



APPLYING TIMOR LESTE TRADITIONAL CONFLICT RESOLUTION ON THE TIGRAY WAR CONFLICT: JAARSUMMAA AND QAALLUU METHOD

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Abstract

The Tigray War is an ongoing civil conflict that started on November 3, 2020, in the Tigray Region of Ethiopia. The idea was first raised in June 2005 by the International Criminal Court (ICC), which said that "the normal procedure of conflict resolution might meet the criteria of fairness." This article examines the Gada system's Jaarsummaa and Qaalluu dispute resolution strategies, taking inspiration from traditional Timor-Leste conflict resolution. This study used qualitative methods, collecting secondary data from various library and internet sources, including books, journals, reports, news, and articles. Analysis and in-depth case studies of the data obtained, as well as examination of the relationship between the fundamental framework and the planned cases, are part of the data processing process. One of the results of this study shows that culture, customs, and norms that have existed for a long time will be bound by society, and from there many customary rules are born. Due to its traditional values, tara bandu is a traditional conflict resolution method that can have a greater impact on conflict mitigation in Timor-Leste.

Keywords: Tigray War, Mace system, Jaarsummaa, Qaalluu.

Abstrak

Perang Tigray adalah konflik sipil berkelanjutan yang dimulai pada 3 November 2020, di Wilayah Tigray Ethiopia. Ide tersebut pertama kali muncul pada Juni 2005 oleh Pengadilan Kriminal Internasional (ICC), yang mengatakan bahwa "prosedur normal penyelesaian konflik mungkin memenuhi kriteria keadilan." Artikel ini mengkaji strategi penyelesaian sengketa Jaarsummaa dan Qaalluu sistem Gada, mengambil inspirasi dari resolusi konflik tradisional Timor Leste. Penelitian ini menggunakan metode kualitatif, mengumpulkan data sekunder dari berbagai sumber perpustakaan dan internet, termasuk buku, jurnal, laporan, berita, dan artikel. Analisis dan studi kasus mendalam dari data yang diperoleh, serta pemeriksaan hubungan antara kerangka fundamental dan kasus yang direncanakan, merupakan bagian dari proses pengolahan data. Salah satu hasil dari penelitian ini menunjukkan budaya, adat istiadat, dan norma yang telah ada sejak lama akan terikat pada masyarakat, dan dari situlah lahir banyak aturan adat. Karena nilai tradisionalnya, tara bandu adalah metode penyelesaian konflik tradisional yang dapat berdampak lebih besar pada mitigasi konflik di Timor-Leste.

Kata Kunci: Perang Tigray, sistem Gada, Jaarsummaa, Qaalluu.

INTRODUCTION

Since November 2020, Ethiopian government troops and their allies have been battling the Tigray People's Liberation Front (TPLF), the country's northern region's ruling party. However, the fighting has escalated swiftly since the Ethiopians suffered a series of setbacks in June, and the TPLF has gained new supporters. Eight other rebel organizations, including the Oromo Liberation Army (OLA), declared their alliance with the TPLF amid rising rumors that

they will attempt to march on the capital after making a number of military advances.¹ They're up against the Ethiopian National Defense Force and irregular fighters from Amhara, a region south of Tigray. Eritrean military, who border Tigray to the north, are also fighting on the government's side. Isaias Afwerki, Eritrea's president, is close to Ethiopia's prime minister, Abiy Ahmed, and is a sworn adversary of the TPLF, which governed Ethiopia during a border conflict between the two nations. The TPLF dominated Ethiopia's coalition government until 2018, when discontent among Ethiopia's major ethnic groups, the Oromo and Amhara, led to Abiy Ahmed's election to Prime Minister, despite his mixed Oromo-Amharic ancestry. However, as the conflict dragged on, Abiy progressively lost popularity, which led to the development of the alliance between the TPLF and the OLA, two groups who had been longtime rivals.²

