walls of district offices across Kenya's Upper Eastern Province and referred to by politicians and administrators in Ethiopia and Kenya. Seemingly brief, few outsiders (members of government, NGOs and town-dwellers) saw what lay behind the declaration, having only a limited understanding of the institutional, social, historical and geographical trajectories that had underwritten this apparently simple list of crimes and punishments.

In the case of a murder, theft or injury, the perpetrator is held individually responsible for the misdeed, but his

or her clan takes a part in paying the fine and the compensation to the victim and victim's family. If a cow is stolen, the fine/compensation is five cows. If a person is murdered, the fine/compensation is 50 cows. Informants explain that this approach holds an individual to account – an emphasis on criminals as individuals was repeatedly made during the research as a way to avoid isolated incidents being perceived as inter-group conflict. And yet the involvement of the clan in paying the fine creates peer pressure within each community for preventing crime, while also restoring harmony between the communities of the victim and of the perpetrator. Without this kind of process, they argue, bad blood remains, and people seek revenge. Revenge plays into the hands of those who gain advantage from war; making a profit from supplying arms, mobilising raiding parties and creating political blocs.

Under the current agreements with local administrators and courts, once the customary judgment has been made, the perpetrator is handed over to the state judicial system. They face a custodial sentence in addition to the fine. When asked whether it is fair that a person should be punished twice for the same crime, if originally the fine/compensation was deemed enough, elders reply in the affirmative. The consequences of crimes of violence in the current unstable political situation are so extreme, they argue, and are so damaging to the community that both customary and state systems have a duty to protect, that submission to both systems is the right approach (but despite this, the research met with examples of pardons being granted in certain cases where double punishment was felt to be too harsh). It is also worth considering that an alliance of the two kinds of law has a strategic value beyond the immediate effect of a double punishment. It is extending the force and capability of customary law beyond its enclave, and consolidating what the elders confirm is a deliberate effort to extend the traditional law into the domain of state law.

*"Both sides were very angry at that incident but nobody fought each other, the culprits were arrested and jailed by the government and then compensation was paid by the community, in installments that have just finished being paid. So liars and people with ill motives remain, but the peace process is being stuck to." Elema Adana, Garwale*

Among many elders there is concern about achieving a lasting and reliable co-operation between customary and state laws, and also perhaps between customary and Islamic laws. In discussions about the complementarities and contradictions of the different kinds of law that co-exist or abut in the pastoralist areas of southern Ethiopia and northern Kenya, a number of commentators emphasised that it was the competition and contradiction between customary and state systems of criminal law that led to wholesale gaps in response to crime in the first place. They suggest that it was the failure to respond to transgression and disharmony without partiality that allowed the war to escalate as it did. State providers, they say, dismiss traditional systems and yet cannot provide a workable alternative. In the rural areas in particular, traditional law is ubiquitous and understood. With state law so thin on the ground, statutory

law so poorly administered, evidence so hard to collect and corruption so prevalent, criminals can get away with their crimes.

There are also limits to the reach and effectiveness of customary law. Elders told how it can be dismissed or overturned in towns by people disconnected with the customary context who want to evade its reach – corruptible policemen or administrators, tricky lawyers, weak elders. Its cohabitation with state law is tenuous. The turnover of government staff means acceptance of the place of customary laws, established through local relationships and agreements and not enshrined in higher state law, can be lost when an individual administrator leaves. Its representation of modern pastoralist women is not in synch with their understanding of themselves, even as it is not impervious to their arguments (Becker 2006). There is a multiplicity of customary legal systems, each centred on a different ethnic group. Where customary legal procedures are applied to encounters with other ethnicities, those groups can refuse to recognise the legitimacy of the procedures and precepts. Nonetheless, people we met called on leaders to maintain the influence and applicability of customary laws and to negotiate its frontiers. Many added the responsibilities of all others members of society to contribute in their moral and social actions as citizens. Their acceptance of the law underpins its viability.

