

## **Introduction to Part 1**

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In Part 1 I am presenting essays and articles written between 1992 and 1995, based on research conducted through the method of participant observation in 1986 in northern Kenya and in 1989 and 1990 in southern Ethiopia. This last period corresponds to my postgraduate and doctoral anthropological training, both influenced by the functional-structuralist teachings of Bernardo Bernardi. This approach poses several issues as it does not systematically consider the broader historical and political contexts in which the researched group is embedded. Nevertheless, even in hindsight, I believe that the research approach used was very valuable, especially considering that these studies were conducted during the last historical period in which the Borana managed to maintain their customary institutions separate from the political, social, and economic dynamics related to the Ethiopian state.

Maintaining the separation between the customary and modern state sectors was probably a form of protection for their institutions, a strategy to avoid the contamination that would inevitably result from the direct involvement of customary leaders in state processes. I was thus able to attempt an analysis of customary institutions within the context that produced them, looking for their significant features concerning the internal organisation of the Borana. For this reason, I thought it appropriate to present these writings in their original form, without revising the ethnographic writing that is interspersed with the analytical dimension.

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The essay presented in Chapter 1 was written on the occasion of Paul Baxter's retirement. In the wake of Bernardi's interest in the political significance of age-class systems (1984), I devoted the research conducted in Kenya in 1986 to the study of the *gadaa* system. However, the ceremonial and political centres of the Borana are located in southern Ethiopia. Therefore, rather than direct observation of customary political processes, the ethnography presented in this paper is based primarily on triangulated interviews.

I wrote the article in Chapter 2 after my doctoral research conducted in southern Ethiopia in 1989 and 1990. This article confirms the general framework outlined in Chapter 1, but through direct observation of the various decision-making processes, it was possible to broaden the view to different types of assemblies. The use of the category 'traditional' at this stage of my work reflects a terminology that was still dependent on the dichotomy between modernity and tradition, prevalent at the time in the intellectual circles of the region. In other continents, the claims of indigenous peoples had already led to the preference for the use of the term 'customary', capable of indicating elements derived from pre-colonial political phases without implying an irreducible opposition to modern and contemporary practices, and thus better able to delineate possible pluralist contemporary solutions. However, the reluctance in Ethiopia and other African countries to accept the existence of indigenous African peoples as ethnic and linguistic groups distinct from other dominant groups must be taken into account as a factor leading to the use of different terminologies and international concepts. It was only later in my research journey, through international engagement with the issues of minority and Indigenous Peoples' rights, that I became aware of these challenges and, in retrospect, of the conceptualisation issues present in my early writings.

Overall, these two chapters provide a clear answer to a question I have often been asked by Oromo colleagues, namely where I stand on topics that have characterised the international debate and divided European scholars from African scholars about the following two questions: is the *gadaa* system a political or a religious institution? Does the traditional political system of the Oromo correspond to a state organisation or not? This is an issue that found expression above all in Paul Baxter's critique of Asmarom Legesse's classic study *Gada. Three Approaches to the Study of African Society* (1973), expressed in the collection *Age, Generation and Time* (Baxter, Almagor 1978a). Legesse harshly responded in *Oromo Democracy. An Indigenous African Political System* (2000). By relegating the *gadaa* system to the ritual sphere, Baxter sought to reduce its political significance. This position undermined Legesse's later argument for the recoverability of the *gadaa* system as a source of constitutional principles for the democratic regulation of a modern state (Legesse 1978;

2000). The reflections presented in these two chapters on how the *gadaa* operates politically within its context are therefore central to the contemporary debate on *gadaa* governance.

Almost 30 years later, thanks to further studies and insights in the field of political anthropology, I would be inclined to modify some aspects of how I discussed the issue. The question of whether the *gadaa* is a ritual or political institution now appears to me as a false problem. Thanks to Luc de Heusch's (1962; 1997) and Balandier's (1967, ch. 5) contributions on the topic of the sacredness of power, we can assert that the Durkheimian dichotomy between the sacred and the profane and the relegation of rituals to the former sphere appears obsolete. As Balandier points out, "every society links its own order to an order beyond itself, and, in the case of traditional societies, to the cosmos" (1970, 101). For both state and stateless African societies, the two authors illustrate these aspects by referring to 'mystical forces' such as the *Ker* for the Alur of Nigeria, the *Swem* and *Tsav* for the Tiv of Nigeria, the *Mahano* for the Nyoro of Uganda, or the *Naan* for the Mossi of Burkina Faso. These are cosmic manifestations, differently configured by different peoples according to their political values and culture, that can affect people's lives negatively or positively. The political apparatus and its personnel bear the responsibility of regulating it for the collective well-being, just as among the Oromo the *gadaa* and *qaalluu* institutions of the Oromo ensure the maintenance of the *nagaa*.<sup>1</sup> As for modern societies, the two anthropologists addressed the issue in terms of the transcendence and sacredness of the state. This is a topic that historians have tackled through the development of the concept of 'political religion', which involves the use of powerful ritual apparatus and the appropriation of rites of passage by the state, often associated with the European totalitarian regimes of the last century. However, it is above all the contributions of Abner Choen (1969) and David Kertzer (1988) that delineate the inseparability of the political field from ritual and symbolism, due to the importance of the latter in the cognitive construction of the social frameworks in which actors organise their action and of the political apparatuses that regulate every type of society. In this sense, the *gadaa* system must be seen as a highly political institution, through which the social order and the cosmic order are intimately linked.