combining established dispute resolution mechanisms with local understanding. They can investigate a new method in which a tribal and traditional dispute resolution system could provide a fresh contribution and a window of opportunity for resolving legal difficulties arising. The Tigray war have a similiraty with Timor Leste conflict. Since Portugal's withdrawal in 1975, conflict has raged in Timor Leste, formerly known as East Timor. In the middle of conflict between Timorese political organizations that year, Indonesian forces infiltrated. Indonesia designated Timor Leste as its 27th province a year later. Since then, many people in East Timor have been unable to accept Indonesian rule due to the fact that East Timorese have created a distinct culture and adhere to a different religion than the rest of Indonesia. As a result, they founded the Revolutionary Front for the Liberation of Timor Leste (FRETILIN) and the Armed Forces for the National Liberation of Timor Leste to combat the Indonesian government (FALINTIL). Fighting may have killed up to one-third of the 650,000 inhabitants throughout the years. Even after UNTAET (United Nations Transitional Administration in Timor Leste) and the Australian-led International Force in Timor Leste (INTERFET) intervened in 1999, the crisis in Timor-history Leste's is far from ended.³

To decide East Timor's destiny, the Indonesian government approved a referendum for August 30, 1999. The Indonesian parliament annulled Indonesia's acquisition of the province after almost four out of five voters favored independence.⁴ During this period, there was widespread violence as pro-Indonesian factions, supported by Indonesian security forces, attempted to terrify pro-independence East Timorese by waging a campaign of violence and damage across the

¹ J. Burke dan D. Sabbagh, "Ethiopia-Tigray War: Who Is Fighting and What Has Been the Toll?," 2021, <https://www.theguardian.com/world/2021/nov/05/ethiopia-tigray-war-who-is-fighting-and-what-has-been-the-toll>,.

² Ibid.

³ T. Wassel, "Timor-Leste: Links between Peacebuilding, Conflict Prevention and Durable Solutions to Displacement," t.t.

⁴ "East Timor | History, Independence, Flag, & Facts | Britannica," diakses 2 Februari 2023, <https://www.britannica.com/place/East-Timor>.

province. In the same year, a multinational force commanded by Australia was despatched to East Timor to restore order. On May 20, 2002, East Timor changed its name to Timor Leste and declared independence.

Despite internal criticism and concerns about impending fragmentation, Indonesia and Timor-Leste have mostly established positive bilateral ties. This was evident in March 2005, when both governments signed the Commission of Truth and Friendship in Jakarta, which established a traditional method of conflict settlement. This offered both countries fresh optimism in resolving their differences. The International Criminal Court (ICC) proposed the concept in June 2005, arguing that "conventional mechanisms of conflict settlement may potentially satisfy the requirement for justice." This declaration kicks off efforts by the international legal community to address challenges of peace and justice by from crime-related conflicts.

THEORETICAL FRAMEWORK

A. Local Empowerment

On an international, regional, and national level, empowering local people to manage their own issues through traditional mechanisms is seen as a way to resolve disagreements, restore harmony, and create peace. These debates present both challenges and opportunities. The ability to recognize, adapt, and assist non-western conflict-resolution systems, which many countries still have, is where the potential lies. However, the potential can only be realized if concerned individuals around the world work together to create synergies that can reduce the destructive effects of these disputes through improved communication in cultural, commercial, and political settings. One of the synergies would be the recognition of social, cultural, traditional, and religious diversity among peoples and nations.⁵

B. Custom Settlement

Mediation or arbitration is the traditional method of dispute resolution. Arbitration is becoming more popular in the settlement of civil cases. Whereas mediation is an attempt to resolve disputes between parties through mutual agreement through a mediator who is neutral and does not make decisions or conclusions for the parties but supports the facilitator to carry out dialogue between the parties in an atmosphere of openness, honesty, and exchange of opinions to

⁵ A Azis, "The Use of Traditional Conflict Resolution: A Case Study of Timor Leste," dalam *Proceedings of the Proceedings of the First Brawijaya International Conference on Social and Political Sciences, BSPACE, 26-28 November, 2019, Malang, East Java, Indonesia* (Proceedings of the First Brawijaya International Conference on Social and Political Sciences, BSPACE, 26-28 November, 2019, Malang, East Java, Indonesia, Malang, Indonesia: EAI, 2020), doi:10.4108/eai.26-11-2019.2295153.

