

/Research Article

# Harmony in Dispute: The Role of Anywaa's Traditional Institutions in Conflict Resolution

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## Abstract

This paper explores the traditional institutions and conflict resolution mechanisms among the Anywaa community, shedding light on their intricate structures and practices. The Anywaa people, located in Ethiopia and South Sudan, have developed indigenous governance systems centered on institutions such as Nyieya (nobleship), Kwaaro (headmanship), and the spiritual leadership of Nyibur, along with family councils. These institutions play vital roles in maintaining social order and resolving conflicts within the community. The study elucidates the processes of conflict resolution, involving mediation by various officials and councils within the traditional governance system. Whether dealing with inter-village disputes, intra-village conflicts, or homicide cases, the Anywaa employ a combination of customary practices and indigenous knowledge to address conflicts effectively. The involvement of neutral parties underscores the community's commitment to fair and just resolution processes. Furthermore, the research highlights the significance of compensation and purification rituals in restoring harmony and reconciliation within the community. Through restitution and traditional ceremonies, the Anywaa aim to mend relationships and reintegrate offenders back into society, emphasizing the importance of forgiveness and community cohesion. Overall, the findings contribute to a deeper understanding of indigenous governance systems and their relevance in contemporary society. By documenting the intricate workings of traditional institutions and conflict resolution practices among the Anywaa people, the research underscores the importance of preserving and respecting indigenous knowledge for sustainable peace and social cohesion in diverse cultural contexts.

## Keywords

Anywaa, Traditional Institutions, Conflict Resolution, Ethiopia, South Sudan

## 1. Introduction

Traditional institutions have long served as the bedrock of governance and conflict resolution within indigenous communities worldwide. Among the Anywaa people, an ethnic group predominantly inhabiting regions of South Sudan and Ethiopia, traditional institutions play a pivotal role in maintaining social order, resolving disputes, and preserving cul-

tural heritage. The Anywaa traditional governance system encompasses a complex network of institutions, each with distinct roles and responsibilities, reflecting the rich tapestry of their indigenous knowledge and practices.

At the heart of Anywaa traditional governance are three primary institutions: Nyieya Nobleship, Kwaaro Headman-

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ship, and Nyibur spiritual leadership. These institutions, deeply rooted in Anywaa culture and history, provide the framework for societal organization, decision-making, and conflict resolution.

The Nyieya Nobleship institution represents the apex of Anywaa leadership, embodied by the Nyieya lords who wield considerable authority over their respective communities. The institution is intricately linked with lineage and birthright, with the Nyieya's power deriving from ancestral ties and ceremonial investiture. Symbolized by the prestigious Ucuok necklace, the Nyieya's authority extends over matters of justice, administration, and spiritual guidance.

Contrastingly, the Kwaaro Headmanship institution revolves around land ownership and community administration. Kwaaro, as landowners, hold sway over village affairs, distributing land, resolving disputes, and maintaining social cohesion. Supported by a network of appointed officials, the Kwaaro Headmanship ensures the equitable distribution of resources and the preservation of community interests.

Nyibur, the spiritual leader and representative, bridges the secular and sacred realms within Anywaa society. Responsible for invoking blessings, conducting rituals, and serving as a conduit to the divine, Nyibur embodies the spiritual essence of the community, fostering harmony between humanity and the natural world.

Family councils, micro-institutions within villages, complement the broader governance structure by facilitating local decision-making and mediating interpersonal conflicts. Through a system of collective deliberation and consensus-building, family councils uphold communal values and address issues at the grassroots level.

In times of conflict, Anywaa traditional institutions employ a nuanced approach to dispute resolution, drawing upon indigenous practices and customary norms. Whether addressing inter-village disputes, intra-family conflicts, or cases of homicide, traditional mechanisms prioritize reconciliation, restitution, and community participation.

This paper aims to explore the intricate dynamics of Anywaa traditional institutions, shedding light on their historical evolution, functional mechanisms, and contemporary relevance. By delving into the complexities of Nyieya Nobleship, Kwaaro Headmanship, Nyibur spiritual leadership, and family councils, this study seeks to deepen our understanding of indigenous governance systems and their enduring significance in the modern world. Through an analysis of Anywaa dispute resolution procedures, including inter-village conflict mediation and homicide reconciliation, this paper illuminates the resilience and adaptability of traditional institutions in addressing complex societal challenges.

