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## THE ROLE OF TRADITIONAL LEADERS ON CONFLICT RESOLUTION IN MOGADISHU-SOMALIA

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### ABSTRACT

*Traditional leaders have been involved in solving conflicts in Africa for many decades yet their input in international conflict resolution have not been documented widely compared to the modern conflict resolution techniques. These leaders are still highly respected and used in conflict resolution in Africa and Asia compared to the European States, therefore their input in conflict resolution should not be overlooked, instead they should be encouraged, facilitated and included especially in mediation to be able to have local ownership of peace processes. In Africa, generally and in Somalia locally most of the conflicts come from unequal distribution of resources, widespread corruption and ethnicity. Somali Peace Process held at Mbagathi, Kenya proved to be a good case study since Somalia is one of the African communities which still hold their traditional leaders in high esteem and still use these leaders in indigenous conflict resolution institutions such as Shari'a courts to solve disputes between clans, sub-clans and in the rural areas where modern institutions of conflict resolution are few.*

*The main purpose of this study was to do a critical analysis of the role of traditional leaders in conflict resolution, to look at their importance in conflict resolution and propose of recommendations that would contribute to strengthening the use of traditional leaders in international conflict resolution.*

*The research findings were based on broad literature review and were supplemented with questionnaires. Different categories of respondents were distributed 80 papers of the research questions. The respondents contained 77 male whereas only 3 were female. Most of the respondents strongly agreed our questionnaire while only a few number ticked disagree or strongly disagree. The objectives of this study was to examine the role of traditional leaders in conflict resolution. To examine the role of traditional leaders in the peace process in Somalia.*

**KEYWORDS :** *Roles of traditional leaders in conflict resolution, The trends and perspectives in the use of traditional communal leaders in mediation process, The management of challenges facing the traditional leaders in mediation process.*

### 1.0 INTRODUCTION

The world has transformed rapidly in the decade since the end of the Cold War. An old system is gone and, although it is easy to identify what has changed, it is not yet clear that a new system has taken its place. Old patterns have come unstuck, and if new patterns are emerging, it is still too soon to define them clearly.

The list of potentially changes is familiar by now: the end of an era of bipolarity, a new wave of democratization, increasing globalization of information and economic power, more frequent efforts at international coordination of security policy, a rash of sometimes-violent.

Among the many scholarly works that address these changes and assess their potential implications are those of ((Ruggie) (1993)) (Joseph (1998)) (Held et al. (1998)) (Russett)(1993), Doyle (1997), Keck and (Sikkink (1998)) (Placeholder1)and (Ruggie) (1993) expressions of claims to rights based on cultural identity, and a redefinition of sovereignty that imposes on states new responsibilities to their citizens and the world community.

These transformations are changing much in the world, including, it seems, the shape of organized violence and the ways in which governments and others try to set its limits. One indication of change is the note worthy decrease in the frequency and death of international wars in the 1990s. Sub national ethnic and religious conflicts, however, have been so intense that the first post-Cold War decade was marked by enough deadly lower-intensity conflicts to make it the bloodiest since the advent of nuclear weapons (Wallenstein and Stoltenberg, 1996). It is still too soon to tell whether this shift in the most lethal type of warfare is a lasting change: the continued presence of contested borders between militarily potent states—in Korea, Kashmir, Taiwan, and the Middle East—gives reason to postpone judgment. It seems likely, though, those efforts to pre-Suggested Citation:"Conflict Resolution in a Changing World." ((2000).)

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

Somalia's development of local security and governance structures over the past decade has been possible in large part due to the re-emergence of justice systems across the country. A mixture of modern, traditional and religious systems now provide more social order, less impunity and greater trust in the vision of a —Somali statell. These mainly community-based systems regulate a wide variety of affairs, from

constitutional crises in regional political administrations to the enforcement of business contracts and the settlement of marital disputes. Although this trend has not provided for a full consolidation of rule of law by ending the use of arbitrary power, it has facilitated the development of Somalia's growing economy, an increasingly active civil society, and the re-establishment of the country's social fabric through local peace building efforts.