*"When we have meetings we invite government, explain about our institutions and our plan to use them for peace, ask for their support to do so, respecting at the same time the country law. We also follow up whether the government people support the customary laws. Wrongdoers may run into town and tip police to let them off, we make sure police can't do that by including and inviting those district-level government people to our meetings. That's why the Maikona declaration worked; we have district and regional commissioners coming to meetings, Arid Lands, National Security Commission, all of them coming to give support to our approach of using customary laws. The innovation is the marriage between customary law and land or state law. Plus monitoring by custodians, elders who own and protect it – not workshop-goers" Molu Kullu.*

While the elders feel there is much more to achieve in terms of a secure cohabitation with state law, the story of the Maikona-Walda declaration is an apt tribute to the adaptability of their traditional institutions. It can be seen in several parts: revitalising traditional law in the presence of state administrators and community representatives at events held strictly on pastoralist terms; having that law written, duplicated and pasted on the walls of local and regional administration offices; and overseeing its implementation alongside state law.

As the peace process went on and groups of elders and customary leaders took on roles that were more visible to the state, the Oromia Pastoralists Association (OPA) and the Pastoralist Shade Initiative (PSI) registered as NGOs concerned with the peace and development of pastoralist communities in northern Kenya and southern Ethiopia. Being legally recognised recasts customary systems into a contemporary situation and adds legitimacy,

as explained by one of the organisations' chairmen: "PSI and OPA are different from other NGOs because they are rooted in the customary institutions and laws. Now the governments are listening to customary laws and giving support, so that nobody will step on anyone's toes. The customary laws and the government laws are working together".

Outsiders might have underestimated the assertiveness and inventiveness of customary law, but internally it was hardly doubted. This precedent seem to be inspiring other pastoralist groups in the region:

*"We deal with legal cases. In Halona in Arero woreda in the northern part of our territory in Oromia, the three aba Gada reinforced customary law. Laws that deal with killing and stealing were strengthened. They are not new laws. Guji, Gabra and Borana had always used them internally, now they apply between us too. The same customary law exists in other communities, like Somali, Garreh, Arbore, people from South Omo and Turkana. Of course, they have not always been functional. Now the discussions are beginning to reach these others."* Nura Dida

Customary law plays a pivotal role in peace management in offering the sanctions required to curtail wrongdoing and generate reconciliation. Legislation, or amendment of the law, depends on widespread acceptance achieved in large assemblies (such as the Borana *gumi gayo*), conveyed by *daimtu* and put into action by *hayyu*, *jallab* and elders in judgments, sentences and pardons. Its reliable coexistence with state law raises a number of difficulties where the doctrines diverge and a question of precedence arises. These difficulties will need to be overcome if peace is to be anything more than a temporary achievement.

## Surveillance and Response

*"A month ago we began this study as a follow up to the peace process, and we looked at where it has reached, where it is weak, and where strong. When we visited Turbi, we found the Gabra and Borana community sharing water. Rawan is the same. Small children are going from Turbi to Rawan and Walda to get camel milk. Animals are crossing into Ethiopia and sharing water. Now you cannot be sure whether you are speaking to a Gabra or a Borana, unless you ask."* Tumal Orto

Herding is a metaphor for surveillance: "people taking care of and monitoring peace are like people herding sheep, goats and cattle. You don't herd peace with sticks; you move between many places and people" Adi Godana, Balesa. Just as livestock herders move across the rangelands, surveillance is a continuous task for elders who must meet people, talk and 'keep peace in their minds'. Minds, heads and hearts are all named as places where a person's desire for peace can be nurtured or destroyed and where a good elder is supposed to act. Bad *daimtu* can spread stories of raids and attacks, fanning revenge and hatred during conflict; by contrast, surveillance *daimtu* is a way that elders consciously assert peace while on their beat. As a customary leader from a Gabra *Yaa* explained, the use of *daimtu* to question and assert peace is a way to

*"remove conflict from people's minds and put peace there instead."*

Elders select and deploy stories rooted in local histories and meanings to remind people to find and look after peace. One story describes how a rich man born without eyes or teeth was fed thin soup and watery tea by a cruel wife who kept the best meat and milk for herself; after she died he remarried a kind woman and discovered for the first time how rich, nutritious and good life could be; the elder who told this story explained the dangers of getting used to a situation that is bad for you. In another place an elder told a group of women and men about a foolish man who discarded some donkey meat with medicinal properties; soon after he had thrown it away he fell sick and was left regretting how he had not valued something so precious and good for him.