In essence, the traditional institutions of the Anywaa people stand as a testament to the enduring legacy of indigenous governance, offering valuable insights into alternative modes of social organization, conflict management, and cultural preservation. As we navigate an era of globalization and rapid societal change, the lessons gleaned from Anywaa tradi-

tional governance hold profound implications for fostering resilience, equity, and community cohesion in diverse contexts worldwide.

## 2. Traditional Institutions of the Anywaa

Traditional institutions have been developed to administer specific communities based on their indigenous knowledge, which can be divided into three categories: The first is the Nyieye (plural) or Nyieya (singular) Nobleship institution [16]. The Nyieye headquarters are in Adongo, Pochalla, Jonglei State, in the southeastern section of South Sudan. The second is the Kwaari (plural) or Kwaaro (singular) preserved Headmanship institution [9]. Third, is Nyibur's spiritual leader and permanent representative. Under the supervision of the concerned village administration, Family Councils are also the primary micro institution for controlling the peaceful interactions of the society [1]. Nyieya is the top-ranking member of Kwaaro and Nyibur's hierarchy, but they are generally self-sufficient in their community [17]. The administration of the two major institutions (Nyieya and Kwaaro) is unrestricted by their power. As a result, if a village is administered by Nyieya, Kwaaro is ineligible to intervene in that administrative system in terms of the people, but the land is his property [3]. Similarly, if Kwaaro administers a village, Nyieya can reside there as a valued guest who cares for the people, but he cannot intervene administratively. If neither Nyieya nor Kwaaro administers a village, Nyieya appoints a permanent representative of Nyieya, i.e. Nyibur, from that village, for justice during times of conflict, dispute, and other social phenomena in the Nyieya institution [1].

### 2.1. The Nobleship Institution (Nyieya)

One of the traditional institutions of Anywaa is the royal family, which includes the great Anywaa king. Nyieya is a powerful Anywaa lord who wields total power. Nyieya doesn't own any property. Anywaa people, on the other hand, are Nyieya's property [3]. It possesses supreme strength, and the Anywaa people respect him. As a result, the nobility is determined by birth and an enthronement ritual that allows him to wear the royal insignia, Ucuok, around his neck. Tung-Goch and Tung-Nyiudola are two noble structural lineages. The two lineage lines have historically competed for possession of the royal emblem, Ucuok. Tung-Goch had it at first, but Tung-Nyiudola got it afterward. As a result, any Anywaa who is not born into the Tung-Nyiudola lineage has no right to be a Nyieya. A man cannot become a Nyieya just by being born, but rather by being invested with noble emblem. If he is not invested with them, he will never be a noble, and his children will be forever barred from enthronement and Nyieya lineage is a royal family lineage. Different officials and structurally worked to facilitate Nyieya's institutional [4]. When a young person is invested with royal sym-

bols, it is his maternal uncle who administers the ceremony. Today, the royal youth's maternal uncle brings him to the king's village and performs the ritual there. Previously, the youth had to seize the symbols and bring them to his village, where his maternal uncle would invest him with them [3]. The ucuok necklace is placed around the ruler's neck as part of the enthronement ceremony. Its unique merit stems from its connection to Ukiro or Ucuudhu, the founder of the noble family. The legend of his birth is known to all Anywaa, even those who live far away from the lords' domain [4]. During the more recent times of Anywaa history, not only did the kingship pass from village to village, but the kings themselves moved from village to village. The ritual center, the royal emblems, shifted, but so did the personal points through which the system's center traveled. The interrelationships between villages remained stable [1]. Village communities maintained in a somewhat constant spatial relationship with one another, and their strength was roughly equal. No single village could rule over its neighbors, much less the entire country. The village is the most important political unit among the Anywaa [5].

The insignia are shared by all of the communities, not just one. They are the property of the entire country [6]. The equality of the nobles and the circulation of the kingship bring the independence of village groups and their membership in a polity into alignment [3]. Nobles did not hesitate to invade nearby villages if they were powerful enough and had a fair chance of succeeding. They have probably only been able to raid neighboring villages widely after the introduction of weapons, because firearms were formerly owned by just a few Nyieye, upsetting the balance of village troops. [18] The nobles did not exhibit the self-centeredness they have since the introduction of firearms, according to all informants [7]. It has been noted that each village is spatially very distinct, economically self-contained, and politically isolated.

The important officials and their responsibilities are listed below.

Nyikugu is the head of Cuud and serves as the chief supervisor as well as the direct boss of others on Nyieya's side. He is sometimes referred to as Nyieya's representative at Cuud's court. If the society files an accusation appeal, Nyikugu will adjudicate the case [8].