achieve consensus, a problem-solving negotiation process is a process in which an impartial and neutral outsider works with the disputing parties to achieve consensus.⁶

RESEARCH METHODS

This study employed a qualitative method, gathering secondary data from a variety of library and internet sources, including books, journals, reports, news, and articles. Analysis and in-depth case study of the obtained data, as well as examination of the relationships between the fundamental framework and the planned case, are all part of the data processing process. It employed an analytical approach that explains the data analysis procedure and, in the end, makes a conclusion about the study in question.

RESULT AND DISCUSSION

Local leaders and academics believe that "tara bandu," a traditional method of conflict resolution, can have a greater impact on conflict mitigation in Timor-Leste at the community level. Traditional rules and rituals are used at tara bandu, or oath ceremonies, to control interactions between individuals and competing groups. During a tara bandu ritual, the villagers will normally gather for dancing, prayer, speeches, and the sacrifice of an animal. After making a collective commitment to cease using violence or encroaching on other people's property, they will also usually agree on a fine to be paid for the conflict. Money, livestock, or other resources might be used as the punishment. Elderly tradition known as tara bandu is widespread in Timor-Leste, however it differs amongst groups and has never been formally incorporated into the legal system. With a noticeable increase in the settlement of conflicts brought on by land disputes, resource management, family disagreements, and alcohol-fueled violence, the rituals are already showing positive results. Traditional practices, according to José Belo, head of the UNDP's crisis prevention and recovery section in Timor-Leste, "play a significant role in communities," but they are not a universally effective answer.⁷

In Africa, they also have traditional conflict resolution method. African cultures possessed institutional procedures as well as cultural sources to sustain the principles of peace, tolerance, solidarity, and respect for and of one another long before they were colonized and well before the slave trade. "Peace education, confidence-building, peacemaking, peacebuilding, conflict monitoring, conflict prevention, conflict management, and conflict resolution" were the

⁶ Tamarasari Desi, "Pendekatan Hukum Adat Dalam Menyelesaikan Konflik Masyarakat Pada Daerah Otonom," *Indonesian Journal of Criminology* 2, no. 1 (2002): 4219.

⁷ "Timor-Leste Promotes Traditional Conflict Resolution - Timor-Leste | ReliefWeb," 7 Juni 2013, <https://reliefweb.int/report/timor-leste/timor-leste-promotes-traditional-conflict-resolution>.

responsibilities of these entities.⁸ If these procedures were successful in resolving and managing interpersonal problems, it was primarily since they represented the sociopolitical orientation of the African people, addressing all social, political, and economic issues among a people that lived communally. As a result, it was both conventional and commonplace to see individuals getting together informally to discuss and agree on significant problems. There were several ideas driving dispute resolution in traditional African civilizations before to colonization. Those who want their disagreements settled must have faith in the tribunal that will decide the case.

Moreover one-third of Ethiopia's population belongs to the biggest ethnolinguistic group, the Oromo, who speak a language from the Cushitic branch of the Afro-Asiatic family. The Oromo people, who had previously only been found in the southeast of the nation, began migrating in waves throughout the 16th century CE. All southern Ethiopia was under their control, and some of them settled along the Tana River in Kenya. They also controlled most central and western Ethiopian provinces, including the southern Amhara area, and farther north, the Welo and Tigre districts close to Eritrea.⁹ The Oromo people of Ethiopia follow the ancient gada form of government, which was created using wisdom gathered over decades of communal experience. The system controls the community's political, economic, social, and religious activities and addresses topics like dispute settlement, restitution, and the defense of women's rights. It acts as a tool for enforcing moral behavior, fostering social cohesiveness, and expressing aspects of local culture.¹⁰

Gada is divided into five classes, with the governing class including a chairperson, officials, and an assembly. Before a class may exercise control, it must go through several grades, with the leadership changing on a rotating basis every eight years. Men who already have dads in the class are eligible to join, and decisions on the protection of women's rights are made with the input of women. Oral historians instruct the classes, which include topics like as history, legislation, rituals, timekeeping, cosmology, mythology, codes of behavior, and the operation of the Gada system. Major clans have constructed Gada centers and ceremonial areas according to region, but meetings and rituals are held under the sycamore tree, which is regarded as the Gada emblem.