In 1960, Somalia became an independent state from the United Kingdom and Italy. Even with a history of colonization, the Somalis remained a fairly homogeneous nation in language, ethnicity, culture and religion, which is highly unusual for the African continent. For the first years of its independence, Somalia enjoyed relative internal peace, despite constant boundary disputes with neighboring Djibouti, Ethiopia and Kenya. In 1969, following the assassination of President Abdirashid Ali Shermarke, Somali National Army General Mohamed Siad Barre seized power in a coup d'état. He proclaimed Somalia a socialist state, and had the military and financial backing of the Soviet Union. The subsequent freezing of aid by Western donors in 1988–1989 led to the rapid withering of a central government left virtually devoid of resources. Siad Barre ultimately failed to consolidate power effectively domestically, which led to a complete government breakdown in 1991.

The withdrawal of foreign peacekeeping troops during the 1990s brought new rounds of conflict between Somalia's militia factions, which spread across southern Somalia. Clan-based factions began to split into competing subclan militias, and their leaders became increasingly entrenched in localized political and economic issues. Conflicts between the militia factions remained serious, claiming many lives, and continued to impede opportunities to build national unity.

According to Ken Menkhaus, the brutal civil war altered the fundamentally predatory relationship between many faction leaders, their militias and the communities that hosted them: the symbiotic relationship between armed groups and villagers evolves, the line between extortion and taxation, between protection racket and police force is blurred, and a system of governance within anarchy is born. The overlap between community interests and armed groups' interests meant that popular pressures for social stabilization began to influence and even circumscribe some armed groups' activities. Efforts towards a locally driven process of re-establishing grassroots governance in Somalia began to materialize, and saw the opportunity to strengthen local conflict management mechanisms

In conclusion, conflicts were solved by traditional leaders and elders whereas today conflict

management is as a result of increased interdependence of the society.

## 2.0 LITERATURE REVIEW

Conflicts existed long before colonization of Africa and it was the task of the traditional leaders to solve these conflicts. Therefore it is important to recognize them in international conflict management. Most of the African societies still prefer the use of traditional and informal justice and reconciliation forms to help in conflict resolution because most of the populations still live in the rural areas, limited infrastructures in the state justice systems and the unfair justice systems provided at the formal courts which tend to favor the rich in society hence it cannot be trusted.

The traditional elders and chiefs have been mediating in violent conflicts where they give penalties which focus on compensation and restitution in order to restore status quo. These leaders also act as facilitators in conflict resolution whereby they reconcile parties by helping them negotiate in a peaceful manner so as to live harmoniously in the community.

African societies also have a preference for traditional institutions because it deals with reconciliation, well embedded in the African culture, allows flexibility in its proceedings and re-establishes social harmony. Nonetheless, their role in mediation of conflicts has remained null, since the conflict managers and regional institutions have gained popularity in international conflict management. Traditional community based mechanisms such as the use of traditional leaders in conflict resolution are still used in regulating conflict and providing justice in Africa therefore their role in mediation processes should not be overlooked.

### 2.1 Traditional Leaders and Conflict resolution in Somalia

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

The clan leaders in Somalia have been known to facilitate communication and act as mediators in Somalia peace processes whether at clan level or national level by bringing together area of jurisdiction, therefore these leaders can make peace or bring war

making them elusive characters in international conflict management, that if not studied and handled carefully can create destruction in Somalia with or without a stable government. For instance there was less enthusiasm when the Transitional Federal Government of Somalia drafted a constitution to put in place a stable government in 2011 which was more focused on state building than peace building undermining the reconciliation efforts in the country since most resources were geared towards capacity building hindering the healing process yet this is more important than any development of a country since the stability of a country depends on the positive peace.

Davidson argues that the clan system defines Somali social relationships and politics. Reconciliation conferences in Somalia have failed to address real grievances and have instead been vehicles for furthering these interests since the process is not inclusive and participatory.