Nyieatowieli is the Jayie's (the 'Cabinet') public relations officer. To strengthen their external relationship, he delivers a message from his village's king to another village's king or headman. He acts diplomatically. He is also in charge of delivering the king's message to the specific local community. He also serves to report the outcome of discussions at the Cuud for Nyikugu or Nyieya adjudication [1].

Kuey Luak; The Nyieya edifice, including the assembly and court place, Cuud, is guarded by Kuey Luak, an armed force of a strong age group from Joluak - an age group with soldier potential [1].

Nyibur: a Nyieya or Kwaaro authorized representative for a single village if neither Nyieya nor Kwaaro exists, and is

responsible to Nyieya. He also functioned as a spiritual leader, blessing the people, the land, the water, and the animals, as well as praying to Naam-Jwok, the river god, regularly. Nyieya bangs the Udola drum when he has the emblems during the enthronement, which was carried by the 'river man' (Ucuudho/Ukiro) with Ucuok bead. Nyieya features a gathering place known as Cuud, which also serves as a court station [4]. This courthouse hosts an entire legal system. When a Kuey Luak age group reaches retirement age, they hand over their armed forces to the next strongest age group and convene at Cuud. Their name was changed to Jocuud once they moved to Cuud. Jocuud was a privy council and taught different age groups at any time and in any place, including the hearth during wic mǎc - a night fire - to maintain societal decency. As a result, all Nyieya officials, including Jocuud, are known as Jayie. Officials from Nyieya lineage and others have been appointed to serve Nyieya's structure to ensure the long life of their king [4].

## 2.2. The Headman Institution (Kwaaro)

Kwaaro is a landowner who gave land to the village's landless residents through Nyibur. Kwaaro manages the administration with the help of his officers [1]. The following are some of the senior officials who have been nominated to the kwaaro cabinet to carry out public obligations. Karwang is a special administrator and advisor to the headman/kwaaro for administrative and public affairs. As Speaker of Kwaaro in the absence of Kwaaro, he would oversee all village matters [9]. Village communities remained in a fairly fixed spatial relationship to one another and they were of about equal strength. No one village could dominate its neighbor's, far less dominate the whole country [9].

Nyikugu-head In the absence of both Kwaaro and Karwang, Nyikugu-head of Burra will facilitate the arbitration process during conflict settlement and will also aid the village's administrative issues [3]. Headmen select deputies to handle guests in their absence and to whom minor issues of village life may be sent for discussion rather than determination. The headman's representative is known as Nyikugu, and he can come from any bloodline [3]. Almost any person who regularly interacts with the headman and to whom the headman delegate tasks related to village administration may be referred to as Nyikugu in that temporary context, though the office is more formalized in some villages than others and is frequently passed down from father to son.

Nyitoga- is the village's general council of internal affairs, which assisted Kwaaro in social, economic, and cultural problems. He is the village's champion and mobilizer for prosperity, as well as the village's security head and counselor [1].

Nyibur is the spiritual and land tenure chief. He has the authority to distribute farmland to residential areas and keeps track of land and population figures. He is in charge of the village's border demarcation as well as praying and warning

the people during times of drought, hunger, harvest, and epidemic disease [9].

Nyieatowiel is the head of public relations and information and Kwaaro's special messenger. Kuey luak - a Burra-based armed force that helped Nyikugu resolve disputes and fight wars [9]. It keeps the Kwaaro structure and Jayie in good working order. Kwaaro features a gathering spot known as Burra, which also serves as a courthouse. It is a center for conflict resolution and other social services [18]. When the Kuey luak age group turned old, they disarmed and left the area for the younger age group. After disarming, they took Burra's location and renamed it Joburra. Joburra's role is to counsel and educate various young age groups at any time and in any location, including wic mäs, as well as during times of conflict or other social phenomena [1].

### 3. Anywaa's Dispute Resolution Procedure

For different traditional communities in Africa, indigenous knowledge plays a significant role in conflict resolution. As a result Fekadu, argue that indigenous dispute resolution differs qualitatively from judicial conflict resolution [10]. It is a method in which problems are resolved with the help of a neutral third person, who is generally chosen by the parties themselves. Traditional dispute resolution processes are initiated by the criminal, his or her family or close relatives, and in some minor offences, by the victim or his or her family, according to Endalew [11]. When a crime is committed, the offender, victim, their families, or any third-party spectators rush to the elders and ask for assistance in resolving the problem. According to researchers, the Anywaa's traditional institutions dealt with various conflicts such as inter-village, intra-village, and homicide.