⁸ A.J. Ademowo, "Conflict Management in Traditional African Society," dalam *Engaging the Future in the Present: Issues in Culture and Philosophy* (Ibadan: Hope Publications, 2015).

⁹ Christopher Clapham, *The Horn of Africa: State Formation and Decay* (Oxford University Press, 2017).

¹⁰ "UNESCO - Gada System, an Indigenous Democratic Socio-Political System of the Oromo," diakses 2 Februari 2023, <https://ich.unesco.org/en/RL/gada-system-an-indigenous-democratic-socio-political-system-of-the-oromo-01164>.

The peaceful cohabitation of Oromo with the nearby Oromo and non-Oromo people is peace in the Gadaa system.¹¹ The Gadaa system was a collection of ideals, traditions, rules, and principles that dealt with many facets of Oromo life. It is imbued with moral principles that "prevent injustice, social problems, and political disarray" inside the Oromo community. The Gadaa philosophy of peace demonstrates that anything that threatens the tranquility of nature, and the harmonious interaction of people is unacceptable. It is regarded as being insulting to both the creator, who provided the regulations included in the Gadaa system, and the entire purpose of creation. In a similar spirit, the Gadaa system integrated principles of fostering peace for societal harmony and peaceful cohabitation. A "culture of peace, gender equality, solidarity, peacemaking, development, human rights, justice, natural resource, and environmental management" was also incorporated into the Gadaa system.¹²

All people are revered under the Gadaa system. The Gadaa system operates in accordance with Waaqaa, which values harmony and respect for all people. Accordingly, the interview data from Abbaa Gadaa shows that respect is the foundational principle of creation upon which dependency is based. Respecting nature in this way ensures that trees are respected, people are treated with dignity, and that our shared existence is sustained. Another interview outcome showed that someone who is valued for their dignity, individuality, values, and goals will try to promote lasting peace, growth, and prosperity.¹³

This implies that respect is the cornerstone of mutual existence in the Gadaa system, guaranteeing the ability of a person, item, or act of nature to peacefully interact with everything around it. In the Gadaa system, respect is derived from one's relationship with Waaqaa and his rules, with nature, and with other people.¹⁴ Respect makes it easier for individuals to engage peacefully. In this way, interactions between the Oromo people and other groups are kept peaceful and amicable. All members of the society feel comfortable and develop a feeling of dignity when the concept of respect is deeply ingrained in their way of life. People in society adhere to accepting variety when the culture of respect is upheld. Therefore, a foundation for peaceful cohabitation and long-term peacemaking in society is tolerance of variety.

¹¹ Tesema Ta'a, "The Gadaa System and Some of Its Institutions among the Booranaa: A Historical Perspective1," *Ethiopian Journal of the Social Sciences and Humanities* 12, no. 2 (2016): 81–97.

¹² Debela Fituma Mamo, "Indigenous Mechanisms as a Foundation for AfSol Comprehension: Lessons from Gadaa System of the Oromo Nation in Ethiopia," *Sociology and Anthropology* 5, no. 5 (2017): 379–87.

¹³ Negasa Gelana Debisa, "Building Peace by Peaceful Approach: The Role of Oromo Gadaa System in Peace-Building," *Cogent Social Sciences* 8, no. 1 (2022): 2023254.

¹⁴ Asafa Jalata dan Harwood Schaffer, "The Oromo, Gadaa/Siqqee Democracy and the Liberation of Ethiopian Colonial Subjects," *AlterNative: An International Journal of Indigenous Peoples* 9, no. 4 (Desember 2013): 277–95, doi:10.1177/117718011300900401.