More concrete forms of surveillance include checking on pasture- and water-sharing between communities and on the settlement of compensation payments. "The shoe wearer knows where it pinches" said, Ola Tanda of the Huri Hills, meaning that the person from within is best placed to know where surveillance and response is most needed. In his or her travels and through *daimtu* a good member of society will be aware of what is going on and where weak links in relations might exist. The effectiveness of the surveillance/response depends on the person doing it (just as the credibility of *daimtu* is dependent on who is giving it). Not all elders are consistent and reliable. In some areas, younger men and women blamed the lack of action on reconciliation on elders' weakness, equating their weakness with a state of insecurity. An elder with 'negative attitudes' may be held to account by others, and may be supported in his or her responsibilities, but the system relies on local self-management rather than hierarchy. A cluster of weakness will often reinforce itself. Weak, absent or misdirected surveillance can rapidly destabilise peace, we were told. Women and young girls have been known to make moves against peace where it is weak, by taunting and goading young men; while young urbanites, sceptical of tradition, can get exasperated with peace messages and counter them with taunts of their own.

At the edges of the Borana-Gabra peace are communities ailing because of poor relationships, unhealed wounds and ghosts left behind by the conflict, many of whom blame elders for being negligent in "bringing us together" and 'convening us for peace'. These people helped the research team build a picture of a good elder's motivation towards connectedness, good relationships and social health. The team was disturbed to discover whole communities, for example those around Marsabit Mountain, who had been displaced by the conflict and still remained. The people in these villages confided their sense of being haunted and insecure. They spoke of not being able to greet their former neighbours nor able to forget the wrongs they had suffered because there had been no apologies, discussions, resolutions or follow-up. The researching elders promised to convene conversations and meetings that would bind them into the peace.

Surveillance connects people with one another, with the expectations of society and with the law. Many of those interviewed stressed the urgency of surveillance and the speed of response: "When we see indicators of

*conflict we rush to those groups and suppress it”* Mohamed Guyo, Moyale; and *‘people’s mistakes are punished immediately, we prevent any of their trouble when we see signs.’* Racho Boru Tulu, Turbi. Along with bad behaviour, false alarms and rumours about negative incidents or intentions must be quickly quelled. Even tiny events like a stray heifer, a stranger in the area or uncertain news may gain influence and momentum through the reverberations of *daimtu*. In answer to this, elders from customary office-holders living and herding in the bush to those in counter suits working in towns use whatever means are available – combining message-passing at watering points with phone calls and SMS, camels, buses and private 4x4s.

Elders have widespread relationships with people in neighbouring communities and with district administration, police and NGO staff. We witnessed or heard about many long-distance journeys and phone calls verifying and following up incidents: for example an elder telephoned the District Commissioner to relate a rumour, heard through other elders he had met in a town he was visiting, that a group of young men had gathered, apparently for a raid. He asked the DC to ‘play his part’ by sending police to confirm and, if necessary, respond. We heard of elders and leaders checking whether police are accepting bribes instead of turning suspects over to traditional legal processes; sending messages about stray animals and then travelling with them to see them safely returned to their owners, sometimes in a ceremony to mark unity between neighbours; collaborating with each other and with state authorities to make sure compensation payments are paid in full; and calling representatives of the administration, the police and NGOs to discuss adherence to traditional laws.