#### 3.1. Inter-Village Conflict

It is a quarrel between two villages or Kwaaro that can be resolved by a neutral village headman (Kwaaro). However, when a quarrel arises between two Kwaaro, the third neutral party (Kwaaro) is unable to mediate, forcing Nyieya to intervene [12]. During the resolution process, the third neutral party, Kwaaro, was also concerned about the situation on Nyieya's behalf. Kwaaro sends its Nyieatowiel to Nyieya to settle the dispute [12]. When the Nyieya learned of the quarrel between the two Kwaaro, he directed its Nyieatowiel to summon the disputants to the Cuud and begin the arbitration procedure. Nyikugu facilitated an open dialogue at the Cuud court station to address the disagreement [9]. Nyieya seeks guidance from Jocuud during the discussion, and Nyikugu handles everything. They analyze the source of the conflict and identify the aggressor during the dialogue. The outcome of this identification is transmitted to Nyieya via Nyieatowiel. Finally, Nyieya reconciles them and advises them on how to coexist peacefully, before ordering both of them to com-

pensate Jocuud for their mistake [2].

#### 3.2. Intra-Village Conflict

Intra-village conflicts can arise inside families or between families. The family council and the headman (Kwaaro) are also involved in the resolution process. The conflict that arises within a family, for example, is mediated by the family council [13]. Up to five family elders formed a family council. They are all members of the same family. All of the family elders and their family members have gathered in the family council to discuss the situation [1]. The disputing parties are also present at the meeting, and family elders serve as an arbiter. If the family elders cannot agree, they have the authority to impose any choice on the disputant party [14]. Conflict happens between various families in the same village, and the third neutral family initiates the mediation procedure [9]. The party invites both families to meet under the tree, which is said to be a peaceful spot for inter-family conflict resolution. However, there are situations when the problem is beyond the third family's capabilities. As a result, the matter will be referred to the village chief for arbitration. Thus, Kwaaro orders Nyieatowiel to summon the entire village, including the quarrelsome family, to Burra for a meeting [14]. Following the community's arrival at Burra, Kwaaro and Joburra take their seats to listen to the conversation. Then Nyikugu informs the audience about the session's major goal before asking the victim family to explain the source of the problem and their dissatisfaction. They explain everything, including their dissatisfaction, and the audience listens. Second, Nyikugu inquires about the major cause of the problem with the offender's family in order to cross-check and determine the source of the conflict. Nyikugu opens the floor for debate based on Anywaa standards if there is a gap in knowledge between the offender's and victim's explanations. The audience is silently listening to the argument between the two opposing parties witness regarding the victim's and offender's families. To avoid unnecessary annoyance, the offender's family is not allowed to speak for the community during any of the discussions. The victim's family, on the other hand, has the right to engage in the conversation in order to achieve an agreement with the community about compensation. Nyikugu informs the offender's family of their agreement once they reach an agreement. As a result, Nyikugu informs Nyieatowiel that all majorities have agreed on Kwaaro. Finally, Kwaaro listens to Nyieatowiel's report and consults Joburra for guidance before making a decision based on the majority's agreement [9].

#### 3.3. Homicide

Homicide is a serious crime that is also anti-social. As a result, murder is a source of major conflict; yet, it occurs in different parts of society at different times. According to the village administrator, when a person commits a murder crime, the culture



requires him to surrender himself to either Nyieya or Kwaaro [12]. As a result, once the offender reports to Cuud/Burra, Nyieya/Kwaaro takes care of everything. Nobody can harm him since he is under the supervision of Nyieya/Kwaaro; even the dying family is not allowed to harm him [15]. Because a murderer is completely shunned and not permitted to associate with others until traditional purification, Nyieya/Kwaaro treat the criminal in a friendly manner, providing food and drink, including tobacco, as well as shelter, until the situation is resolved. Nyieatowieli is dispatched to gather information about the incident after the murderer surrenders to Nyieya/Kwaaro [7]. Then Nyieya/Kwaaro sends a message to the offender's and victim's families, as well as the rest of the community, inviting them to a meeting in Cuud/Burra to find a solution based on the facts obtained. To do so, the community assigned eloquent and mentally bright seniors who were esteemed by society to represent the community as elder's council at Cuud or Burra. Both the plaintiff and defendant have enough opportunity to present their cases. The elders' council examines the circumstances and determines whether the offense was committed intentionally or accidentally. As a result, the circumstantial evidence is thoroughly examined. Thus, the investigation takes a week to double-check the crime scene. Finally, after much deliberation, they decide on the culprit to pay restitution to the victim's family and perform traditional purification [4].