A. Mechanisms in the Gadaa system for post-conflict peacebuilding

1. Jaarsummaa

Jaarsummaa is one of the dispute-resolution procedures known as the "elder's institutions" in the Oromo Gadaa system.¹⁵ An impartial third party who mediates the conflict between the parties is present during this procedure. Mediation is an attempt to resolve disputes between parties through mutual agreement through a neutral mediator who does not make decisions or conclusions for the parties but assists the facilitator in carrying out dialogue between the parties in an atmosphere of openness, honesty, and exchange of opinions to reach consensus. In other words, the problem-solving negotiation process is one in which an impartial and neutral outsider works with the disputing parties to help them reach a satisfactory agreement. The people with the knowledge and abilities to resolve disputes are known as Jaarsa Araaraa (reconciliation elders). Elders from the community who are closer to the persons involved typically use this technique. In agreement with this, Dejene attests that Jaarsa Araaraa talks with disputants about customary norms, values, and laws.¹⁶ Both disputants must abide by the standards and guidelines that Abba Gadaa has established since to do otherwise would be to disobey these traditions. Additionally, according to Firdissa, elders must uphold the customary laws and regulations embodied in jaarsummaa and resolve conflicts, disagreements, and other issues within the family and the community to maintain peace, safety, and social harmony.¹⁷

2. Qaalluu institution

The Oromo people's spiritual guide and liaison between Waaqaa (God) and them is Qaalluu. A person in charge of this task speaks with God about the problems of his followers and brings directives from God. This authority is inherited via blood lineage.¹⁸ He serves as the supervisor, approving authority, and spiritual guide for all ritualistic activities. In the Gadaa system, it is said that Qaalluu oversees managing power and that Waaqaa (God) provides it. This reasoning stems from the notion that Waaqaa's executive arm, Qaalluu, oversees all facets of human existence. In accordance with the values of "safuu, kaa'oo, Waaqaa, and uumaa," Qaalluu has a moral and social commitment to preserve harmony and encourage democratic relationships.¹⁹ Because of this, Qaalluu oversees overseeing the application of Waaqaa legislation. Using this institution, immoral behaviors like theft, lying, dishonesty, and deception

¹⁵ Debisa, "Building Peace by Peaceful Approach: The Role of Oromo Gadaa System in Peace-Building."

¹⁶ Ibid.

¹⁷ J. Firdissa, "Implications of Inscribing the Oromoo Gadaa System on Unesco's List of World Intangible Heritage: A Revitalized Panacea Prophesying the Future of the Oromoo," dalam *Proceedings of the 2nd International Conference on Oromoo Studies, Jimma University*, 2017, 333-365.

¹⁸ Debisa, "Building Peace by Peaceful Approach: The Role of Oromo Gadaa System in Peace-Building."

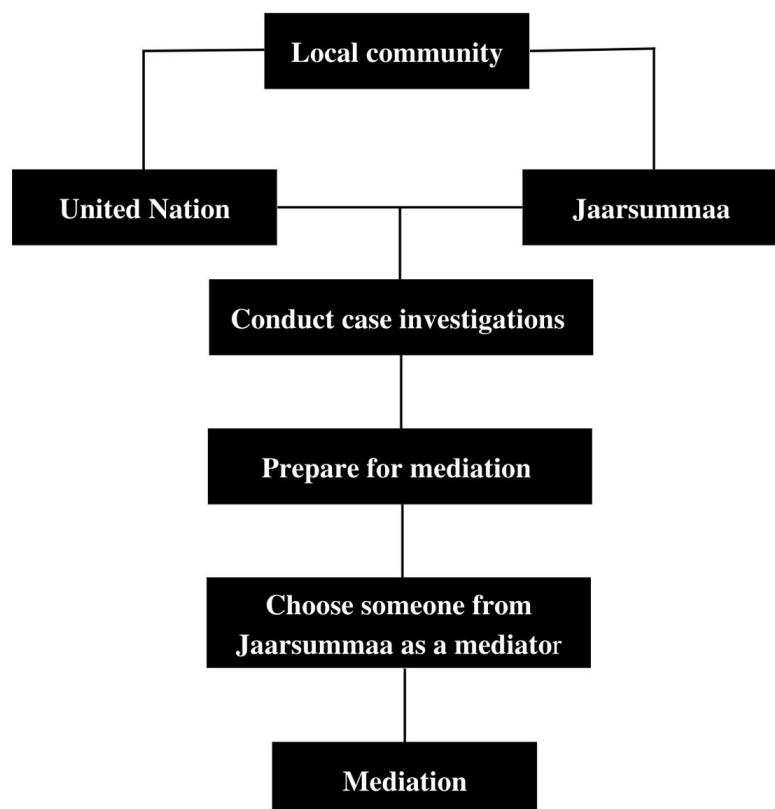
¹⁹ H.S. Muleta dan A. Irshad, "Oromo Indigenous Conflict Resolution Institutions: An Example of African Indigenous Institutions," *Review of Research* 8, no. 3 (2018): 0-10.