A distinction is however made between South Central Somalia and Puntland because despite the abundance of local peace processes in South Central Somalia, they have not led to the establishment of more durable government structures of the type that have emerged in Puntland and Somaliland. Touval adds that, traditional elders have played a critically important role in mediating and regulating the interactions between local communities in these two regions.

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

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

Zartman adds that traditional elders are generally groups which can exert considerable power and influence in Somalia but which are poorly organized and divided, hence not actors in the politically strict sense. This inhibits the role of traditional actors in the process of mediation, negotiation or reconciliation. Owusu argues, Traditional leaders are important part of the local political fabric in Africa that we cannot talk about democracy from below, from the grassroots, without talking about the chief. On the other hand, the role of traditional leaders is seen as a preserve of men, this is regarded by Sirens who argues that it is an intentional attempt to malign women who also are part of the clan ruling system. Davidson also observes that in Somali society it is men, specifically the elders, who traditionally have the means to make peace through dialogue and mediation. But although women are typically excluded from decision making forums where peace accords are negotiated, their position within the clan system gives them the ability to bridge clan divisions and to act as a first channel for dialogue between parties in conflict. Women influence elders to intervene in conflict and mobilize resources to finance peace meetings and support demobilization, While men typically focus on achieving political settlement, with the assumption that peace will ensue, women's vision of peace exceeds this and includes sustainable livelihoods, education, truth and reconciliation.

### **Concepts of traditional conflict resolution**

The concept of traditional resolution became prominent in the late 1990s up to now (Tiet el, 2015; Sandoval, 2014) as a response to gross human rights violations committed by mostly government and the security agencies in some parts of the world. Human rights groups and civil society organizations saw the need to limit disputes and demand accountability, and found an answer to this through human rights and other international factors. (Sandoval, 2014; Tietel, 2015). Tietel (2015, p.389) traced the rise of traditional peace building and justice to the demand for accountability resulting from the phenomenon of disappearances in Latin America. Others like Clara Sandoval (2014, p.181) have associated the emergence of transitional justice with the need for social change in societies that have experienced decades of massive human rights violations. They argued that unless the truth about such massive violations were told, some forms of reparations offered to victims and guarantees given that those violations will never recur, there would be no reconciliation, lasting peace and democracy (Sandoval, 2014; Mendez, 1997; International Center for Transitional Justice), 2009). Although there are several views that explain the meaning and scope of concept of transitional justice, I find the definition proffered by the International Center for Transitional Justice (ICTJ) most appropriate for this study. ICTJ

(2009) has defined transitional justice as: the set of judicial and non-judicial measures that have been implemented by different countries in order to address the legacies of massive human rights abuses. These measures include criminal prosecutions, truth commissions, reparation programs, and various kinds of institutional reforms (ICTJ, 2009 p.2). From this definition, transitional justice is an approach ((ICTJ), 2009; Sandoval, 2014) to achieving justice as society transitions from conflict to a stable and more democratic one where the rule of law is supreme. Accordingly, the elements of a comprehensive transitional policy include criminal prosecution, reparations (where society takes steps to recognize the harms that people have suffered and address them), institutional reform, truth and reconciliation commissions (ICTJ, 2009; Tietel, 2015; Okimoto, Wenzel & Feather, 2012). The contributions of scholars like Okimoto, Wenzel and Feather (2012), Christie (1977) and van Prooijen and Coffeng (2013) have helped in having a clearer understanding of how the concept of transitional justice can be applied in post conflict justice processes and mechanisms to achieve the desired impact of lasting peace. According to Okimoto, Wenzel and Feather (2012), justice can be viewed from twoperspectives: from the perspective of what is done to address the harm suffered by the victim, or retributive justice, and from the perspective of restoration, or restorativejustice. Okimoto, Wenzel and Feather (2012) further explained that people who hold the view of justice as being retributive perceive justice as —the unilateral imposition of justdeserts against the defenderll (p.255). To them, unless an equal measure of punishment is given to offenders, justice cannot be deemed to be served (see Forsythe, 2011; Sirleaf, 2014). Brickhouse's (2014, p.194) work on corrective justice espoused this view wherehe argued for the equalization of goods or evils for the parties involved.