*“We have not stopped. We have pastoralist peace committees all along the border, which monitor stray animals from both communities. They follow up in their localities. If somebody is killed or injured they take action using the customary declarations that were put in place in the peace gatherings. We keep on looking after this peace.”*

Women, youth and others within the community also monitor the security situation. Women’s access to many different sections of society and what they describe as their ‘interest to know what is going on’ generates an interconnected web of surveillance. They notice what husbands, sons and friends are doing. They recognise signs – young men disappearing in groups together into the bush, convening for strategy meetings, readying weapons, or looking for encouragement from their wives and other women. Women can act individually or in groups to discourage violence and crime and promote peace. They describe how they sing songs and spread information that can quell feelings, while individual wives and mothers speak of the specific threats and entreaties they use to promote peace. These include threatening to return to their parents if he puts his life and the family’s security in danger (as opposed to promising to marry an enemy if a husband is not strong enough to raid that group’s livestock and bring some home), or simply turning away when a man sharpens his spear. Some women move from place to place speaking to other

women about peace – checking on it, pushing for it, pinning it down with information shared, advice given and stories told.

Young people too have a specific role in surveillance. The ‘scouting parties’ from Dillo and Dukana who met across the border and raised their guns for peace now continue to meet and to monitor peace. With their mobility, webs of relationships and various means of passing information, youth know when animals have strayed or tensions flare, and they know how to reach those concerned. Older people praise the young when they trace the owners of stray animals and organise their return, reporting wrong-doers to elders for punishment and following trouble-makers to stop them from raiding.

Other ‘peace actors’ including NGOs and District Peace Committees, have mandates from the state to undertake surveillance. According to many locals, the effectiveness of these often non-local groups depends on their connection with local systems of peace management. There are plenty of criticisms levelled at administrative and security agencies thought to lack responsiveness, initiative, neutrality or honesty; yet many elders are clear that such groups and individuals are a resource to be utilised and political powers to be managed, and that communities need to find appropriate ways to direct their manpower, vehicles and funds in positive directions. For example, one elder said, “the District Peace Committees are there so we will always work with them.” He explained that a ‘good’ elder has awareness of the entire social environment and knows how to bind all its elements together for the wellbeing of the community.

The territories of surveillance are multiple and intersecting: politicians, urban youth, rural women, herders, elders, police, administrators and peace actors each have their own domain. No one part of this interaction can take on the task of surveillance alone.

## Gatherings

*“As much as I know, Borana and Gabra negotiated, elders made them negotiate; the government doesn’t have the power to bring them together, only elders do” Hussein Hassan, Isiolo*

Probably the most commonly cited feature of the Borana Gabra peace process is the series of meetings, better known as gatherings, that took place in southern Ethiopia and northern Kenya between 2004 and 2009. We asked people if they had heard of the gatherings that made the public peace agreements – gatherings named after the places: Qarsa Dambi, Dukana, Maikona, Walda – and without exception, even among children and those as far away as Isiolo, they answered yes. Those who had been present were proud that they had been; civil servants rattled off the names; even people who knew little or nothing else about the peace were able to name key peace gatherings, and to name people who had attended. Townspeople and those in areas at war asked for more gatherings, forgetting the more quotidian activities of message taking, law and surveillance.

Many whom we met ascribed profound qualities to gatherings: bad relationships had been reconfigured into good ones and the seeds of a peace had been broadcast across a wide area. People who had been at gatherings,

those who were not present but whose communities benefited, and others who were neither present nor affected told the research team how the gatherings had 'unlocked peace'. In explaining how this had been achieved, many pointed to the fact of people coming together under one shade, sleeping, eating and talking over several days: "people are spread out, different communities are far from each other, and when that happens it's natural that people feel like enemies, but if they can be brought together at a gathering to sit, eat, and sleep together as one, that enmity will be driven out" Guyo Tete, Dukana.

The hospitality shown by the host community to its guests is said to be a powerful factor that binds people in peace, as one woman explained of a recent meeting across the border in Ethiopia: "When I was recently in Yabello for the meeting we were so happy, we were shown such brotherhood and sisterhood by that community in Yabello. We used to think that Gabra people could not walk safely in such places but we saw that that was in the past. So much hospitality was shown to us that it seems the tension and conflict is really in the past" Adi Umoru, Maikona.

Those who have shepherded the process are at pains to point out that meetings are not the whole story, but a link in a much longer chain. A large gathering such as that at Maikona is likened to the breaking of a wave; it is an event that can only occur because a critical mass of support for peace has built behind it. While a meeting can have an instant and powerful effect on a wide region, it is still only bringing together, finalising, and articulating something that is already in existence. As Molu Kullu put it, "When we came to the Dukana, Maikona, Walda gatherings, the messages had already been done, the peace was already in people's hearts, stomachs, bloodstreams; those gatherings were just fine tuning", and "the gathering of Walda was a final touch, a blessing".