are outlawed. It is the duty of Qaalluu to lead rites and offer prayers to Waaqaa during Gadaa festivities.²⁰ Any ceremony in the Gadaa system should make use of a person who has this talent.

Through the seera kakuu (law of oath), the Qaalluu settles disputes by requiring that all parties speak the truth to avoid the possibility of a curse from the Qaalluu on those who disobey the rule of reconciliation.²¹ The Qaalluu institution is sometimes used as a place where certain matters are referred. For instance, the case will be brought to Qaalluu in the event of a theft or robbery when the identity of the perpetrator is still unclear. The importance of qaalluu in fostering peace by upholding both religious and societal obligations together with the role performed by its adherents is unquestionable. People follow Qaalluu's instructions because of fear that they will be met with some form of fury.

B. Application of Jaarsummaa and Qaalluu institution to the conflict

According to the explanation provided above, Jaarsumma is a mediation method, whereas the Qaalluu institution is more of an arbitration style of conflict resolution. First lets discussed Jaarsumma, the method will go as follow:



²⁰ Kebede Lemu Bekelcha dan Aregash Eticha Sefera, "The Role of Customary Conflict Resolution Mechanisms Among the Oromo: In Case of Dawo District of South West Shewa Zone," *Arabic Language, Literature & Culture* 4, no. 2 (2019): 32.

²¹ Ibid.

The next steps must be taken based on the outcome of the mediation; if the mediation is successful, the victims, perpetrators, and community all reached an agreement, and the perpetrator compensates the victim. If the mediation fails, the problem can be returned to the United Nations to be resolved, but if that also fails, the conflict resolution can be returned to the jaarsummaa institution, with them holding full power to resolve the conflict.

The UN will act as an observer and provide security throughout the process, as well as give some inside information to the Qaalluu institution. Local community will be invited to speak, as will representatives from the Ethiopian federal government, Eritrea, and the Tigray People's Liberation Front. After everything has been said and done, the representative from the Qaalluu institution who serves as the arbitrator will be given time to analyze each representative's story and make his final decision; the punishment for the party who is at fault will then be discussed by the United Nations and all the parties who are not in the wrong.

CONCLUSION

Culture, customs, and norms that have existed for a long time will be bound to society, and from there, many customary rules are born. Because of its traditional value, tara bandu is a traditional method of conflict resolution that can have a greater impact on conflict mitigation in Timor-Leste. This demonstrates that traditional methods can be used to resolve conflict in a modern setting. The Oromo Gadaa, the political system of the Oromo tribe, is a democratic one in terms of politics, society, the economy, and culture. Since the dawn of time, the Oromo have utilized the Gadaa system. The Gadaa system states that respecting what the Oromo culture, customary laws, and norms need is an element of living with neighbors. In that political system, there are the Jaarsummaa and Qaalluu institution, a traditional conflict resolution method of the tribe. Applying these two systems to resolve the Tigray war is a great alternative because there is a value that the people of Tigray would understand because it's a part of their culture.

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