The restorative school of thought, on the other hand, views justice as —achieving a renewed consensus about shared values violated by the offenderll ((Okimoto)Wenzel & Feather, 2012 p. 255).This differentiation is important because it helps in understanding and clarifying the expectations and perceptions of victims about the justice system as society tries to resolve conflicts and build peace.

As Christie (1977) demonstrated in her work, ignoring the expectations of victims in the transitional justice processes not only robs them of their rights but also jeopardizes the chances of success in such peace building processes. The works of Christie (1977) and Okimoto, Wenzel and (Feather) (2012) further showed that restorative mechanisms that offer both victims and offenders the opportunity discuss, explain and collectively resolve issues and perceived violations and

arrive at middle grounds, with emphasis on healing and mending relationships, are generally more preferred by crime victims. Van Prooijen and (Coffeng) (2013) however sounded a caution which is worth considering in transitional justice processes. They posited that in the case where society has negatively stereotyped some ethnic groups, victims tend to expect more severe punishment for offenders who belong to such ethnic groups.

Negatively stereotyping some ethnic groups might also affect how evidence is evaluated in a postconflict peace process and further influence the way society and security agencies handle potential threats in a conflict situation as demonstrated by the work of Correll, Park, Judd and ((2002)). This means that as society seeks to build peace, objectivity, especially in gathering evidence and punishing offenders, is important for there to be acceptance and lasting peace. A holistic approach to transitional justice has been suggested by scholars because to them, in most cases, the scale of human rights violations is too large and complex to be dealt with effectively by one single mechanism ((Sirleaf)2014)Forsythe, 2011).

In a guidance note on transitional justice, the United Nations (2010) explained that the frontiers of transitional justice have been expanded and practitioners are now increasingly interested in issues such as those that characterize ethnic conflicts, including ethnic cleansing, reconciliation among communities, massive human rights violations and reparations among others.

Therefore, an understanding of the nature and challenges of transitional justice processes and mechanisms will be relevant in understanding why the Dagbon conflict persists despite the efforts to resolve it since the 2002 outbreak of hostilities. The United Nations (2008) has recommended that to understand the transitional justice needs of a post-conflict environment; the necessary starting point should be an assessment of the causes of the underlying conflict among other measures. The following section is therefore devoted to understanding the causes of conflicts before the responses to them are synthesized and presented.

### 3.0 METHODOLOGY

This study will be conducted through descriptive survey research design which is a common design in social research, under the descriptive research. The researchers' purpose is to describe and give details how characteristics vary together.

Survey design is —present oriented methodology used to investigate population by selecting samples to analyze and discover occurrences. Survey study is used for exploratory and descriptive research.

So this study will be conducted through survey research design because this study is exploratory study, the quantitative data will be collected through questionnaire and analyze data descriptive analyze. This study will be conducted in Mogadishu. The target populations are unclear because the number of elders and traditional leaders are unknown. Approximately traditional leaders and elders will be selected from the target population as sample size in order to get suitable information. The sample will consist of 80 respondents selected from unknown target population.

The researcher used random sampling using Slovic's formula. The sampling procedure of this study will be probability sampling particularly simple random sampling, because every respondent of this study has equal opportunity of being selected. So, the probability sampling is the only sampling procedure that ensures the selection of a representative sample (Amin, 2008). The study will be utilized questionnaire adapted. As the main tool for collecting data. Questionnaire is —a technique of data collection in which each person is asked to respond to the same set of questions in a predetermined order. Questionnaire techniques have been adapted in collecting primary data process as it provides an efficient way of collecting responses from a large sample size.