A number of people who were interviewed were worried about the growing trend among peace actors to promote and support meetings alone. To their minds this puts the focus on an end result without referring to or investing in the process that leads up to and defines it. Accepting that an effective peace meeting can only be built on the basis of indigenous processes that have achieved a moral, legal and communicative readiness for peace, there are qualities of gatherings that many were keen to stress: including how they are planned, run and are followed up by internal champions, and how they incorporate and make use of outsiders. In a process far longer and more thorough than most participants and observers were aware, elders picked the place and time, identifying and inviting the right people and ensuring a host community takes full responsibility for its guests while securing support and resources for them. Molu Kullu explains the preparations for the Maikona event:

*"After Dukana myself, Adan, Hussein and Baraqo Katelo from Marsabit [Borana and Gabra elders] went to mobilise people: tell them about Dukana, invite them to Maikona and get their acceptance. We went to Turbi, Rawan, Walda, Sololo, Moyale, met the District Commissioner Moyale, District Officer 1 at Sololo, government administrators and community*

*elders in all those places, acting as messengers of Dukana and mobilisers of Maikona needing their confirmation. We set a date and worked with the Oromia Pastoralist Association in Ethiopia, asked Maikona community to accept the responsibility of hospitality for the gathering. We also asked the government what contribution they would give for the gathering and asked District Commissioners to give their welcome to guests from outside, from Ethiopia. All these things were done after Dukana. We never slept after Dukana."*

Elders organise and convene the discussions, teasing solutions out of impassable situations, sometimes 'cutting' the debate with tentative interpretations that sum up the direction of the debate (Bassi 2005). Once agreement has been reached, participants will follow up with *daimtu* that spreads news, and proposes any necessary further gatherings. A community member undertaking the will of the meeting will report accurately to the rest of her or his community. The resulting conversations across the pastoralist territories are as important to a meeting as those that take place before it and within it.

Women played key roles in public peace gatherings at Dukana, Maikona and Walda. At Maikona a group of women sung a song that was considered a turning point, a moment where peace entered the minds of those whose grief and anger had been too great to allow it before. Several informants remembered how people cried, both Borana and Gabra, and "forgot about war." This power notwithstanding, some women would like their contribution to go beyond the popular painting of them as a powerful yet emotional group force, acting *en masse* and apparently on impulse. Conscious of impacts like these, and required to meet standards of inclusivity and representation, outsiders investing in peace activities are keen to increase the role of women by raising their numbers at meetings and finding ways to integrate them into peace-building activities. The research team met women aware of and empowered by this growing interest in their influence. A small number have made the most of the stereotype to widen the space for their influence.

As well as being included in peace meetings women are being employed in peace-building by various external groups, but again, this is usually restricted to activities like singing, dancing, arts and drama which maintain the strictly gendered expectations some women are trying to break free of. Many struggle to find a platform as individuals, and against the male domination of peace forums and meetings speak of disparaging attitudes among men that try to sideline and minimise their contributions: "There are fewer women at gatherings and the culture at gatherings like Maikona prevents us from talking openly and confidently in front of all those men, those elders. It's traditional; we can be made to feel inferior. According to Borana the world was made for men, it can even be shameful to some for a woman to stand up and speak. And if I stand up to speak they always say, 'You have a few minutes...' – they never say that to men! So you get discouraged before you even start." Jillo Mumina Konso, Isiolo. Asked about the success of the Maikona peace gathering, the female head of a women's peace forum, who could

be classed as an urban and educated elite, responded with an eulogy to the traditional and emotional contributions of women: *“Women sang a peace song at that gathering. Women are peace-makers, and they and youth participated. They are so important in both peace and conflict, they motivate men to fight with their traditional songs. And in peace they’re the first, their hearts are softer; they can cry when they meet mothers of children killed, not like men – they can feel from the heart.”*