The article of Chapter 3 provides a brief but important insight into the characteristics of Oromo legal practices, aimed at reconciliation between parties rather than punishment, and at reaffirming the regulating principles of society and social life. These features are widely

<sup>1</sup> Outside Africa, the *àṣẹ* of Candomblé religion in Brazil and Italy, the Polynesian and Melanesian *mana* and the Iroquois *orenda*, described or mentioned by Daniela Calvo (2003), provide comparable cases.

shared in African customary law, with aspects that are now taken up and popularised in the discourse on the effectiveness of traditional African systems of conflict resolution, a theme that I will return to in the second and third parts of this book.

The essay in Chapter 4 was written at the invitation of Elisabetta Grande as a contribution to a study on legal pluralism in the Horn of Africa. It focuses on a specific aspect of Borana law – family law – offering insights into its substantive legal characteristics, in addition to the procedural aspects discussed in Chapter 3. Within the context of the argument presented here, this essay is particularly valuable for outlining Borana’s practice of maintaining a distinction between the customary and state legal systems until recent times.

Chapter 4 also qualifies the Borana Oromo as a society based on gender division. This topic relates to some criticisms that have been raised against the current valorisation of the *gadaa* because women would be excluded from access to *gadaa*-related offices and political-military engagement. Recently, Oromo intellectuals have defended the gender equality of the *gadaa* institution by recalling several traditional practices that specifically protect the rights of women (Kassahun 2021). Particular reference is made to the *siiqqee* institution, which was analysed from a feminist perspective by Kuwee Kumsa before this debate arose (Kumsa 1997). Kumsa examined its relationship with the *gadaa* system, with the specific intention of exploring its potential for women’s solidarity in their struggle. She aimed to fill a gap in the understanding of women’s perspectives in Oromo society due to the male gender bias in research (Jalata, Schaffer 2013, 278). She mainly relied on the few available contributions by female anthropologists and on interviews with Oromo women, as well as with specialists of the Oromo worldview and society such as Gemetchu Megerssa.

The *siiqqee* is a ritual stick that stands in symbolic complementarity with the *horooroo*. These are given to the bride and bridegroom respectively at marriage, and they are broken and buried with the individual at her or his death. Both Kumsa and Megerssa (Kassam, Megerssa 1996) provide an analysis of the symbolism of these two sticks, which relate to life, fertility, genealogical continuity, reproduction of the individual and society at large, as well as the “basic human rights to which an individual is entitled for as long as she/he lives”. Together, “they are symbolic regulators of a healthy and balanced relationship of power between female and male Oromo” (Kumsa 1997, 120-1). Women use the *siiqqee* on many ritual occasions, but also to mobilise their internal solidarity. They can use it to signal rebellion against abuses, drawing social attention to the issue to be dealt with according to *gadaa* laws. Through the *siiqqee*, women can bless, curse, or contribute to reconciliation. During the *gadaa* transition ceremony, the newly elected officers must pass under the

raised *siiqqee* of women to receive their blessing (Kumsa 1997, 123). The *abaarsa siiqqee* is a curse that can be pronounced by a group of women (Kumsa 1997, 123), mirroring the curse given to recalcitrant individuals in the male-dominated context of the general assembly (Chs. 1.2 and 2.4 of this book). For these reasons, *siiqqee* is seen as an institution that is parallel, coordinated and interdependent with *gadaa*, ensuring egalitarianism despite the division of roles and providing another dimension of the *gadaa*-related mechanisms of checks and balances (Kumsa 1997, 123).

More recently, to highlight this complementarity, Asafa Jalata has suggested replacing the use of the term *gadaa* with Gadaa/Siiqqee or Siiqqee/Gadaa (Jalata, Schaffer 2013, 278). Research is currently expanding into new areas, such as Debela Fituma's study on the role of the *siiqqee* institutional component of the *gadaa* system in Indigenous peace-building processes (Debela 2020).

Chapter 5 is a short essay based on research conducted in Kenya in 1986. It was originally presented at a workshop organised by Paul Baxter and Richard Hogg at the University of Manchester to stimulate critical reflection on the practices of international development cooperation in pastoral contexts. The chapter provides an insight into the practical aspects of the customary organisation. It discusses the system of mutual aid and poverty alleviation through internal livestock redistribution – crucial in an environment such as that of the Borana, characterised by recurrent drought, epizootics, and conflict.