The questions will be then slightly modified by using expert opinions to adapt to the local context. Researchers have selected questionnaire as it has the following advantages:

First, it provides an efficient way for collecting responses from a large sample size. Second, it requires less skills and sensitively than semi-structures and in-depth interviews, The issue reliability is one important aspect that is worth to be considered when selecting research design. Thus the study should have to be aware of the threats of reliability of the result in this study. Descriptive analyze will be used to analyze data and SPSS (statistical package for the social science) version 22 is used to help to analyze data. Descriptive analyze —is the use of measures of central tendencies such as means, median and mode and measures of dispersion such as range, quartile deviation, standard deviation and variance to describe a group of subjects. Descriptive statistics enable you to describe variables numerically. Descriptive statistics will be used because the data that the research team intends to collect is categorical frequencies of the descriptions.

views, opinions, perceptions and attitudes of the respondents on the role of risk mitigation on organizational performance in Mogadishu and intends to collect numerical data through questionnaire so descriptive statistics enable you to describe numerically.

#### 4.0 SUMMARY FINDING

The research looked in the roles carried out by traditional leaders in conflict resolution as well as identifying the capacity gaps that exist in their operations. It also tried to find out if there is any form of training undertaken by traditional leaders to achieve their objectives and to do well their duty and responsibility. The study aimed to find out the levels of the respondents and how traditional leaders can improve their role of conflict resolution. During the research the researcher got from the output of the data analysis and understood that majority of the respondents strongly agreed our questions. The number of the respondents which strongly agreed the question in every table is more than all other respondents. In the other hand the number of respondents which agreed the questions are more than the number of disagreed respondents..

As we can see from the data analysis tables only a few respondents ticked in boxes market disagree and strongly disagree. Our questionnaire consisted 80 papers and our sample size was 80 respondents. Most of the respondents were male or 77 of the respondents while a few of the respondents or 3 of them were female.

#### 5.0 CONCLUSIONS

This study came to an end by revisiting the last objective which was to examine the role of traditional leaders in conflict resolution which can be used to inform the traditional leaders in Somali conflict management.

In the background of the study we talked about the traditional leaders and conflict resolution globally, nationally and locally. It introduced some of the changing that was taking place in the world as well as the changing which is taking place in our country, particularly in Mogadishu.

Mwagiru globally speaking said: Conflict management refers to the management of conflicts by which parties of a conflict come together to solve their conflict or differences between them (Mwagiru, 2006)

The other hand Somalia has been without a functioning central government since the late dictator General Mohamed Siad Barre was ousted in 1991. During that date the Somali people entered a vague decades of civil wars and constant conflict between the clans, tribes, families and also entirely whole the community. During the period that Somalia was without government the traditional leaders took their role of conflict resolutions and mediating clan and community disputes.

#### 6.0 RECOMMENDATION

- ✓ The study recommends that traditional leaders be given prominent and active roles in the
- ✓ Conflicts resolution among communities and nations to sustain peace, enhance the stability.

- ✓ Reduction of future conflicts as currently witnessed in Somalia.
- ✓ The study additionally recommends for the inclusion of the traditional communal elders.
- ✓ The council of traditional leaders should supplement the decisions taken from disputes
- ✓ The study recommends that Justice System is the main issue applicable in any resolution.
- ✓ The study found out that varied efforts were required as possible solutions to help end the Somalia conflict as stated by majority of the respondents
- ✓ The study recommends that all societies in Africa and the world over take steps to Strengthen the activities of the traditional leaders in the management of peace And conflict resolutions.
- ✓ They should be provided with resources, finances and training to enable them be More knowledgeable in the current peace and mediation efforts.

#### 7.0 FURTHER RESEARCH

Firstly, this study is used for quantitative approach as a research method of data collection. The primary data and the objectives of the questions had affected overall the results of the study. So, the quantitative approach of the data method produced significant results. Secondly, the sample size of the questionnaires were 80 papers and distributed into 80 respondents, There were no wasted papers and the research held in the two districts of Hodan and H/wadag The research instrument used was questionnaire because it was applicable to conflict resolution research processing. The researcher focused about the following issues of conflict resolution.

- ✓  The role of traditional leaders on conflict resolution.
- ✓  The relationship between traditional leaders and conflicted communities.
- ✓  Creation of security and stability situation

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