The success of the large peace gatherings rests on preparation and organisation. Failures, according to many we met, were meetings that were done according to the standards and preferences of outside mediators rather than those affected by the conflict. Even though participants often include high-level members of government and NGOs, people emphasise that the gatherings must take place in the bush, not in the hotel conference rooms these townspeople might be accustomed to. This point comes up again and again as a vital factor in the success of the gatherings: in the words of Dida Golicha from Isiolo, *“peace in Borana and Gabra areas succeeded because of dialogue facilitated by elders; here in Isiolo we might be called to meetings in hotels – it’s a waste of time.”* Giving his opinion on a new form of meeting that seeks peace but is organised by outsiders and carried out on foreign terms, a *dabella* from Huri Hills told how he had confronted the organisers of one such event, representatives of a local NGO: *“I asked, ‘what is the use of eating food here at this meeting? It is not helpful to me.’”*

Guests who were invited to gatherings such as Dukana, Maikona and Walda were invited to take part (not lead). No room for doubt was left when asking elders about the role of government in the meetings; it was made very clear that their authority should not overtake that of local and customary leaders but should exist alongside. Molu Kullu explained, *“when we have meetings we invite government, we explain about our institutions and ask for their support in upholding them, respecting at the same time the country law.”*

Negotiating this relationship between two very different authorities, the organisers are creating a new political space, one where government and customary authorities, men and women and younger and older people are present. The resourcing of the gatherings is an interplay between customary and non-customary worlds: in the case of Maikona, for example, while the local community hosted guests by slaughtering a bull and providing tea, the gathering was attended by hundreds of people and extra support was asked of targeted outsiders. Approached to provide support for transport of participants from northern Ethiopia and southern Kenya, outside organisations were informed that their support would be for an established process over which they would have little influence. This was the approach argued for by PCI, which has been supporting the elders’ process in this way since 2004.

Against the confidence and energy of these locally conceived and implemented gatherings, the shortcomings of other meetings are thrown into relief. Many people, particularly in parts of Isiolo, described with despair the resources wasted on poorly designed meetings that had reduced trust by staging broken promises

and empty rhetoric. The team heard stories of ineffective peace meetings where participating groups attacked each other. They described meetings that rounded up the wrong people at the last minute, and neither took account of the need for a long process of prior dialogue nor the need for the presence of suitable customary authorities. One example of this was a peace meeting arranged by a consortium of agencies that sought to bring peace between Samburu and Rendille communities and their neighbours. Elders and non-elders in the area spoke of frustration over the resources spent on private vehicles and food – as well as the time wasted and hopes dashed because almost everything else had been overlooked: customary authorities and long-term peace-building processes that should have underpinned the meeting were dismissed, as was the role of elders in planning and implementing the meeting, and wide and fair representation across communities. *“The organisers didn’t do a good job,”* said one commentator.

Elders know the potency of a well-rooted peace gathering in healing individual and collective wounds and bringing harmony and health to affected communities. After the research team had met a Gabra community originally from Chalbi, now displaced to Marsabit, Diba Kiyana commented: *“they need meetings and gatherings so the healing can happen.”* Building on a long established tradition of assemblies in pastoralist tradition, these gatherings represent a new configuration in which the moral consensus is mulled and reasserted, news exchanged from far and wide, stories told, judgments passed and blessings made, not only among pastoralists, but also among a range of other members of contemporary society in a process that draws them into the pastoralist tradition in a gently coercive and effective way.

## Conclusion

*“In telling the story of how this peace was built, we must emphasise that it took many years. It was step-by-step, step-by-step. ... The process that brought peace between Borana and Gabra was not an easy one. It went up and down, coming and going, making paths. We moved, we got stuck, we moved, we got stuck. Sometimes we were accused of betraying our people or betraying the others. The gatherings at Maikona and Dukana did not just happen. The process had crossed over valleys and hills for years before it reached those gatherings. So although it is now known as the Maikona peace declaration, it was much more than that”* Molu Kullu.