#### 4. Compensation and Purification

Compensation is a cultural obligation to keep the disputant parties at peace and secure. It is also a state of assurance about the peacemaking process following the end of their disagreement. As a result, recompense has been replaced with in-kind payment and Anywaa's justice. As a result, recompense is required for all types of crime except homicide during inter-village, age group, agem, and agaanya dance fighting [9]. There was another type of dance in the past that is important for understanding the full social significance of the headman's dance. This was an agaaya dance, which the government has now prohibited [9]. The type of compensation, however, is determined on the sort of offence. As a result, their traditional institutions have established two sorts of compensation processes. They are in terms of cultural objects and people, depending on the injured party's interests.

**Cultural Objects:** A person who commits a crime is required to compensate the dying family with precious cultural objects. All dowries received during a marriage serves as recompense. The most expensive cultural materials include Dimui, Tiger Skin, Athero, Dem, Ogudi, Garrie, Thinjet, Elephant Teeth, Gun, Cows or Bulls, and so on today these cultural objects replaced by currency [2].

**Human Beings:** In the instance of homicide, the victim's family requires human replacement rather than cultural compensation. The victim's family chooses a girl or a man from the offender family's children based on their interests, adopts her/him, and raises her/him as their own child [12]. In this

scenario, they usually choose a female to marry the dying brother, cousin, or uncle. Her child is treated and recognized as the dying person's offspring. As a result, a person who commits a crime may be destitute and unable to pay in both reparation processes. In this scenario, the victim's family receives compensation in one of the three ways listed below.

1. A poor person surrenders himself to Nyieya/Kwaaro, and Nyieya/Kwaaro pays the victim's family compensation. Instead, a poor person serves Nyieya/Kwaaro as a servant.
2. A wealthy person who has been recognized by the elder's council has the right to compensate a poor person. Instead, a poor person who commits a crime has adopted a rich man's child.
3. If a poor individual is unable to find a wealthy man prepared to adopt him as a child, he or she becomes the victim's servant. If the crime was accidental, this kind of restitution is used.

Finally, depending on the village where the resolution process is taking place, either Nyieya or Kwaaro will perform a ritual rite. It aids in the resolution of significant conflicts by calming resentful feelings amongst feuding families [12]. They use the rite to escape curses from ancestor souls as well as to foster attitudes of tolerance among feuding families. After the disagreement is resolved, the offender's family pays the victim's family all of the compensation at the same time and provides cows or bulls. They choose one of the cows or bulls for a ritual ceremony to purge the sense of conflict. In front of the elder's council, both the offender's and victim's families look for hope. Following their promise, they prepared a spear to stab a cow or a bull one by one. The spear tips are then folded up as a symbol of peace assurance [12]. Then they slaughter a cow or a bull and divide its body into two equal portions, starting at the head and working their way down to the tail. As a result, the resolution process is frequently finished with a ceremonial sacrifice of a cow or a bull, and they guarantee the effectiveness of their settlement procedure [12].

#### 5. Conclusion

In conclusion, the research provides a comprehensive understanding of the traditional institutions and conflict resolution mechanisms within the Anywaa community, shedding light on their intricate structures and practices. The Anywaa people, situated in Ethiopia and South Sudan, have developed indigenous governance systems centered on institutions such as the Nyieya (nobleship), the Kwaaro (headmanship), and the spiritual leadership of Nyibur. These institutions, along with family councils, play vital roles in maintaining social order and resolving conflicts within the community. The study elucidates the processes of conflict resolution, which involve mediation by various officials and councils within the traditional governance system. Whether dealing with inter-village disputes, intra-village conflicts, or homi-

cide cases, the Anywaa employ a combination of customary practices and indigenous knowledge to address conflicts effectively. The involvement of neutral parties, such as village elders and appointed representatives, underscores the community's commitment to fair and just resolution processes.

Furthermore, the research highlights the significance of compensation and purification rituals in restoring harmony and reconciliation within the community. Through restitution and traditional ceremonies, the Anywaa aim to mend relationships and reintegrate offenders back into society, emphasizing the importance of forgiveness and community cohesion. Overall, the findings contribute to a deeper understanding of indigenous governance systems and their relevance in contemporary society. By documenting the intricate workings of traditional institutions and conflict resolution practices among the Anywaa people, the research underscores the importance of preserving and respecting indigenous knowledge for sustainable peace and social cohesion in diverse cultural contexts.

## Author Contributions

Beyene Hameretibeb is the sole author. The author read and approved the final manuscript.

## Conflicts of Interest

The author declares no conflicts of interest.

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