The leaders of the peace worry that the main part of the approach is being overlooked by a focus on large gatherings, its most visible aspect. The approach has been disaggregated here into four connected aspects – a revival of a moral consensus on peace; an activation of customary law in collaboration with state law; an emphasis on accurate communication; and a call to surveillance and action that is citizen monitoring. The whole is expressed as a conversation within society that travels between all its members, over time and across space.

Peace is the moral foundation of Borana and Gabra social institutions and practices. In prayer, elders do not say, 'let there be peace,' they say 'there *is* peace.' The assertion implies a state of god-given peace, along with people's responsibility towards peace and their capability of achieving it. Peace management is a duty fully recognised by most members of Gabra and Borana society. This is why pastoralists are so often perplexed by outsiders' interventions that operate as if there were no field of peace-making already in operation.

Local wars and unpunished crimes grow like weeds in the cracks between customary and state modes of authority, expressed in the tussle between forms of law, policing and administration. This conflict of authority is, in effect, a wedge driven through society, which is exploited by the opportunists who organise raids, criminal gangs and political militia, sparking off round after round of killing, raiding and reprisal. This is why many pastoralists we spoke to reiterated the central importance of coming to accommodation with the state and NGOs on institutional approaches to justice, security and resource sharing. When a failure of institutions undermines a consistent and fair peace, people's confidence is profoundly undermined. When the state, which is poorly represented and over-militarised, insists on the primacy of its own law and policing, it presides over an erosion of customary approaches, a spread of doubt and an increase in violence. Recent accommodations between customary and state institutions, tentative and informal as they are, have been a source of relief to many pastoralists. They are hailed as an innovation in which the old and the new, the local and the national are brought together in a new negotiation.

The long conversation about peace revived moral precepts and made use of practices of information exchange and surveillance that outsiders had barely noticed. *Daimtu* works because underneath its day-to-day chatter, people know well that its quality is measured in its rigour, accuracy and contribution to social and economic harmony. Accurate relay of news is useful as people move across distances and make agreements with others to trade, share water and grazing and to organise marriages, education and social welfare. It also feeds security, providing detail of incident and response. These elements work together to allow the interweaving of multiple ethnicities over a single territory, moving in and out, clustering and scattering.

*Daimtu* (information) and *aburu* (surveillance) follow different channels. Women's *daimtu* is often honest about

the powers of emotion and desire and the complexity of family, and we heard how both rural and urban women act on issues of harmony, sometimes for, sometimes against. Men's *daimtu* is often focused on material and symbolic exchange – questions of resources, land or water, and questions of how their work and society should be interpreted. Together under the rule of accuracy and avoidance of speculation, these types of *daimtu* weave a remarkable peace. Link to this the variegated contributions of children playing in the yard, young people at school, people working in government and NGO offices, people in the livestock markets and on the roads, and people in trade and business, and the result is a society capable of being well-informed about itself and active in its self-governance.

This particular conversation has strengthened customary systems in a contemporary context. It has underscored commitments to governance and justice and created the kind of peer pressure that coerces conformity and isolates people who threaten it. Elders have deployed written declarations and agreements with government to draw in the power of the state. They have formed registered associations, such as PSI and OPA, based in customary laws and institutions to work alongside the state and NGOs. It is a dialogical mode of peace-making that tries to combine customary and bureaucratic legitimacy in a tentative embrace. Its weaknesses lie in a struggle for who has the right to govern – who has the right to be right.

It is clear that unity, peace and cohesion are not equally strong in all the areas covered by the research. Different sections of society evidently see things differently from one another. Many forget the tasks of customary law, *daimtu* and surveillance. Many women feel that their own role is poorly understood and underrated. Some young people living in towns feel that they should be more deeply consulted. The study suggests that the task of bringing different social groups into alignment in peace management is a continuous one. Nonetheless, many people we met in neighbouring communities are confident that the customary way of building peace is strong enough, in the right hands and in agreement with the government, to be extended to their areas and to other non-Borana-Gabra groups. The most obvious recommendation for government, NGOs, donors, and others interested in peace is that, rather than trying to run such processes themselves, they should give their backing to what is already successful.

*"This document contains a lot of experience and will be able to teach people about our peace process."* Adan Sora.

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